



**Henrico County
Neighborhood Watch**

Community Resource Guide

**A collaborative crime prevention and
quality of life project developed by the
Neighborhood Watch Council and
the Division of Police.**

A letter from the Chief of Police



HENRY W. STANLEY, JR.
CHIEF OF POLICE

COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO
DIVISION OF POLICE



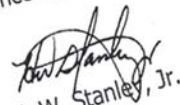
Dear Citizen:

It is with great pride and pleasure that I introduce this Community Resource Guide. This document represents the true meaning of Community Policing, which is the philosophy and foundation of the Division's mission. Community policing is a partnership between the Division of Police and the citizens and business people of Henrico County. Together, we can prevent crime and disorder and maintain the high quality of life that makes Henrico one of most desirable places to live and conduct business in central Virginia.

As you read the acknowledgements pages, you will see that the Community Resource Guide is truly a concerted effort, a partnership if you will, between our officers and others in our community. It is not only our officers who have assisted Mr. Solomon with the development of this guide, but also many other County employees and people from local and state agencies that have given their knowledge, time, talents, and skills to the development of the Community Resource Guide. The result is a common sense, plain-language guide that any Henrico County resident or businessperson can access to solve many problems that affect their quality of life or threaten their livelihood. It is a living document that will change and evolve as Henrico County grows and changes. So please consult it often. If an issue that affects you is not in the guide, please let the Crime Prevention Unit know, and they will review and consider its inclusion. They may be reached at 501-4838.

I know that our citizens' use of this guide will allow our officers to concentrate on other problems of crime and disorder that you are not empowered to solve. Your support of community policing through the use and application of the problem solving steps in this guide will ensure that future generations will enjoy the excellent quality of life that we have become accustomed to in Henrico County.

Sincerely,


H. W. Stanley, Jr.
Colonel

A NATIONALLY ACCREDITED LAW ENFORCEMENT AGENCY
7721 EAST PARHAM ROAD / P.O. BOX 27032 / RICHMOND, VIRGINIA 23273-7032

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Acknowledgements

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The Community Resource Guide is the result of the collective contributions and efforts of law enforcement agencies and individuals. The major contributors to this first edition are from the Henrico County Division of Police, the Henrico County Office of Planning and Community Maintenance, the Office of Attorney General of the Commonwealth of Virginia, and the Commonwealth's Attorney's Office. As editor, I wish to thank the following individuals who are the true authors of this work:

Colonel Henry W. Stanley Jr., Chief of Police, whose leadership and adherence to excellence have forged one of the finest police agencies in the United States. His support of, attention to and critiques of this guide are most welcome and appreciated.

Officer Allan Martin, Neighborhood Watch Coordinator, whose creativity, dedication, vision and spirit have been essential components in the production of this guide. He has spent many hours helping me to understand how police officers view problems. Not only has he guided me to the proper sources for information, he also has been a major contributor to many of the topics.

Crystal Martin, Public Information Coordinator, whose expertise, professionalism, joy, enthusiasm and dedication always add the magic luster that makes all of us shine. The final product is her work.

Major Michael A. Batten, Assistant Chief of Police, Community Operations-Investigative, whose support of Neighborhood Watch has been essential to the achievements of our objectives and whose insights into this work have been crucial.

Captain Lewis E. Shaw, Commanding Officer - Community Services Section, for his vigilant scrutiny of this work and his important suggestions for its improvement and accuracy.

Nicole Smith, Assistant Neighborhood Watch Coordinator, whose support, encouragement and help have been most valuable and appreciated.

Officer Brian K. Anderson, Community Officer, who has given so much so generously to this work. Besides being the major contributor on multiple topics, he most graciously has reviewed much of this guide and has made many important corrections. His knowledge, wisdom and experience are peppered throughout these pages.

Officer R. K. Cordle, Crime Prevention Specialist, for his time and expertise on the topics of trespassing and loitering.

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The Office of Attorney General, Commonwealth of Virginia, for their permission to use the contents of their publication, Virginia Consumer Guide, as the contents of our topics on fraud.

Officer Brian T. Wilson, Courts Liaison Officer and former Neighborhood Watch Coordinator, for his authorship of the original Community Resource Guide that is the basis for this one.

Captain James B. Fitzgerald, Commanding Officer - Criminal Investigations Section, who has given so kindly and generously of his time, extraordinary sagacity, experience and wisdom in teaching me not only the history of law enforcement, but also many of the philosophies and theories used in solving problems.

My colleagues in the Henrico County Neighborhood Watch, who give their time, effort and spirit to make Henrico County a safe, clean, quiet and special place in which to live.

To the Executive Board of the Henrico County Neighborhood Watch Council:

John Kilmer, President, whose enthusiastic support and guidance as well as his many suggestions are an important part of this work.

Margo McKnight, Vice President, whose wisdom, knowledge and experience in solving neighborhood problems are visible throughout this work. She is a major contributor on the issues of noise.

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Imad Abi-Falah, Corresponding Secretary, whose support, enthusiasm, warmth and sense of justice and balance have been an important inspiration to me.

Jane Ward Solomon, my wife, who has helped me to locate and obtain the materials necessary to do the research for this work.

Melvin Solomon
Editor
August 2003

How To Use This Guide

FORMAT

The text of each topic covered in this manual is arranged in the following format:

1. Legal citations
2. Explanatory information (if needed or appropriate)
3. A set of solutions

Legal Citations

So that we may understand better how law enforcement officials handle problems, the laws that govern their actions have been cited. The chapter, article, and section numbers as well as the titles to each are as they occur in either the Henrico County Municipal Code and/or the Virginia State Code. This information allows anyone to access the full text of the law in the following ways:

1. Go to the Henrico County Police website at <http://www.henricopolice.org>, where you may access the Henrico County Municipal Code and link to the Virginia State Code.
2. Go to a public library where some branches may have actual law books and where all branches have computers needed to access the aforementioned websites. Librarians also provide support to citizens that do not know how to use computers and can assist you with accessing this information.

How To Use This Guide

Explanatory Information

When necessary, additional information may appear, such as definitions of terms, a brief synopsis of the laws cited, or advice obtained from police officers and other law enforcement officials that is relevant to the topic. This information is included to assist in selecting the most proper and effective solution at the time.

A Set of Solutions

As many solutions as possible are offered under each topic with the hope that at least one will fit the situation at the time. If a problem can be solved by calling Community Maintenance select that solution first. If the problem is one that is a NON-EMERGENCY and the police must be called, use the 501-5000 telephone number or the www.henricopolice.org website.

Only use 911 when an EMERGENCY situation presents itself. It is of extreme importance that we neighborhood watch members know who to call, when to call and what to do so that we can help our partners, the Henrico County Division of Police, arrange their time and resources to achieve the most efficient handling of the most serious problems.

NOISE:

Penalty and Enforcement, Prohibited Noises Enumerated, and Exemptions

NOISE: Penalty and Enforcement, Prohibited Noises Enumerated, and Exemptions

RELEVANT LAW: Henrico County Municipal Code

Chapter 10 ENVIRONMENT

Section 10-71: Penalty and Enforcement

Section 10-72: Reserved

Section 10-73: Prohibited noises enumerated

Section 10-74: Exemptions

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

1. That Section 10-71 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 10-71. Penalty and enforcement.

- (a) No person shall be charged with a violation of the provisions of section 10-73 unless a (1) complainant appears before a magistrate and requests a summons to be issued or (2) violation is committed in the presence of a police officer.
- (b) Any person convicted of violating any of the provisions of section 10-73 shall be punished by a fine not to exceed \$500. Any person convicted of a second offense within less than five years after a first offense under this article shall be punished by a fine not to exceed \$1,000. Any person convicted of a third offense within less than 10 years after a first offense under this article shall be punished by a fine not to exceed \$2,500.
- (c) Each day a violation continues unabated shall constitute a separate offense.

