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1950

With Provision for Subsequent Pocket Parts

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their executive officers: Agriculture and Immigration, Conservation and Development, Education, Health, Highways, Labor and Industry, Unemployment Compensation, and the Virginia State Ports Authority. The Governor shall designate a chairman and a vice-chairman for the Council to serve during his term of office. (R. P. 1948, § 10-127; 1956, c. 491.)

§ 10-128. Rules for organization; Secretariat for Council. — The members of the Council may make rules for their own organization. The Division of Industrial Development and Planning shall serve as Secretariat to the Council. (R. P. 1948, § 10-128; 1958, c. 427; 1962, c. 355.)

§ 10-129. Expenses and compensation. — The members of the Council shall receive no salaries, but shall be paid for the necessary expenses incurred in the performance of their duties. (R. P. 1948, § 10-129.)

§ 10-130. Clerical and secretarial facilities; stationery and supplies; printing. — The Division of Industrial Development and Planning shall serve the Council as its Secretariat or central administrative office and shall furnish the Council with the necessary stationery and supplies and shall have done for the Council such printing as may be necessary. (R. P. 1948, § 10-130; 1958, c. 427; 1960, c. 164; 1962, c. 355.)

§ 10-131. Powers and duties of the Council. — The Council shall act in a capacity advisory to the Governor upon matters relating to the Virginia economy. When requested by the Governor the Council shall investigate and consider such questions and problems, so relating as may be submitted, and shall report its findings and conclusions. The Council may also make recommendations to the Governor upon its own initiative. The Council shall also endeavor to encourage research designed to further new and more extensive use of the resources of the Commonwealth, to review and initiate specific proposals, to place such proposals effectively in the hands of groups and organizations, State and local, to encourage and stimulate local governing bodies and private business initiative, and generally to arouse public interest in the economic resources of the Commonwealth. (R. P. 1948, § 10-131; 1962, c. 355.)

§ 10-132. Reports and recommendations. — All reports and recommendations made by the Council shall be made to the Governor. (R. P. 1948, § 10-132; 1962, c. 355.)

CHAPTER 10.

HISTORIC MONUMENTS AND MARKERS.

§§ 10-133, 10-134: Repealed by Acts 1950, p. 48.

CHAPTER 11.

VIRGINIA HISTORIC LANDMARKS COMMISSION; HISTORICAL MONUMENTS GENERALLY.

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|--|---|
| <p>Sec.
10-135. Commission created.
10-136. Membership; appointment; terms; vacancies; compensation and expenses.
10-137. Executive director.
10-138. Powers and duties of Commission.</p> | <p>Sec.
10-138.1. Supervision of expenditure of appropriations made to nonstate agencies.
10-139. Notice to local tax-assessing official that structure or site has been designated a certified landmark.</p> |
|--|---|

- | | |
|---|--|
| <p>Sec.
10-140. Notice to local tax-assessing official of establishment of historic district.</p> <p>10-141. Authority of Commission in counties and cities having power to establish historic districts.</p> <p>10-142. Restrictions on use of property certified as being registered landmark.</p> <p>10-143. Assistance of State agencies.</p> <p>10-144. Transfer of powers, etc., of State Librarian and State Library Board relating to historical markers.</p> <p>10-145. Construction of chapter.</p> <p>10-145.1. Power of eminent domain vested in Attorney General to preserve historical monuments and memorials.</p> | <p>Sec.
10-145.2. Erection of markers, etc., without certificate of approval forbidden.</p> <p>10-145.3. Determination of sites, etc., justifying markers; Department of Highways to erect and maintain.</p> <p>10-145.4. Collection of replacement cost of marker damaged or destroyed.</p> <p>10-145.5. State Library Board authorized to create Advisory Committee on Historical Markers; members; duties; expenses.</p> <p>10-145.6. Erection of markers by local governing bodies.</p> <p>10-145.7. Resolutions of General Assembly.</p> <p>10-145.8. Penalty for violation; proceedings by Attorney General.</p> |
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§ 10-135. Commission created. — There is hereby created in the Executive Department of the State government the Virginia Historic Landmarks Commission, hereinafter referred to as Commission. (1966, c. 632.)

