

**Report on Proffered
Cash Payments and Expenditures
by Virginia Counties, Cities, and Towns
1999-2000 and 2000-2001**



**Commission on Local Government
Commonwealth of Virginia**

November 2001

***Members
of the
Virginia Commission
on
Local Government***

James E. Kickler, Chairman
James J. Heston, Vice Chairman
Frank Raflo
Peter T. Way
Geline B. Williams

Pocahontas Building
900 East Main Street, Suite 103
Richmond, Virginia 23219-3513
804-786-6508
www.clg.state.va.us



COMMONWEALTH of VIRGINIA

Commission on Local Government

George O'N. Urquhart
Executive Director

Deputy Director
Ted McCormack

Pocahontas Building, Suite 103
900 East Main Street
Richmond, VA 23219

Telephone: (804) 786-6508
Va. Relay Center: (800) 828-1120
Telecopier: (804) 371-7999

November 16, 2001

The Honorable Frederick M. Quayle, Chairman
Senate Local Government Committee

The Honorable Franklin P. Hall, Co-Chairman
House Counties, Cities, and Towns Committee

The Honorable Riley E. Ingram, Co-Chairman
House Counties, Cities, and Towns Committee

On behalf of the Commission on Local Government, the attached report on proffered cash payments and expenditures by counties, cities, and towns for the 1999-2000 and 2000-2001 Fiscal Years is hereby submitted. This report has been prepared by the members of the Commission on Local Government pursuant to House Bill 2476/2001 (i.e., Section 15.2-2303.2, Code of Virginia).

Sincerely,

George O'N. Urquhart
Executive Director

TABLE OF CONTENTS

Introduction	1
Proceedings Of The Commission	4
Survey On The Use of Proffered Cash Payments	5

APPENDICES

Appendix A	House Bill 2476/2001
Appendix B	Virginia Statutes Authorizing the Acceptance of Proffered Cash Payments
Appendix C	Localities Authorized by Statute to Accept Proffered Cash Payments in 1999-2000 and 2000-2001
Appendix D	Survey Instrument for Local Government Revenues and Expenditures Derived from Proffered Cash Payments
Appendix E	Authorized Localities Not Accepting Proffered Cash Payments, 1999-2000 and 2000-2001
Appendix F	Summary of Survey Responses from Localities Accepting Proffered Cash Payments, 1999-2000 and 2000-2001

REPORT OF THE COMMISSION ON LOCAL GOVERNMENT
DISCLOSURE OF PROFFERED CASH PAYMENTS AND EXPENDITURES
1999-2000 AND 2000-2001

INTRODUCTION

House Bill 2476, which was enacted by the 2001 Session of the General Assembly, directed the Commission on Local Government to collect data concerning local government revenues and expenditures resulting from the acceptance of cash payments voluntarily proffered during the 2000 and 2001 Fiscal Years.¹ Cash payments voluntarily proffered, also referred to as cash proffers, are (i) any money voluntarily proffered in writing, signed by the owner of property subject to rezoning, and accepted by a locality pursuant to the authority granted by Section 15.2-2303 or Section 15.2-2298 of the Code of Virginia, or (ii) any payment of money made pursuant to a development agreement entered into under the authority granted by Section 15.2-2303.1 of the Code of Virginia.

Cash proffers are a form of conditional zoning in the Commonwealth. Conditional zoning involves "proffered" conditions voluntarily offered by a developer or property owner that limits or qualifies how the property in question will be used or developed. Such proffered conditions are in addition to the general, uniform regulations otherwise applicable to land within the same zoning district, and are made to lessen the possible negative effects of an unrestricted rezoning. Upon approval by the local governing body, the conditions (i.e., proffers) become part of the rezoning and remain in effect even if the property is sold.² In

¹See Appendix A for the text of House Bill 2476 which was codified as Sec. 15.2-2303.2, Code of Virginia by Ch. 282, Acts of Assembly, 2001. The Commission was also directed by the legislation to collect and report by November 30, 2001 data on local government proffered cash payments and expenditures for the 2002 Fiscal Year, but the results of that survey will not be available until November 2002.