Criminal enforcement against a person violating this article shall not be a bar against, or a prerequisite for, taking any other action permitted by this Code or the Code of Virginia to abate the violation.

2. That Section 10-72 of the Code of the County of Henrico be repealed and reserved as follows:

Sec. 10-72. Reserved.

3. That Section 10-73 of the Code of the County of Henrico be amended and reordained as follows: (see following pages.)

NOISE:

Penalty and Enforcement, Prohibited Noises Enumerated, and Exemptions

Sec. 10-73. Prohibited noises enumerated.

It shall be unlawful for any person to cause or permit to be caused any of the following prohibited sounds or noises:

- (1) **Social gatherings and parties.** Allowing any noise between 11:00 p.m. and 7:00 a.m. generated from a gathering of 10 or more people that is plainly audible (i) inside the confines of the dwelling unit, house or apartment of another person or (ii) in a residential area, at 100 or more feet from the gathering.
(For exclusions, see Sec. 10-74 Exemptions.)
- (2) **Sound-producing and sound-reproducing devices.** Except for commercial establishments located in areas zoned for Urban Mixed Use, the use, operation or playing of any radio, phonograph, television, record, compact disc, tape, digital music, MP3 or DVD player, musical instrument, loudspeaker, sound amplifier or other machine or device capable of producing or reproducing sound, regardless of whether such sound-producing or sound-reproducing machine or device is located inside of a structure or outside of or on a structure, in such a manner or with such volume or duration that it is plainly audible between 11:00 p.m. and 7:00 a.m., (i) inside the confines of the dwelling unit, house or apartment of another person or (ii) in residential areas, at 50 or more feet from the device.
(For exclusions, see Sec. 10-74 Exemptions.)
- (3) **Noisy animals.** Allowing any animal to cause any sound or noise such that it is plainly audible (i) inside the confines of the dwelling unit, house or apartment of another person at least once a minute for 10 consecutive minutes or (ii) at 100 or more feet from the animal at least once a minute for 10 consecutive minutes.
- (4) **Trash and recycling collection.** The creation of any sound or noise between 12:00 midnight and 6:00 a.m. that is plainly audible in a residential area, except those areas zoned for Urban Mixed Use, when the sound or noise is produced in connection with the loading or unloading of refuse, waste or recycling collection vehicles.
(For exclusions, see Sec. 10-74 Exemptions.)

NOISE:

Penalty and Enforcement, Prohibited Noises Enumerated, and Exemptions

- (5) **Street cleaning and construction.** The creation of any sound or noise between 11:00 p.m. and 6:00 a.m. that is plainly audible in a residential area, except those areas zoned for Urban Mixed Use, when the sound or noise is produced in connection with (i) the cleaning of streets or parking lots or (ii) construction or demolition activities.
(For exclusions, see Sec. 10-74 Exemptions.)
- (6) **Peddlers and hawkers.** Yelling, shouting, whistling, screaming or crying for the purpose of attracting attention to a performance, show, sale or display of merchandise between the hours of 11:00 p.m. and 7:00 a.m. on any public street, sidewalk or parking lot or any privately-owned street, sidewalk or parking lot open to the public, except to summon aid in an emergency.
(For exclusions, see Sec. 10-74 Exemptions.)
- (7) **Amplified sound from vehicles.** Playing, using or operating, or permitting the playing, use or operation of, any radio, stereo, tape player, compact disc player, loud speaker or other electronic device or mechanical equipment used for the amplification of sound, which is located on or within a motor vehicle and which is plainly audible from outside the motor vehicle at a distance of 50 feet or more. The provisions of this subsection shall not apply to the playing of music or jingles by an ice cream truck or similar mobile food-service vehicle, provided such vehicle may emit sounds otherwise prohibited by this subsection only between the hours of 7:00 a.m. and 9:00 p.m.
(For exclusions, see Sec. 10-74 Exemptions.)
- (8) **Lawn care activities.** Creating any sound or noise plainly audible in residential areas between 11:00 p.m. and 7:00 a.m. in connection with lawn care, leaf removal, gardening, tree maintenance or removal or other landscaping, lawn or timbering activities. The provisions of this subsection shall not apply to sound or noise generated by the maintenance of recreational facilities such as golf courses and ball or playing fields.

4. That Section 10-74 be added to the Code of the County of Henrico as follows:

(See following pages.)

NOISE:

Penalty and Enforcement, Prohibited Noises Enumerated, and Exemptions

Sec. 10-74. Exemptions.

The prohibitions of section 10-73 of this article shall not apply to any sound or noise generated by any of the following:

- 1) Sound or noise which is necessary for the protection or preservation of property or the health, safety, life or limb of any person, including sound or noise caused by restoration of utility service after an interruption.
- 2) Sound or noise which is necessary for the maintenance or construction of roads and highways.
- 3) Radios, sirens, horns and bells on police, fire or other emergency response vehicles.
- 4) Parades, fireworks displays, school-related activities and other such public special events or public activities.
- 5) Band performances or practices, athletic contests or practices and other school-sponsored activities on the grounds of public or private schools, colleges or universities.
- 6) Athletic contests and other officially-sanctioned activities in county parks.
- 7) Fire alarms, burglar alarms and car alarms, prior to the giving of notice and a reasonable opportunity for the owner or person in possession of the premises or vehicle served by any such alarm to turn off the alarm.
- 8) Religious services, religious events or religious activities or expressions, including, but not limited to music, singing, bells, chimes and organs which are part of such service, event, activity or expression.
- 9) Locomotives and other railroad equipment, and aircraft.
- 10) Military activities of the state or of the United States of America.
- 11) Agricultural operations, as defined in Code of Virginia § 3.2-300, provided such operations comply with all applicable laws, regulations and ordinances.

NOISE:

Penalty and Enforcement, Prohibited Noises Enumerated, and Exemptions

Sec. 10-74. Exemptions. (continued)

- 12) Amateur and professional motorsports competitions and competition-related events such as time trials and practices, provided the competition is sanctioned by a nationally-recognized motorsports racing organization and complies with all applicable laws, regulations and ordinances, including permit terms and conditions, if any.
- 13) Political gatherings and other activities protected by the First Amendment to the United States Constitution.
- 14) Activities for which the regulation of noise has been preempted by federal law.

5. That this ordinance shall be effective on and after its passage.

SOLUTION #1: Call the Police at 501-5000 or inform them via the internet at www.henricopolice.org. A police officer can issue a summons to a violator only upon catching that person in the act. Short of that, you have two choices:

- a) Ask the officer to warn the offender, which means that you will need to provide a plate number and a description of the vehicle.
- b) Provide documentation to the police that indicates when, where and, if possible, who is committing these acts. If there is a pattern to the occurrences, the police can use adequate resources to solve the problem.