Cross reference. — As to power of eminent domain of Attorney General with respect to historical monuments and memorials, see § 10-145.1.

The numbers of §§ 10-135 to 10-145 were assigned by the Virginia Code Commission, the 1966 act having assigned no numbers.

§ 10-136. Membership; appointment; terms; vacancies; compensation and expenses. — (a) The Commission shall consist of nine members. Seven shall be appointed by the Governor and the remaining two shall be the Director of the Department of Conservation and Economic Development and the State Librarian both as ex officio members, but with full voting rights.

(b) Of the seven members appointed by the Governor, one may be chosen from a list of three names submitted to him by the Association for the Preservation of Virginia Antiquities, one may be chosen from a list of three names submitted to him by the Virginia Historical Society, one may be taken from a list of three names submitted to him by Colonial Williamsburg, Incorporated, one may be chosen from a list of three names submitted to him by the Dean of the School of Architecture, University of Virginia, one may be chosen from a list of three names submitted to him by the Virginia Chapter of the American Institute of Architects and the remainder shall be appointed from the State at large.

(c) Of the appointive members, initially two shall be appointed for terms of four years, two shall be appointed for terms of three years, two shall be appointed for terms of two years and one shall be appointed for a term of one year. Thereafter, appointments shall be made for terms of four years, except appointments to fill vacancies occurring other than by expiration of term, which shall be filled for the unexpired term.

(d) No member of the Commission shall receive compensation for his services but they shall be reimbursed their necessary expenses incurred in the performance of their duties. (1966, c. 632; 1968, c. 612.)

Cross reference. — For provision that also be in charge of the Virginia Research Commissioner of Historic Archaeology shall Center for Historic Archaeology, see § 10-146.

§ 10-137. Executive director. — The Commission may employ an executive director and such other employees, assistants and technical personnel as may be required for the performance of its duties. (1966, c. 632.)

§ 10-138. Powers and duties of Commission. —

The Commission shall

(a) Make a survey of, and designate as an historic landmark, the buildings, structures and sites which constitute the principal historical, architectural and archaeological sites which are of statewide or national significance. No structure or site shall be deemed to be an historic one unless it has been prominently identified with, or best represents, some major aspect of the cultural, political, economic, military, or social history of the State or the or has had a major relationship with the life of an historic personage or nation, representing some major aspect of, or ideals related to, the history of the State or nation. In the case of structures which are to be so designated, they shall embody the principal or unique features of an architectural type or demonstrate the style of a period of our history or method of construction, or serve as an illustration of the work of a master builder, designer or architect whose genius influenced the period in which he worked or has significance in current times. In order for a site to qualify as an archaeological site, it shall be an area from which it is reasonable to expect that artifacts, materials and other specimens may be found which give insight to an understanding of aboriginal man or the Colonial and early history and architecture of the State or nation.

(b) Prepare a register of buildings and sites which meet the requirements of the preceding paragraph, publish lists of such properties and inspect such properties from time to time; publish a register thereof from time to time setting forth appropriate information concerning the registered buildings and sites.

(c) With the consent of the landowners, certify and mark, with appropriately designed markers, buildings and sites which it has registered.

(d) Establish standards for the care and management of certified landmarks and withdraw such certification for failure to maintain the standards so prescribed.

(e) Acquire by purchase, gift, or lease and administer registered landmarks, sites and easements and interests therein; such acquisition may be made from funds provided by law or otherwise.

(f) Lease or sell property so acquired under terms and conditions designed to ensure the proper preservation of the landmark or site in question.

(g) Establish historic districts for registered landmarks and designate the area thereof by appropriate markers provided the county or city in which the district or registered landmark is located fails or refuses to take such action as is necessary to establish and maintain such districts.

(h) Identify historical districts for registered landmarks and aid and encourage the county or city in which the district or landmark is located to adopt such rules and regulations as the Commission may develop and recommend for the preservation of historical, architectural, or archaeological values.

(i) Prepare and place, from funds provided by law, State historical markers on or along the highway or street closest to the location which is intended to be identified upon such marker.

(j) Seek the advice and assistance of individuals, groups and governments who or which are conducting historical preservation programs and coordinate the same insofar as possible.