SOLUTION #2: Go to a Magistrate. You may visit a Henrico County Magistrate to explain the problem. A Magistrate requires certain specific information about an offender, which must be obtained by a police officer. Because you are not entitled to that information, you may do one of the following:

1. Ask the officer to meet you at the Magistrate's office with the required information.
2. Ask the officer to give you a case number that you can present so that the Magistrate may obtain the required information through the county government information systems. You will need to convince the Magistrate of the truthfulness of your claims, so you should bring with you one or more of the following forms of evidence:

1. One or more witnesses	2. Audio tape
3. Videotape	4. Documentation in the form of a chronological
journal or log with as much data as possible about the offenses. If the Magistrate issues a	
warrant based on your evidence, you and your evidence will have to appear in open court.	
If your evidence consists of witnesses, then they will have to testify in open court.	

DISORDERLY CONDUCT:

Disorderly Conduct in Public

DISORDERLY CONDUCT

RELEVANT LAW: Virginia State Code

Title 18.2: Crimes and offenses generally

Article 2: Disorderly conduct

Section 18.2-415: Disorderly conduct in public places

Henrico County Municipal Code

Section 13-32: Disorderly conduct

A brief definition of "disorderly conduct" is contained in the opening lines of Section 13-32 of the Henrico County Municipal Code:

"A person is guilty of disorderly conduct if, with the intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, he:

(1) In any street, highway, public building or while in or on a public conveyance or public place engages in conduct having a direct tendency to cause acts of violence by the persons at whom, individually, such conduct is directed."

SOLUTION #1: Call the police at 911 if you encounter behavior by one or more persons that could result in violence and/or be a threat to the safety of others.

SOLUTION #2: Call the police at 501-5000 if you encounter behavior by one or more persons that disrupts the proper decorum of the community but does not indicate any violence or pose a threat to the safety of others.

COMMUNITY MAINTENANCE:

Tall Grass and Weeds

COMMUNITY MAINTENANCE: Tall Grass and Weeds

RELEVANT LAW: Henrico County Municipal Code

Section 10-151: Weeds defined

Section 10-153: Cutting of weeds and grass required

Henrico County Code defines "weeds" as "any grass, weeds, bushes, poison ivy, poison oak or any other vegetable growth other than trees, ornamental shrubbery, flowers and garden vegetables."

Any grass/weed growth higher than 12 inches IS in violation of the county ordinance if:

1. It is on vacant developed or undeveloped property within the boundaries of a platted subdivision
2. It is on any property zoned for residential, business, commercial or industrial use that is within 250 feet of property developed for residential use

But IS NOT in violation if:

1. It is on property required to remain natural to serve as a buffer.
2. It is on a protected wetland.

SOLUTION #1: Call the Community Maintenance hotline at 501-4757. Please assist the Community Maintenance inspectors by providing the following information:

1. Whether the property is vacant or occupied
2. Whether there are any inoperable or unlicensed vehicles or trailers on the property
3. Whether there is any trash, garbage or litter on the property that is not stored in a covered, water tight container
4. Whether there is any evidence of rats on the property

An inspector will contact the property owner within 3 days of receiving the complaint. The owner will be given 5 calendar days to correct the problem voluntarily, otherwise the County will correct it at the owner's expense.

COMMUNITY MAINTENANCE: Rodent Control

COMMUNITY MAINTENANCE: Rodent Control

RELEVANT LAW: Henrico County Municipal Code

Section 10-184: Requires property owners to maintain their property in a rat-free condition

SOLUTION #1: Call the Community Maintenance hotline at 501-4757. Please assist the Community Maintenance inspectors by providing the following information:

1. Whether the property is vacant or occupied
2. Whether there are any inoperable or unlicensed vehicles or trailers on the property
3. Whether there is any trash, garbage or litter on the property that is not stored in a covered, watertight container

COMMUNITY MAINTENANCE:

Trash and Debris

COMMUNITY MAINTENANCE: Trash and Debris

RELEVANT LAW:

Henrico County Municipal Code

Section 10-104: Prohibits the storage or accumulation of trash, garbage, refuse, litter and other substances that might endanger the health or safety of other county residents. All garbage, trash, refuse and litter must be placed in watertight containers and kept covered.

Section 22-42: Prohibits dumping trash, garbage or refuse from a vehicle on to a public highway or right-of-way or on to private property.

Virginia Building Maintenance Code

Section PM-306.1: Prohibits accumulations of garbage or rubbish inside buildings or structures.

SOLUTION #1: Call the Community Maintenance hotline at 501-4757. Please assist the Community Maintenance inspectors by providing the following information:

1. Whether the property is vacant or occupied
2. Whether there are any inoperable or unlicensed vehicles or trailers on the property
3. Whether there is any evidence of rats on the property

An inspector will contact the property owner within 3 days of receiving the complaint. The owner will be given 5 to 7 calendar days to correct the problem voluntarily, otherwise the County will correct it at the owner's expense.

SOLUTION #2: Any chartered neighborhood association can organize and schedule a Saturday cleanup through the Solid Waste Division of the Department of Public Utilities. The County will supply the refuse truck. Volunteer homeowners, 18 years of age and above, will be responsible for loading their household refuse and yard waste. Call the Department of Public Utilities at 261-8770.

SOLUTION #3: Make use of the bulky waste collection service to dispose of brush, bagged leaves, household appliances and furniture. There is a fee for this service. Call the Department of Public Utilities at 261-8770.

SOLUTION #4: Citizen volunteers may adopt a road, park, school or community where they pick up litter and monitor their locations. Call 501-4502 for information.

COMMUNITY MAINTENANCE:

Zoning Ordinance Issues: Trailers

COMMUNITY MAINTENANCE: Zoning Ordinance Issues: Trailers

RELEVANT LAW: Henrico County Municipal Code

Section 24-102(2): Defines conditions under which trailers may be stored on residential property

One travel, utility and/or boat trailer may be stored on residential property if:

1. It is used as an accessory.
2. It is parked or stored in the rear, side yard, carport or garage on the same lot with the principal use.
3. It is not occupied for living or business purposes.
4. The wheels or other transporting devices are not removed except for repairs.
5. It is not connected to any utility service.
6. It is not connected to the ground or to any other structure in any manner that would prevent its ready removal.

SOLUTION #1: Call the Community Maintenance hotline at 501-4757. Please assist the Community Maintenance inspectors by providing the following information:

1. Whether the property is vacant or occupied
2. Whether there are any inoperable or unlicensed vehicles or trailers on the property
3. Whether there is any trash, garbage or litter on the property that is not stored in a covered, watertight container
4. Whether there is any evidence of rats on the property

COMMUNITY MAINTENANCE: Zoning Ordinance Issues: Pets

COMMUNITY MAINTENANCE: Zoning Ordinance Issues: Pets

RELEVANT LAW: Henrico County Municipal Code

Section 24-3: Defines a kennel or animal boarding place

Section 24-13 (e): Conditional uses permitted by special exception.

By county ordinances, only 3 pets may be kept at a residence that is located in a duly platted and recorded subdivision.

SOLUTION #1: Call the Community Maintenance hotline at 501-4757. Please assist the Community Maintenance inspectors by providing the following information:

1. Whether the property is vacant or occupied
2. Whether there are any inoperable or unlicensed vehicles or trailers on the property
3. Whether there is any trash, garbage or litter on the property that is not stored in a covered, watertight container
4. Whether there is any evidence of rats on the property

SOLUTION #2: Obtain a conditional use permit from the planning and zoning office at 501-4602. This permit allows for a private kennel in a residence. A "private kennel" is defined as a premises used by the property's occupants for the care of 4 or more cats, dogs, pets, fowl or domestic animals that are at least 4 months old for noncommercial purposes.

COMMUNITY MAINTENANCE: Zoning Ordinance Issues: Trucks, Commercial Trailers and Wreckers

COMMUNITY MAINTENANCE: Zoning Ordinance Issues: Trucks, Commercial Trailers and Wreckers

RELEVANT LAW: Henrico County Municipal Code

Section 24-96: Defines conditions under which these vehicles may or may not be parked

NOTE: The phrase "empty weight" used below is defined as the weight used for registration purposes by the Virginia Department of Motor Vehicles.

A truck or commercial vehicle with an empty weight greater than 5000 lbs. may not be parked in any area of a residential district except a farm and except while being loaded or unloaded.

No commercial enclosed or flatbed trailer or any wrecker may be parked in a residential district, regardless of their empty weight, except while being loaded or unloaded.

SOLUTION #1: Call the Community Maintenance hotline at 501-4757. Please assist the Community Maintenance inspectors by providing the following information:

1. Whether the property is vacant or occupied
2. Whether there are any inoperable or unlicensed vehicles or trailers on the property
3. Whether there is any trash, garbage or litter on the property that is not stored in a covered, watertight container
4. Whether there is any evidence of rats on the property
5. Where on the property the vehicle is placed
6. A description of the vehicle, including the license plate number
7. Any other information regarding the condition of the vehicle or trailer

COMMUNITY MAINTENANCE:

Zoning Ordinance Issues: Outside Storage of Household Appliances, Furniture & Building Materials

COMMUNITY MAINTENANCE: Zoning Ordinance Issues: Outside Storage of Household Appliances or Furniture and Building Materials

RELEVANT LAW: Henrico County Municipal Code

Section 94-95(m): Defines conditions under which these items may or may not be stored in residential or agricultural districts

Household appliances or furniture manufactured and sold for indoor use may not be placed in yards.

Building materials may not be stored outside of a fully enclosed building unless:

1. They are being used for agricultural operations
2. They are being used in substantial and continuing construction activities

SOLUTION #1: Call the Community Maintenance hotline at 501-4757. Please assist the Community Maintenance inspectors by providing the following information:

1. Whether the property is vacant or occupied
2. Whether there are any inoperable or unlicensed vehicles or trailers on the property
3. Whether there is any trash, garbage or litter on the property that is not stored in a covered, water tight container
4. Whether there is any evidence of rats on the property
5. The location on the property of the appliances, furniture and/or building materials
6. How long the items have been in place
7. A description of the types of appliances, furniture and/or building materials

COMMUNITY MAINTENANCE:

Standing Water

STANDING WATER

Relevant Principle: Henrico County Standing Water Policy

"Standing water" means any outdoor, stagnant accumulation of water that can breed mosquitoes. Standing water does NOT include tidal and nontidal wetlands, moving water, fountains, or water that contains natural predators, such as fish.

The purpose of the Standing Water Policy is to reduce the risk of exposure to the West Nile virus and other mosquito-borne diseases such as malaria, meningitis and encephalitis by encouraging the elimination or treatment of standing water that can breed mosquitoes. Note that the West Nile virus can cause meningitis or encephalitis.

SOLUTION #1: Prevent standing water and mosquito breeding on your property.

Walk around your property once a week and empty any containers that you have not disposed of. Look for hidden locations around your property.

Some things you can do:

1. Turn over or remove containers in your yard where rainwater collects, such as potted plant trays, buckets or toys.
2. Dispose of all cans, bottles, plastic containers and tires.
3. Clean roof gutters and downspout screens regularly.
4. Empty birdbaths once a week.
5. Drain wading pools often.
6. Eliminate standing water on flat roofs.
7. Do not allow water to collect in garbage cans; do not leave garbage cans open or lids upside down.
8. Check under your deck and stairs for hidden containers or puddles.
9. Dump or drain pockets of water on tarps.
10. Dump containers weekly or treat them with mosquito bits or dunks.
11. For a more extensive detailed list, visit the following Henrico County Web Site:
<http://www.co.henrico.va.us/health/westnile.htm>

SOLUTION #2: Treat standing water on your property. Residents can purchase and use larvicide products labeled for consumer use on their own property. They may not legally apply larvicides on any properties other than their own, unless they are licensed (certified-Category 8) pesticide applicators and have permission from the property owner. Timing is the key; mosquito larvae can develop and hatch in just six days.

1. Dump or drain containers or tarps once a week.
2. Drain water in puddles or ditches by digging or improving a drainage channel, or fill the hole with sand, gravel or soil so water is absorbed and flows elsewhere.
3. Treat water with an environmentally friendly larvicide with the active ingredient, Bti.

COMMUNITY MAINTENANCE:

Standing Water, continued

Larvicides are available at a number of area home and garden centers, hardware stores, home improvement or general merchandise stores. If your favorite store does not carry the products that you are looking for, ask them to start carrying them.

Consumer product larvicides come in two forms: dunks (donut-shaped briquettes) and granules. Dunks are better suited for use in open water areas. A single dunk can treat 100 square feet of water area, and the active ingredient can release continuously for up to 20 days. Treat smaller areas of water by breaking a dunk and using appropriately sized chunks depending on the size of the container.

Granular larvicide are more effective in treating water that contains a lot of vegetation such as grassy ditch lines or standing water in lawn areas. Granules are more economical when treating a small amount of water. Be sure to read and follow all label directions on any products that you choose to use.

SOLUTION #3: Report standing water and/or mosquito problems. Call the West Nile Hotline at 226-NILE (6453.) After reporting the presence of standing water or mosquito problems, an Environmental Inspector from the Department of Public Works will respond to investigate your complaint. This information will be used along with other data to determine if a mosquito-breeding standing water problem exists. If so, the owner of the property will be notified and requested to eliminate or treat the standing water. The County will provide information regarding the elimination of standing water, methods of mosquito control and where control measures can be purchased. In the case of County owned property, any mosquito larva will be treated at the time it is discovered and the area will be monitored until the standing water problem is resolved.

SOLUTION #4: Report dead birds. Between the months of April and September, call the West Nile Hotline. 226-NILE (6453.) The public can help state officials monitor for the virus by reporting dead CROWS, BLUEJAYS and BIRDS OF PREY to the West Nile Information Line. Selected birds will be tested for the virus during the months of April through August. Birds must be tested within 24 hours of death to be able to detect the virus. Sunken eyes and the presence of fly larvae (maggots) are good indicators that the bird has been dead too long.

FOR MORE INFORMATION:

1. Call the West Nile Hotline at 226-NILE (6453.)
2. Call the Henrico Health Department for questions regarding the West Nile virus and health related concerns.

[More>](#)

COMMUNITY MAINTENANCE: Standing Water, continued

FOR MORE INFORMATION: (continued)

3. Visit the following websites:
Virginia Department of Health
www.vdh.state.va.us

Virginia Mosquito Control Association
www.mosquito-va.org/index.html

Centers of Disease Control & Prevention
www.cdc.gov

EPA Pesticides & Mosquito Control
www.epa.gov/pesticides/

Henrico County
www.co.henrico.va.us
Click on the West Nile virus button

LARCENY:

Larceny from Vehicles

LARCENY: Vehicles

RELEVANT LAW: Virginia State Code

Section 18.2-95: Grand Larceny defined

Section 18.2-96: Petit Larceny defined

A person commits GRAND LARCENY if he/she:

1. Steals anything worth \$5 or more from the person of another
2. Steals anything worth \$200 or more not from the person of another
3. Steals a firearm, regardless of value

A person commits PETIT LARCENY if he/she:

1. Steals anything worth less than \$5 from the person of another
2. Steals anything worth less than \$200 not from the person of another, with the exception of a firearm (#3 under GRAND LARCENY)

BE SUSPICIOUS OF THE FOLLOWING:

1. Anyone walking up and down the street with a flat-edged screw driver and/or a wire coat hanger appearing to check out vehicles
2. Vehicles being driven without any license plates, or without the proper license plates
3. Vehicles being driven in cold weather with one or more windows down (this could indicate that the window was broken to gain entry into the vehicle)
4. Vehicles being driven with a broken vent window

SOLUTION #1: Call the Police. If the vehicle was broken into a short time ago, call 911; otherwise, call 501-5000.