(k) Seek and accept gifts, bequests, endowments and funds from any and all sources for the accomplishment of the function of the Commission. (1966, c. 632.)

§ 10-138.1. Supervision of expenditure of appropriations made to nonstate agencies. — In addition to the duties set out in § 10-138, it shall also be the responsibility of the Commission to oversee the expenditure of State appropriations made available to nonstate agencies, whether private or

municipal, for purposes related to the historical collections, historic landmarks, and sites of Virginia, and to assure itself that such purposes are consistent with the statewide plan for historic preservation as established by the Commission. The Commission shall establish and require adherence to sound professional standards of historical, architectural and archaeological research in the planning, preservation, restoration, interpretation and display of such collections, landmarks, and sites, in order that public funds are used in the most appropriate, effective, and correct manner. (1972, c. 119.)

§ 10-139. Notice to local tax-assessing official that structure or site has been designated a certified landmark. — In any case in which the Commission designates a structure or site as a certified landmark, it shall notify the official having the power to make assessments of properties for purposes of taxation within the county or city in which the structure or site is located and such designation and notification shall be, prima facie, evidence that the value of such property for commercial, residential or other purposes is reduced by reason of its designation. (1966, c. 632.)

§ 10-140. Notice to local tax-assessing official of establishment of historic district. — When the Commission establishes an historic district, it shall notify the official of the county or city whose duty it is to assess property for the purpose of taxation by the county or city in which such area is located of the fact of such establishment and the boundaries of the district, together with the restrictions which are applicable to properties located in such district and of the fact that commercial, industrial and certain other uses within such district are restricted. The tax-assessing official shall take such factors into consideration in assessing the properties therein and, based on the restrictions upon the uses of such property, place a lower valuation upon the same. (1966, c. 632.)

§ 10-141. Authority of Commission in counties and cities having power to establish historic districts. — In the establishment of historic districts, the Commission shall not act in any county or city in which local officials have established such districts. In any county or city having power to establish such districts and which has not done so, the Commission shall, in appropriate case, designate such districts and notify the proper officials of the county or city in which the same is located and request them to take such action as will enable the establishment and perpetuation through local action, of historic districts. (1966, c. 632.)

§ 10-142. Restrictions on use of property certified as being registered landmark. — Whenever the Commission, with the consent of the landowner, certifies property as being a registered landmark, it may seek and obtain from such landowner such restrictions upon the use of the property as the Commission finds are reasonable and calculated to perpetuate and preserve the features which led it to designate such property as an historical landmark. All such agreements between the Commission and the landowner shall be in writing, and, when duly signed, shall be recorded in the clerk's office of the county or city wherein deeds are admitted to record and when so recorded shall be notification to tax-assessing officials of the restrictions therein set forth. Such restrictions shall be observed by the tax-assessing officials of such county or city in placing a lower valuation upon such property in future assessments or reassessments of real estate. (1966, c. 632.)

§ 10-143. Assistance of State agencies. — All agencies of the State shall assist the Commission in the disposition of its duties and functions upon the request of the Commission or the executive director thereof. (1966, c. 632.)

§ 10-144. Transfer of powers, etc., of State Librarian and State Library Board relating to historical markers. — All powers, duties and functions of the State Librarian and the State Library Board relating to the erection, maintenance and control of historical markers under article 6 (§ 42-66 et seq.) of chapter 6 of Title 42 of the Code of Virginia are hereby transferred to, and vested in the Commission, and, for these purposes, the Commission shall have all the powers and duties, including the appointment of committees, heretofore exercised by the State Library Board. (1966, c. 632.)

Cross reference. — See note to § 42.1-1.

Code Commission note. — Title 42, referred

to in this section, was repealed by Acts 1970, c. 606. See now Title 42.1.

§ 10-145. Construction of chapter. — This chapter being designed for the public welfare and the perpetuation of those structures and areas which have a close and immediate relationship to the values upon which this State and the nation were founded, and which serve as a means of illustrating to present and future generations the inherent worth of such values and the unchangeable truths thereby demonstrated, shall be broadly construed in order to accomplish the purposes herein set forth. (1966, c. 632.)