DOGS ROAMING FREE:

Dogs Roaming Free

DOGS ROAMING FREE

RELEVANT LAW: Henrico County Municipal Code

Chapter 5: Animals

Article II: Dogs and Cats

Division 1: Generally

Section 5-34: Unlawful acts generally; animals running at large

Subsection 6 of this section of the county code states that it is prohibited for any dog to run at large within the county at any time during any month of the year. A dog is deemed to "run at large" when he is roaming, running or self-hunting off the property of its owner or custodian and is not under its owner's or custodian's immediate control.

SOLUTION #1: Call the police at 501-5000, and ask for the Animal Protection Unit.

TRESPASSING:

Trespassing

TRESPASSING

RELEVANT LAW: Virginia State Code
Section 18.2-119:

The basic crime of trespass is entry onto one's property after notice that entry is forbidden. The notice can be oral or written, or the property can be posted where the notice can be reasonably seen. If initial permission is granted, it can be withdrawn by someone with authority to exclude. If the trespassing is NOT accompanied by any offensive, harmful or criminal activity, then use one of solutions #1- #4; otherwise, use one of solutions #5 – #6.

SOLUTION #1: Do nothing.

SOLUTION #2: Ask the trespasser(s) personally to please stop their trespassing.

SOLUTION #3: Call the police at 501-5000, and ask to make a formal complaint. A police officer will visit you, so as to obtain the necessary information about the offense.

SOLUTION #4: Go to a Magistrate. You may visit a Henrico County Magistrate to explain the problem. A Magistrate requires certain specific information about an offender which must be obtained by a police officer. Because you are not entitled to that information, you may do one of the following:

1. Ask the officer to meet you at the Magistrate's office with the required information.
2. Ask the officer to give you a case number that you can present so that the Magistrate may obtain the required information through the county government information systems.

You will need to convince the Magistrate of the truthfulness of your claims, so you should bring with you one or more of the following forms of evidence:

1. One or more witnesses
2. Audio tape
3. Videotape
4. Documentation in the form of a chronological journal or log with as much data as possible about the offenses

If the Magistrate issues a warrant based on your evidence, you and your evidence will have to appear in open court. If your evidence consists of witnesses, then they will have to testify in open court.

SOLUTION #5: Call the police at 501-5000 if the trespassing is accompanied by behaviors that do not constitute an emergency.

SOLUTION #6: Call the police at 911 if the trespassing is accompanied by behaviors that constitute an emergency.

BURGLARY:

Burglary and related offences

BURGLARY

RELEVANT LAW: Virginia State Code

Article 2: Burglary and related offenses

Section 18.2-89: Burglary; how punished

Section 18.2-90: Entering dwelling house, etc., with intent to commit murder, rape, robbery or arson

Section 18.2-91: Entering dwelling house, etc., with intent to commit larceny, assault and battery or other felony

Section 18.2-92: Breaking and entering dwelling house with intent to commit other misdemeanors

Section 18.2-93: Entering bank, armed, with intent to commit larceny Section 18.2-94: Possession of burglarious tools, etc.

The acts of breaking and/or entering are associated with the charge of burglary. The level of severity of the charge depends on what other acts accompanied the breaking and/or entering, and whether the offender was armed with a deadly weapon.

BE SUSPICIOUS IF:

1. You see individuals in a parked car at a residence for a long while who are not associated with that residence.
2. You see indications of unlawful entry, such as a broken or open window or door at a residence where you know the occupants are away.
3. You see persons not associated with the neighborhood who are repeatedly "patrolling" the neighborhood in vehicles or on foot.

SOLUTION #1: Call the police at 911 if you believe that an act of breaking and/or entering IS occurring, IS ABOUT TO occur or HAS JUST occurred.

SOLUTION #2: Call the police at 501-5000 if an act of breaking and/or entering has occurred and there is no immediate danger to persons and/or property.

VANDALISM:

Vandalism

VANDALISM

RELEVANT LAW: Virginia State Code

Article 5: Damage to realty and personalty thereon

Section 18.2-137: Injuring, etc., any property, monument, etc.

Vandalism is the unlawful destruction, defacement, damaging, removal (without the intent to steal) or breaking down:

1. Any property, real or personal, not his own
2. Any monument or war memorial
3. Any monument designating the boundaries of any city, town, tract of land or any tree marked for that purpose

Whether an act of vandalism is a misdemeanor or felony is determined by the value of or damage to the property in question. The current (January, 2004) dollar-value threshold is \$1000 or more worth of damage for a felony.

SOLUTION #1: Call the police at 911 if the vandalism IS occurring, IS ABOUT to occur or HAS JUST occurred and there might be a chance of apprehending the offenders at that time.

SOLUTION #2: Call the police at 501-5000.

TRAFFIC SAFETY:

Traffic Safety Complaints

TRAFFIC SAFETY COMPLAINTS

RELEVANT LAW: Virginia State Code

Section 46.2-870 through 46.2-878

Section 46.2-852 through 46.2-862 (reckless driving)

Section 46.2-833 (traffic light enforcement)

Section 46.2-821 (stop sign violations)

To complain about any traffic safety problem, use one of the solutions below. Solutions #1 and #2 are used when a particular incident at a particular time needs to be addressed immediately. Solutions #3 and #4 are used to try to solve recurring traffic problems that occur over periods of time.

Because the phrase "traffic calming" may be unusual to many people, a section on traffic calming follows the solutions. The article concludes with a short question and answer section and a set of examples to help you decide which solution is appropriate for your needs.

SOLUTION #1: If there is a LIFE THREATENING incident requiring immediate attention, call 911 and STAY ON THE LINE with the communications officer.

SOLUTION #2: If there is an incident requiring immediate attention that is NOT life threatening, call 501-5000 and STAY ON THE LINE with the communications officer.

SOLUTION #3: Call the Special Enforcement Unit at 501-5192 to report ongoing traffic problems such as SPEEDING, RECKLESS DRIVING, TRAFFIC LIGHT VIOLATIONS, PARKING VIOLATIONS, and OTHER MOVING VIOLATIONS.

Be prepared to give the following information:

1. Your name
2. Your phone number and/or e-mail address
3. WHERE and WHEN the repeated violations occur - BE AS SPECIFIC AS POSSIBLE

For example:

1. "We have a problem in the afternoon"
(This statement is very vague.)
2. "People are running the red light in the afternoon"
(This statement is better, but it is still vague.)
3. "People are running the red light between 4:00 PM and 5:00 PM at the corner of Broad St. and Parham Rd."
(This statement is specific.)

SOLUTION #4: Contact the Henrico County Department of Public Works to request TRAFFIC CALMING solutions.

Public Works Phone: 804-501-7307

Public Works Fax: 804-501-7470

Public Works Email: trafficalming@co.henrico.va.us

MORE >

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TRAFFIC SAFETY:

Traffic Safety Complaints, continued

Public Works address:

Henrico County Department of Public Works
 Traffic Engineering Division
 P.O. Box 27032
 Richmond, VA 23273

Web address: <http://ntit6new.co.henrico.va.us/works/index.htm>

TRAFFIC CALMING

Henrico County's Neighborhood Traffic Calming Program is administered by the Henrico County Department of Public Works for the purpose of addressing traffic concerns on neighborhood streets. There are two phases to the program.

The first phase includes community education, traffic signs, police enforcement, and increased fines for speeding. If the first phase is ineffective, then a second phase review is done in which physical devices are considered. During the second phase, traffic engineers work with police, fire and rescue services to determine the best plan for the neighborhood.

The Traffic Calming Program is designed for residential streets. To be eligible, the street must have a speed limit of 35 mph or less, and must have traffic volumes of less than 4,000 vehicles per day.

First Phase Process

- Step 1 Submit a Citizen Request form detailing your traffic concerns.
(a sample form follows this article)
- Step 2 Traffic Engineering collects data and conducts a field review of the site.
- Step 3 Traffic Engineering sends you information about their findings and recommendations.
- Step 4 Traffic Engineering works with the neighborhood to follow through with the recommendations.
- Step 5 Over the next 6 to 8 months, the measures are evaluated.
- Step 6 If first-phase measures are unsuccessful, the request moves to the second phase of the program in which physical devices are considered.

First Phase Solutions

Traffic Safety Newsletter

Work with homeowners associations or neighborhood groups in publishing a newsletter describing traffic concerns within the neighborhood as well as traffic safety tips.

Signing

The posting of appropriate traffic control signs within the neighborhood. These include speed limit, dead end, no outlet, school signs, etc.

Radar Trailer

Continued use of the portable radar trailer deployed by the Henrico County Division of Police. The trailer shows drivers their actual speed versus the posted speed limit and encourages their compliance.

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TRAFFIC SAFETY: Traffic Safety Complaints, continued

First Phase Solutions, continued

Police Enforcement

Continuing enforcement by the Henrico County Division of Police.

Brush Trim

The trimming and removal of brush by homeowners or the County to allow for better sight distance.

Increased Speeding Fines

Increased fines up to an additional \$200 on selected streets within neighborhoods. This will require 75% of the households affected to agree to the increased fines.

Second Phase Process

If the First Phase is unsuccessful, the neighborhood can request physical treatments. As with increased fines, 75% of the residents on the proposed street, as well as streets that have major access to the proposed street, must sign a petition agreeing to the traffic calming devices.

Second Phase Solutions

Speed Humps

Rounded raised areas of pavement typically 12 to 14 feet in length with a height of 3 inches.

Speed Tables

Rounded raised areas of pavement typically 22 feet in length with a height of 3 inches.

Neighborhood Traffic Circle

Raised islands, placed at intersections, around which traffic circulates.

Center Island Narrowing

Raised islands located along the centerline of a street that narrow the travel lanes at that location.

Other physical devices such as chokers, partial street closures, and as a last resort, complete closures may also be considered.

TRAFFIC CALMING REQUEST FORM (SAMPLE)	
Contact Name	_____
Address	_____

City and Zip	_____
Email Address	_____
Location of Concern	_____

What problems have you identified with the above location?	_____

MORE >

TRAFFIC SAFETY:

Traffic Safety Complaints, continued

SOME QUESTIONS AND ANSWERS (FAQ's)

Question: How do I know if there is a speeding problem on my street?

Answer: If 85% or more of the vehicles traveling on your street exceed the speed limit by 7 mph or more, then you have a speeding problem on your street.

Question: How do I know if my street is eligible for TRAFFIC CALMING solutions?

Answer: If you can answer YES to ALL of the following questions, then your street may be eligible for TRAFFIC CALMING solutions.

1. Is your street a residential street?
2. Is the speed limit on your street 35 mph or less?
3. Do less than 4,000 vehicles travel on your street each day?
4. Is your street a two-lane roadway?

Question: What can I do if my street has a "cut-thru" problem?

Answer: Public roadways are open for all vehicular traffic and, other than speed or weight limits, no restrictions can be placed on the roadways.

Question: Will officers of the Special Enforcement Unit advise citizens when to call for traffic calming solutions, or do the citizens need to determine that for themselves?

Answer: Police officers are not required to advise citizens about traffic calming solutions; therefore, citizens must be aware of the traffic engineering guidelines to determine whether a review is needed by the Traffic Engineering Department.

EXAMPLES TO HELP YOU SELECT THE BEST SOLUTION

Situation: Two vehicles have collided and there may be injuries.

Best Solution: Solution #1

Why: There is clearly a life threatening incident that needs immediate attention.

Situation: Two vehicles have collided and there are NO injuries.

Best Solution: Solution #2

Why: There is an incident requiring immediate attention, but it is NOT a life threatening situation.

Situation: There is someone who is always speeding on our street.

Best Solution: Solution #3

Why: This is an ongoing traffic problem.

Situation: It is night and there is someone driving up and down the street with no headlights.

Best Solution: Solution #2

Why: There is an incident requiring immediate attention, but it is NOT a life threatening situation.

Situation: People use our street as a short-cut around a nearby busy intersection. It seems like almost everyone is speeding.

Best Solution: Solution #3

Why: This is an ongoing traffic problem involving many different drivers at many different times.

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TRAFFIC SAFETY:

Traffic Safety Complaints, continued

EXAMPLES TO HELP YOU SELECT THE BEST SOLUTION, continued

Situation: Many people fail to stop at the stop sign at the end of our street.

Best Solution: Solution #3

Why: This is an ongoing traffic problem involving many different drivers at many different times.

Situation: A driver on Broad Street at rush hour is in a big hurry and is trying to get ahead of everyone. He keeps changing lanes by pushing his way in between cars that are already close together.

Best Solution: Solution #2

Why: There is an incident requiring immediate attention, but it is NOT a life threatening situation.

Situation: There are young drivers using our street as a drag strip.

Best Solution: Solution #3

Why: This is an ongoing traffic problem.

Situation: There's a motorist whose car has broken down and he may need help.

Best Solution: Solution #1

Why: This is a situation requiring immediate attention that may become life threatening.

Situation: I am driving behind someone who is weaving in and out of his lane. He may be drunk.

Best Solution: Solution #1

Why: This is a situation requiring immediate attention that may become life threatening.

UNDERAGE DRINKING: Prevention—Enforcement—Process

The below comment was published in the Richmond Times Dispatch Editorial Page on Friday May 25, 2007.

IN BRIEF

“Society often vows to crack down on underage drinking. Accidents and tragedies bring an outpouring of emotion - and promises to address the problem. The energy dissipates, until the next heartbreaking incident captures the public's attention. Henrico is not forgetting, however; the county deserves credit for pressing its enforcement campaign.”

MORE >

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UNDERAGE DRINKING: Prevention—Enforcement—Process

UNDERAGE DRINKING

RELEVANT LAW: Virginia State Code

Section [4.1-305](#): Purchasing or possessing alcoholic beverages unlawful in certain cases; venue; exceptions; penalty; forfeiture; deferred proceedings; treatment and education programs.