§ 10-145.1. Power of eminent domain vested in Attorney General to preserve historical monuments and memorials. — It is hereby declared to be the policy of this Commonwealth that the traditions and memorials of its history are in the public interest of the people of the Commonwealth as a whole.

The Attorney General is hereby vested, if it appears to him to be in the public interest, with the power of eminent domain, in the name of the Commonwealth, in order to preserve any historical monument or memorial in the Commonwealth, whether it should be held by any private person, city, town or county in the State. Proceedings brought hereunder shall conform to the provisions of article 5 (§ 33-57 et seq.) of chapter 1 of Title 33 of the Code of Virginia. (1968, c. 533.)

The number of this section was assigned by the Virginia Code Commission, the 1968 act having assigned no number.

Code Commission note. — Title 33, referred to in this section, was repealed by Acts 1970, c. 322. See now Title 33.1.

§ 10-145.2. Erection of markers, etc., without certificate of approval forbidden. — It shall be unlawful to post or erect any historical marker, monument, sign or notice, on public property or upon any public street, road or highway in the State bearing any legend, inscription or notice which purports to record any historic event, incident or fact, or to maintain any such historical marker, monument, notice, or sign posted or erected after June seventeenth, nineteen hundred thirty, unless a written certificate has been issued prior to July first, nineteen hundred fifty, by the former division of archeology and history of the Virginia Conservation Commission, with the approval of the Commission, or has been issued on or after July first, nineteen hundred fifty, by the State Library Board or by its designation the State Librarian or his duly authorized agent or employee, such certificate setting forth that after due investigation and inquiry such legend, inscription or notice appears to be a true and correct record of the historic event, incident or fact set forth therein.

Applications for such certificates shall be acted on as promptly as may be reasonably practicable under all the circumstances of each case. (Code 1950 (Repl. Vol. 1953), § 42-66; 1950, p. 47; 1964, c. 152; 1970, c. 606.)

Cross reference. — See note to § 42.1-1.

§ 10-145.3. Determination of sites, etc., justifying markers; Department of Highways to erect and maintain. — The State Library Board or, by its designation, the State Librarian, shall have authority to determine what

historical events, personalities, sites, and traditions of importance to the Commonwealth justify the expenditure of public funds for the purchase of markers of uniform style to be known as "highway historical markers" to procure such markers by expending any funds specifically appropriated by the General Assembly for this purpose, and to designate the approximate location of such markers. The Virginia Department of Highways is empowered to erect and maintain such markers, provided that the written consent to do so has been obtained from interested parties when such markers are not located on the public rights-of-way controlled directly by that Department. (1970, c. 606.)

§ 10-145.4. Collection of replacement cost of marker damaged or destroyed. — The State Library Board or by its designation, the State Librarian, shall use any legal means necessary to secure payment to the Commonwealth of the actual replacement cost of any such marker damaged or destroyed, accidentally or otherwise. Any funds so collected shall be replaced in the treasury to the credit of the appropriation for the procurement of historical markers and may be expended as provided in § 10-145.2. (1970, c. 606.)

§ 10-145.5. State Library Board authorized to create Advisory Committee on Historical Markers; members; duties; expenses. — The State Library Board is authorized to create an Advisory Committee on Historical Markers, to consist of the chairman of the State Library Board or his designee, the president of the Virginia Historical Society or his designee, and the State Highway Commissioner or his designee. Such Committee shall make an investigation into and render an opinion on the accuracy of the proposed text for any marker, the historical significance of the person, event or place, and the appropriateness of the proposed location on request of the State Library Board or the State Librarian, or any member or committee of the General Assembly. The Board shall also, on such request, review the text of any existing marker and if any inaccuracy is found, recommend appropriate corrective action. Any expenses incurred in connection with the work of the Committee shall be defrayed from the appropriation to the State Library Board for erecting and replacing historical markers. (1970, c. 606.)

§ 10-145.6. Erection of markers by local governing bodies. — The governing body of any county, city or town may, at its own expense, have erected a historical marker commemorating any person, event or place upon any public street, road or highway within its boundaries, provided the text and location thereof has been approved as provided in § 10-145.2. (1970, c. 606.)