- A. No person to whom an alcoholic beverage may not lawfully be sold under § [4.1-304](#) shall consume, purchase or possess, or attempt to consume, purchase or possess, any alcoholic beverage, except (i) pursuant to subdivisions 1 through 7 of § [4.1-200](#); (ii) where possession of the alcoholic beverages by a person less than 21 years of age is due to such person's making a delivery of alcoholic beverages in pursuance of his employment or an order of his parent; or (iii) by any state, federal, or local law-enforcement officer when possession of an alcoholic beverage is necessary in the performance of his duties. Such person may be prosecuted either in the county or city in which the alcohol was possessed or consumed, or in the county or city in which the person exhibits evidence of physical indicia of consumption of alcohol.
- B. No person under the age of 21 years shall use or attempt to use any (i) altered, fictitious, facsimile or simulated license to operate a motor vehicle, (ii) altered, fictitious, facsimile or simulated document, including, but not limited to a birth certificate or student identification card, or (iii) motor vehicle operator's license, birth certificate or student identification card of another person in order to establish a false identification or false age for himself to consume, purchase or attempt to consume or purchase an alcoholic beverage.
- C. Any person found guilty of a violation of this section shall be guilty of a Class 1 misdemeanor; and upon conviction, (i) such person shall be ordered to pay a mandatory minimum fine of \$500 or ordered to perform a mandatory minimum of 50 hours of community service as a condition of probation supervision and (ii) the license to operate a motor vehicle in the Commonwealth of any such person age 18 or older shall be suspended for a period of not less than six months and not more than one year. (continued next page)

UNDERAGE DRINKING: Prevention—Enforcement—Process

The court, in its discretion and upon a demonstration of hardship, may authorize any person convicted of a violation of this section the use of a restricted permit to operate a motor vehicle in accordance with the provisions of subsection D of § [16.1-278.9](#) or subsection E of § [18.2-271.1](#) or when referred to a local community-based probation program established pursuant to Article 9 (§ [9.1-173](#) et seq.) of Chapter 1 of Title 9.1. During the period of license suspension, the court may require a person issued a restricted permit under the provisions of this subsection to be (i) monitored by an alcohol safety action program, or (ii) supervised by a local community-based probation program established pursuant to Article 9 (§ [9.1-173](#) et seq.) of Chapter 1 of Title 9.1, if one has been established for the locality. The alcohol safety action program or local community-based probation program shall report to the court any violation of the terms of the restricted permit, the required alcohol safety action program monitoring or the local community-based probation and any condition related thereto or any failure to remain alcohol-free during the suspension period.

- D. Any alcoholic beverage purchased or possessed in violation of this section shall be deemed contraband and forfeited to the Commonwealth in accordance with § [4.1-338](#).
- E. Any retail licensee who in good faith promptly notifies the Board or any state or local law-enforcement agency of a violation or suspected violation of this section shall be accorded immunity from an administrative penalty for a violation of § [4.1-304](#).
- F. When any person who has not previously been convicted of underage consumption, purchase or possession of alcoholic beverages in Virginia or any other state or the United States is before the court, the court may, upon entry of a plea of guilty or not guilty, if the facts found by the court would justify a finding of guilt of a violation of subsection A, without entering a judgment of guilt and with the consent of the accused, defer further proceedings and place him on probation subject to appropriate conditions. Such conditions may include the imposition of the license suspension and restricted license provisions in subsection C. However, in all such deferred proceedings, the court shall require the accused to enter a treatment or education program or both, if available, that in the opinion of the court best suits the needs of the accused. (continued next page)

UNDERAGE DRINKING: Prevention—Enforcement—Process

F. If the accused is placed on local community-based probation, the program shall be located in any of the judicial districts served by the community-based probation program or in any judicial district ordered by the court when the placement is with an alcohol safety action program. The services shall be provided by (i) a program licensed by the Department of Mental Health, Mental Retardation and Substance Abuse Services, (ii) certified by the Commission on VASAP, or (iii) by a program made available through a community-based probation program established pursuant to § [9.1-174](#), if one has been established for the locality. When an offender is ordered to enter a local community-based probation program rather than the alcohol safety action program, the local community-based probation program shall be responsible for providing for services or referring the offender to education or treatment services as a condition of probation. Upon violation of a condition, the court may enter an adjudication of guilt and proceed as otherwise provided. Upon fulfillment of the conditions, the court shall discharge the person and dismiss the proceedings against him without an adjudication of guilt. A discharge and dismissal hereunder shall be treated as a conviction for the purpose of applying this section in any subsequent proceedings. (Code 1950, § 4-62; 1970, c. 686; 1974, c. 460; 1979, c. 537; 1981, c. 24; 1982, c. 66; 1983, c. 608; 1985, c. 559; 1990, c. 771; 1993, c. 866; 1995, c. 374; 1996, cc. 626, 730; 2000, c. 325; 2002, c. 338; 2003, cc. 845, 849; 2004, cc. 322, 461; 2005, c. 895; 2006, c. 207.)

UNDERAGE DRINKING: Prevention—Enforcement—Process

RELEVANT LAW: Virginia State Code

Section **4.1-317 Maintaining common nuisances; penalties.**

- A. All houses, boathouses, buildings, club or fraternity or lodge rooms, boats, cars and places of every description where alcoholic beverages are manufactured, stored, sold, dispensed, given away or used contrary to law, by any scheme or device whatever, shall be deemed common nuisances. No person shall maintain, aid, abet or knowingly associate with others in maintaining a common nuisance. Any person convicted of a violation of this subsection shall be guilty of a Class 1 misdemeanor.
- B. In addition, after due notice and opportunity to be heard on the part of any owner or lessor not involved in the original offense, by a proceeding analogous to that provided in §§ [4.1-339](#) through [4.1-348](#) and upon proof of guilty knowledge, judgment may be given that such house, building, boathouse, car or other place, or any room or part thereof, be closed. The court may, upon the owner or lessor giving bond in the penalty of not less than \$500 and with security to be approved by the court, conditioned that the premises shall not be used for unlawful purposes, or in violation of the provisions of this chapter for a period of five years, turn the same over to its owner or lessor; or proceeding may be had in equity as provided in § [4.1-335](#).
- C. In a proceeding under this section, judgment shall not be entered against the owner, lessor, or lien holder of the property unless it is proved he (i) knew of the unlawful use of the property and (ii) had the right, because of such unlawful use, to enter and repossess the property. (Code 1950, p. 877, § 4-81; 1954, c. 484; 1993, c. 866.)

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UNDERAGE DRINKING: Prevention—Enforcement—Process

RELEVANT LAW: Virginia State Code

Section [4.1-200](#). **Exemptions from licensure.**

- A. Any person who keeps and possesses lawfully acquired alcoholic beverages in his residence for his personal use or that of his family. However, such alcoholic beverages may be served or given to guests in such residence by such person, his family or servants when (i) such guests are 21 years of age or older or are accompanied by a parent, guardian, or spouse who is 21 years of age or older and (ii) such service or gift is in no way a shift or device to evade the provisions of this title.

(Code 1950, §§ 4-50, 4-89, 4-90; 1954, c. 147; 1970, cc. 113, 541; 1972, cc. 75, 76, 741; 1973, c. 413; 1975, c. 408; 1976, c. 37; 1981, c. 410; 1984, c. 200; 1992, c. 349; 1993, c. 866; 1995, cc. 497, 518; 2001, c. 117; 2006, cc. 274, 740.)