§ 10-145.7. Resolutions of General Assembly. — It is hereby declared to be the sense of the General Assembly that, the State Library Board and its Advisory Committee on Historical Markers having been designated as the State agencies to determine the textual accuracy, historical significance and appropriate location of historical markers, their attention can appropriately be invited to the desirability of markers in particular cases by resolutions adopted by this body. (1970, c. 606.)

§ 10-145.8. Penalty for violation; proceedings by Attorney General. — Any person who shall violate either as agent, or principal, or both, any of the provisions of §§ 10-145.2 to 10-145.7 shall be guilty of a misdemeanor and upon conviction thereof shall be punishable for each separate offense by a fine of not less than one dollar nor more than one hundred dollars.

At the relation of any interested person the Attorney General may, and at the relation of the State Librarian he shall, institute and maintain appropriate proceedings in the name of the Commonwealth, in any court having jurisdiction thereof, for the purpose of remedying by injunction, mandamus or other process any violation of the provisions of §§ 10-145.2 to 10-145.7. (1970, c. 606.)

CHAPTER 12.

VIRGINIA RESEARCH CENTER FOR HISTORIC ARCHAEOLOGY.

Sec.	Sec.
10-146. Center to be established; Commissioner of Historic Archaeology to be chief executive officer.	10-148. Acceptance of gifts.
10-147. Appointment, powers and duties of Commissioner.	10-149. Educational program; staff to be qualified to teach at university level.
	10-150. Advisory committee.

§ 10-146. Center to be established; Commissioner of Historic Archaeology to be chief executive officer. — There shall be established the Virginia Research Center for Historic Archaeology adjacent to or near the campus of the College of William and Mary in Williamsburg. The head and chief executive officer of this Division shall be the Commissioner of Historic Archaeology, who shall also be in charge of the Virginia Research Center for Historic Archaeology. (1966, c. 489.)

The numbers of §§ 10-146 to 10-150 were assigned by the Virginia Code Commission, the 1966 act having assigned no numbers.

§ 10-147. Appointment, powers and duties of Commissioner. — The Commissioner shall be appointed by the Historic Landmarks Commission. The Commissioner shall exercise such of the powers and perform such of the duties in relation to historic archaeology, museums, and similar projects conferred or imposed upon him by the provisions of this chapter, or other provisions of law, including powers and duties as may be delegated to him by the Historic Landmarks Commission. The Commissioner shall also exercise such other powers and duties as may be lawfully delegated to him by the Commission. (1966, c. 489.)

§ 10-148. Acceptance of gifts. — Gifts of articles, or artifacts of archaeological importance may be accepted on behalf of the Commonwealth by the Commissioner of Historic Archaeology and shall not require prior approval of the Governor for the acceptance of such articles or artifacts. (1966, c. 489.)

§ 10-149. Educational program; staff to be qualified to teach at university level. — The Historic Landmarks Commission shall cooperate with the College of William and Mary in the establishment of an educational program of university standards in the field of historic archaeology and related subjects. The staff of the Virginia Research Center for Historic Archaeology shall be qualified to teach at the university level, which function shall be secondary to that of establishing and operating the archaeological center. Matters relating to college or university credit under the educational program and the granting of degrees shall be the responsibility of the degree-granting institution. (1966, c. 489.)

§ 10-150. Advisory committee. — The Governor shall appoint an advisory committee consisting of nine members who shall serve at his pleasure for terms coincident with the term of the Governor. It shall be the duty of the committee to advise the Historic Landmarks Commission on the operation of the Virginia Research Center for Historic Archaeology. The advisory committee shall be paid from funds appropriated to the Historic Landmarks Commission such expenses as they may incur in the discharge of their duties, but members of the committee shall receive no other compensation for their services on such committee. (1966, c. 489.)

CHAPTER 13.

OPEN-SPACE LAND ACT.

<p>Sec. 10-151. Title of chapter. 10-152. Authority of public bodies to acquire or designate property for use as open-space land. 10-153. Diversion of property from open-space land use; conveyance or lease of open-space land. 10-154. Further powers of public bodies. 10-155. Assessment of real property where interest less than fee is held by</p>	<p>Sec. public body; exemption of interest of public body from taxation. 10-156. Definitions. 10-157. Chapter controlling over other laws; powers supplemental. 10-158. Acquisition of title subject to reservation of farming or timber rights; acquisition of easements, etc.; property to be made available for farming and timber uses.</p>
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§ 10-151. **Title of chapter.** — This chapter shall be known and may be cited as the "Open-Space Land Act." (1966, c. 461.)

The numbers of §§ 10-151 to 10-158 were assigned by the Virginia Code Commission, the 1966 act having assigned no numbers.

Legislative findings; purpose of chapter. — Acts 1966, c. 461, § 2, provides: "The General Assembly finds that the rapid growth and spread of urban development are creating critical problems of service and finance for the State and local governments; that the present and future rapid population growth in urban areas is creating severe problems of urban and suburban living; that the provision and preservation of permanent open-space land are necessary to help curb urban sprawl, to prevent the spread of urban blight and deterioration, to encourage and assist more economic and desirable urban development, to help provide or preserve necessary park, recreational, historic and scenic areas, and to conserve land and other natural resources; that the acquisition or

designation of interests and rights in real property by public bodies to provide or preserve permanent open-space land is essential to the solution of these problems, the accomplishment of these purposes, and the health and welfare of the citizens of the State; and that the exercise of authority to acquire or designate interests and rights in real property to provide or preserve permanent open-space land and the expenditure of public funds for these purposes would be for a public purpose.

"Pursuant to these findings, the General Assembly states that the purposes of this act are to authorize and enable public bodies, including as public bodies political subdivisions, to preserve permanent open-space land in urban areas (as herein defined) in order to assist in the solution of the problems and the attainment of the objectives stated in its findings."

§ 10-152. **Authority of public bodies to acquire or designate property for use as open-space land.** — To carry out the purposes of this chapter, any public body may (a) acquire by purchase, gift, devise, bequest, grant or otherwise title to or any interests or rights in real property that will provide a means for the preservation or provision of permanent open-space land and (b) designate any real property in which it has an interest to be retained and used for the preservation and provision of permanent open-space land. The use of the real property for permanent open-space land shall conform to the official comprehensive plan for the area in which the property is located. No property or interest therein shall be acquired by eminent domain by any public body for the purposes of this chapter, provided, however, this provision shall in no way limit the power of eminent domain as it was possessed by any public body prior to the passage of this chapter. (1966, c. 461.)

§ 10-153. **Diversion of property from open-space land use; conveyance or lease of open-space land.** — (a) No open-space land, the title to or interest of right in which has been acquired under this chapter and which has been designated as open-space land under the authority of this chapter, shall be converted or diverted from open-space land use unless the conversion or diversion is determined by the public body to be (1) essential to the orderly development and growth of the urban area, and (2) in accordance with the official comprehensive plan for the urban area in effect at the time of

conversion or diversion. Other real property of at least equal fair market value and of as nearly as feasible equivalent usefulness and location for use as permanent open-space land shall be substituted within a reasonable period not exceeding one year for any real property converted or diverted from open-space land use, unless the public body should determine that such open-space land or its equivalent is no longer needed. The public body shall assure that the property substituted will be subject to the provisions of this chapter.

(b) A public body may convey or lease any real property it has acquired and which has been designated for the purposes of this chapter. The conveyance or lease shall be subject to contractual arrangements that will preserve the property as open-space land, unless the property is to be converted or diverted from open-space land use in accordance with the provisions of subsection (a) of this section. (1966, c. 461.)