UNDERAGE DRINKING: Prevention—Enforcement—Process

SOLUTION #1: PREVENTION

Too Smart to Start Adult Coalition

HAMHMRSAS, Prevention Manager

Henrico Prevention Services

10299 Woodman Road

Glen Allen, Virginia 23060

(804) 727-8548 (phone)

(804) 727-8364 (fax)

tho30@co.henrico.va.us

Locally, the Too Smart to Start Adult Coalition is a community partnership of individuals and public and private agencies collaborating to provide information and training to help organizations build the capacity to implement services in the community that will help to heighten the awareness of and to more effectively address the ever changing needs of Henrico County youth. The coalition is a targeted environmental strategy that addresses risk factors that negatively impact our youth such as pro drug use messages in the media, favorable community attitudes toward substance use, and unemployment or underemployment of young people. The coalition seeks to enhance protective factors that impact our youth such as: decreased accessibility to alcohol and drugs, heighten parental and community awareness of issues impacting youth alcohol and drug use, stricter driving under the influence laws, and increasing the media literacy of parents and community partners.

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UNDERAGE DRINKING: Prevention—Enforcement—Process

SOLUTION #1: PREVENTION (continued)

Too Smart to Start Youth Coalition

HAMHMRSAS, Prevention Manager

Henrico Prevention Services

10299 Woodman Road

Glen Allen, Virginia 23060

(804) 727-8548 (phone)

(804) 727-8364 (fax)

tho30@co.henrico.va.us

Too Smart to Start Youth Coalition members focus on leadership development and service learning initiatives. Too Smart to Start Youth Coalition members learn and practice the following leadership competencies: accountability and commitment, effective communication, time management, public speaking, negotiation, mediation and conflict resolution skills, cultural competence, organizational awareness, resource and financial management, program planning and strategic management, self knowledge, team development, and social and civic responsibility. Youths participate in activities that teach and enhance their abilities in the core competencies.

The Too Smart to Start Youth Coalition is a targeted environmental strategy that addresses: risk factors of unemployment, favorable attitudes toward substance use, pro drug use messages in the media, decreased accessibility, social isolation, lack of community bonding, susceptibility to negative peer pressure, and inadequate youth services.

Participation in the youth coalition will enhance protective factors such as: establishing high expectations for youth, setting clear standards and rules for appropriate behavior, creating opportunities for youth participation in community activities, associating youths with peers who are involved in positive activities in the community, enhancing good communication skills and media literacy, and creating opportunities for bonding to social institutions and values.

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UNDERAGE DRINKING: Prevention—Enforcement—Process

SOLUTION #1: PREVENTION (continued)

HAMHMRSAS, Prevention Manager

Henrico Prevention Services

10299 Woodman Road

Glen Allen, Virginia 23060

(804) 727-8548 (phone)

(804) 727-8364 (fax)

tho30@co.henrico.va.us

Henrico Prevention Services provides free **programmatic consultation and training services** for the following programs:

CONNECT is a comprehensive, community based prevention program that serves youths, ages 6-16, living in Henrico County. The program addresses the following risk factors: school failure, favorable attitude toward to substance use, susceptibility to negative peer pressure, inadequate life skills, social isolation, lack of school bonding, and poor child supervision and discipline.

CONNECT Business Program is an interactive curriculum that focuses on career exploration, job search, personal resources, human relations on the job, and supportive instructional training activities. Activities include business field trips and guest speakers from the business community and "Girl Power!", a strength based program. "Girl Power!" reinforces girls' self confidence by providing "no-use" messages about alcohol, tobacco, and other drugs, with an emphasis on providing opportunities for girls to build skills, enhance self-esteem, and contribute to their communities. Wise Guyz is a male mentoring program implemented in partnership with Concerned Black Men Incorporate. Wise Guyz focuses on three core areas: life skills education, community ownership/service, and field trips/alternative activities. Safe Dates is a dating abuse prevention program. The curriculum deals with attitudes and behaviors associated with dating abuse and violence.

Families and Schools Together is a national, model program with a science based curriculum designed to enhance the parent and child bond and to reduce parental stress through the creation of opportunities for family support, youth support, and the parental support. The program is currently implemented at Laburnum Elementary School.

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UNDERAGE DRINKING: Prevention—Enforcement—Process

SOLUTION #2: ENFORCEMENT

Underage Alcohol Use Workgroup

Henrico County Division of Police, Major James B. Fitzgerald
 Assistant Chief, Community Operations; Uniform Operations 2nd District
 7721 E. Parham Road
 Richmond, VA 23273
 804.501.5000
www.henricopolice.org

The goal of the Underage Alcohol Use Workgroup, a multi-disciplinary body, is:

To identify resources and implement strategies that can be used to promote awareness of the consequences of underage alcohol use, and to encourage compliance with related laws.

First Phase Process

Step 1 Organize a workgroup.

The workgroup was comprised of but not limited to: Virginia ABC, County Attorney's office, 14th Court Services Unit, VJCCCA, HPD – Uniform, Special Enforcement Unit, Traffic Safety, School Resource Officers, Crime Prevention, Community Policing.

Step 2 Share helpful Internet websites.

Internet links and/or websites:

www.nhtsa.gov

www.abc.state.va.us

www.niaaa.nih.gov/aboutniaaa/niaaasponsoredprograms/underage.htm

www.fightunderagedrinking.org/home.cfm

www.smartsafeandsobber.org

www.dmvnow.com

www.beerresponsible.com

Community How To Guides-Underage Drinking Prevention

<http://www.nhtsa.dot.gov/portal/site/nhtsa/menuitem.18e416bf1b09b6bbbf30811060008a0c/>

Strategies to Reduce Underage Alcohol Use

<http://www.udetc.org/documents/strategies.pdf>

Guide to Preventing and Dispersing Underage Drinking Parties

<http://www.udetc.org/documents/UnderageDrinking.pdf>

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Step 2 Share helpful websites. (continued)

Resources, Internet links and/or websites:

Under Age Drinking Enforcement Training Center

<http://www.udetc.org/>

MADD homepage (great source of information)

<http://madd.org/>

Step 3 Enforcement Initiatives:

Underage Alcohol Use Reporting (804) 501-5000

This is the police non-emergency number *available twenty-four hours a day*. *You do not need to leave your name when you report underage alcohol use*. This line may also be used to report other situations that are considered non-emergency. Always use 911 in emergency situations.

May Blitz / ABC Enforcement – Special operations during prom and graduation seasons to monitor the compliance of convenience stores, hotels, motels, after prom and graduation parties, etc.

Public Service Announcements (PSA's) –

PSA's on local channels and available online

Variable Message Board - The message will be the same at every high school. The message board will be placed, with the schools permission, in the parking lot in one parking space at the following high schools on a rotating schedule:

Highland Springs H.S.	Varina H.S.
Tucker H.S.	Hermitage H.S.
Freeman H.S.	Henrico H.S.
Godwin H.S.	Deep Run H.S.

Community Resource Guide – Provides information and prevention resources to County of Henrico residents.

Social Hosts - Social Host Laws, discussion is continued with the VA State Code, Section § 4.1-317, as it pertains to holding parents accountable.

Operation Party Crashers – Special enforcement team that monitors and responds to reports of underage drinking parties in the County of Henrico.

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ALTERNATIVE SOLUTION: CONVICTION/CONSEQUENCES

ALL CASES go to court, there will be NO diversion.

Conviction may result in the payment of fines, restitution, 30-50 hours of community service, participation in alcohol/drug education programs and/or treatment, and the loss of Operator's License for six months. ** If charged with possession of alcohol, it may impact future diversions for ANY future offense (i.e. disorderly conduct at school.)

Parents will be required to attend all court proceedings, participate in court ordered rehabilitative programs with their child, and pay costs associated with the prosecution of the case. Failure to do so may result in a show cause being filed and the case returned to court.

Any further information may be obtained by calling **Juvenile Court 501-4693**.

To obtain the most current version of this publication,
please visit our web page at
www.henricopolice.org.



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