§ 10-154. Further powers of public bodies. — (a) A public body shall have all the powers necessary or convenient to carry out the purposes and provisions of this chapter, including the following powers in addition to others granted by this chapter:

(1) To borrow funds and make expenditures necessary to carry out the purposes of this chapter;

(2) To advance or accept advances of public funds;

(3) To apply for and accept and utilize grants and any other assistance from the federal government and any other public or private sources, to give such security as may be required and to enter into and carry out contracts or agreements in connection with the assistance, and to include in any contract for assistance from the federal government such conditions imposed pursuant to federal laws as the public body may deem reasonable and appropriate and which are not inconsistent with the purposes of this chapter;

(4) To make and execute contracts and other instruments necessary or convenient to the exercise of its powers under this chapter;

(5) In connection with the real property acquired and designated for the purposes of this chapter, to provide or to arrange or contract for the provision, construction, maintenance, operation, or repair by any person or agency, public or private, of services, privileges, works, streets, roads, public utilities or other facilities or structures that may be necessary to the provision, preservation, maintenance and management of the property as open-space land;

(6) To insure or provide for the insurance of any real or personal property or operations of the public body against any risks or hazards, including the power to pay premiums on the insurance;

(7) To demolish or dispose of any structures or facilities which may be detrimental to or inconsistent with the use of real property as open-space land; and

(8) To exercise any or all of its functions and powers under this chapter jointly or cooperatively with public bodies of one or more states, if they are so authorized by State law, and with one or more public bodies of this State, and to enter into agreements for joint or cooperative action.

(b) For the purposes of this chapter, the State or a city, town, or county may:

(1) Appropriate funds;

(2) Levy taxes and assessments;

(3) Issue and sell its general obligation bonds in the manner and within the limitations prescribed by the applicable laws of the State; and

(4) Exercise its powers under this chapter through a board or commission, or through such office or officers as its governing body by resolution determines or as the Governor determines in the case of the State. (1966, c. 461.)

§ 10-155. Assessment of real property where interest less than fee is held by public body; exemption of interest of public body from taxation. — Where an interest in real property less than the fee is held by a public body for

the purposes of this chapter, assessments made on the property for taxation shall reflect any change in the market value of the property which may result from the interest held by the public body. The value of the interest held by the public body shall be exempt from property taxation to the same extent as other property owned by the public body. (1966, c. 461.)

§ 10-156. **Definitions.** — The following terms whenever used or referred to in this chapter shall have the following meanings unless a different meaning is clearly indicated by the context:

- (a) "Public body" means any State agency having present authority to acquire land for a public use, or any county or municipality, or any park authority or public recreational facilities authority.
- (b) "Urban area" means any area which is urban or urbanizing in character, including suburban areas and surrounding areas which form an economic and socially related region, taking into consideration such factors as present and future population trends and patterns of urban growth, location of transportation facilities and systems, and distribution of industrial, commercial, residential, institutional, resort, and other activities.
- (c) "Open-space land" means any land in an urban area which is provided or preserved for (1) park or recreational purposes, (2) conservation of land or other natural resources, (3) historic or scenic purposes, or (4) assisting in the shaping of the character, direction, and timing of community development. (1966, c. 461.)

§ 10-157. **Chapter controlling over other laws; powers supplemental.** — Insofar as the provisions of this chapter are inconsistent with the provisions of any other law, the provisions of this chapter shall be controlling. The powers conferred by this chapter shall be in addition and supplemental to the powers conferred by any other law. (1966, c. 461.)

§ 10-158. **Acquisition of title subject to reservation of farming or timber rights; acquisition of easements, etc.; property to be made available for farming and timber uses.** — Any public body is hereby expressly authorized, without limiting the authority of the public body to acquire unrestricted fee simple title to tracts, to acquire, by gift or purchase, (1) fee simple title to such land subject to reservation of rights to use such lands for farming or to reservation of timber rights thereon, or (2) easements in gross or such other interests in real estate as are designed to maintain the character of such land as open-space land. Whenever practicable in the judgment of such public body, real property acquired pursuant to this chapter shall be made available for agricultural and timbering uses which are compatible with the purposes of this chapter. (1966, c. 461.)

CHAPTER 14.

VIRGINIA OUTDOORS FOUNDATION.

- Sec. 10-159. Declaration of policy.
- 10-160. Foundation created.
- 10-161. Administration of Foundation; appointment, terms, oath, etc., of board of trustees.
- 10-162. Chairman of board; quorum.
- 10-163. General powers of Foundation.
- 10-164. Annual report.
- 10-165. Gifts, devises and bequests.
- 10-166. Cooperation of State agencies, etc.

§ 10-159. **Declaration of policy.** — It is hereby declared to be the public