²Virginia Citizens Planning Association and the Virginia Department of Housing and Community Development, The Language of Planning, Community Planning Series, Vol. V, June 1986, p. 10.

some instances, the conditions proffered by the developer or property owner may include cash contributions to the locality. Generally, cash proffers are used to offset the impacts of a particular development by providing a funding source for new roads, schools, or other public facilities and services. Depending on the statutory authority under which the locality is eligible to accept the cash proffer, however, the impacts to be mitigated may or may not be directly related to the development at issue.³

While every Virginia jurisdiction has been authorized to employ some form of conditional zoning as part of its land use regulations since 1987, not all local governments may accept cash proffers. The localities that are eligible to accept cash proffers fall into one or more of the following categories:

- I. Pursuant to Section 15.2-2298, Code of Virginia:
 - A. Any locality which had a decennial Census growth rate of 10% or more;
 - B. Any city adjoining another city or county which had a decennial growth rate of 10% or more;
 - C. Any towns located within a county which had a decennial growth rate of 10% or more; and
 - D. Any county contiguous with at least three counties which had a decennial growth rate of 10% or more, and any towns located within that county.
- II. Pursuant to Section 15.2-2303, Code of Virginia:
 - A. Any county with an urban county executive form of government (i.e., Fairfax County);

³John H. Foote, "Planning and Zoning," **Handbook of Virginia Local Government Law**, Edited by Susan Warriner Custer, 2001 Edition, pp. 1-11 – 1-14.

- B. Any city adjacent to or completely surrounded by a county with an urban county executive form of government;
 - C. Any county contiguous to a county with an urban county executive form of government;
 - D. Any city adjacent to or completely surrounded by a county contiguous to a county with an urban county executive form of government;
 - E. Any town within a county contiguous to a county with an urban county executive form of government; and
 - F. Any county east of the Chesapeake Bay.
- III. Pursuant to Section 15.2-2303.1, Code of Virginia:
- A. Any county with a 1990 Census population between 10,300 and 11,000 persons through which an interstate highway passes (i.e., New Kent County).⁴

Based upon the statutory criteria cited above and data from the 1990 Census of Population, 150 Virginia localities (47 counties, 29 cities, and 74 towns) were eligible to accept cash proffers during FY1999-00 and FY2000-01.⁵

⁴See Appendix B for the complete statutory citations concerning the acceptance of cash proffers by Virginia localities.

⁵U. S. Department of Commerce, Bureau of the Census, **1990 Census of Population, Number of Inhabitants**, Table 4; and U. S. Department of Commerce, Bureau of the Census, Population Estimates for States, Counties, Places, and Minor Civil Divisions: Annual Time Series, July 1, 1990 to July 1, 1999 (includes April 1, 1990 Population Estimates Base). (Online) Available http://www.census.gov/population/estimates/metro-city/scful/SC99F_VA.txt, Oct. 20, 2000. Since the results of the 2000 Census were not published until the Spring of 2001, the 1980 -1990 decennial population growth rate was used to determine the localities eligible to accept proffered cash payments pursuant to Sec. 15.2-2298, Code of Va. See Appendix C for the list of Virginia localities that were authorized by statute to accept cash proffers during FY1999-00 and FY2000-01.

PROCEEDINGS OF THE COMMISSION

In order to collect data concerning local government revenues and expenditures derived from cash proffers, the Commission developed a survey instrument for distribution to all eligible localities. General announcements of the survey, as well as the availability of the proposed survey instrument, were made by the Virginia Association of Counties and the Virginia Municipal League to their memberships. Further, the Commission solicited comments on the draft instrument directly from affected jurisdictions by electronic mail and U. S. Mail or through an announcement posted on its Internet web site. Moreover, on May 14, 2001 the Commission conducted a public hearing in Richmond for the purpose of receiving additional public comment with respect to the proposed survey. The public hearing, which was advertized in the *Virginia Register*, was attended by representatives of Chesterfield, Fairfax, Goochland, Hanover, Loudoun, and Prince William Counties, the Thomas Jefferson Planning District Commission, the Virginia Association of Counties, the Virginia Municipal League, the Home Builders Association of Virginia, and the Northern Virginia Building Industry Association.

Based upon comments received by the Commission from the various interested parties, the survey instrument was modified and then mailed on July 19, 2001 to the chief administrative officers of the 150 counties, cities, and towns which had the statutory authority to accept cash proffers during the 2000 and 2001 Fiscal Years.⁶ In an effort to obtain a maximum response, a follow-up letter was sent to officials in those jurisdictions which had not responded to the initial request, and, subsequently, a series of personal contacts was made to obtain completion of the survey. The final combined jurisdictional response rate to the survey was 99.3%, with all of the eligible counties and cities, and 73 of

⁶See Appendix D for a copy of the survey instrument.

the 74 towns returning completed instruments to the Commission. Only the Town of Stanardsville in Greene County did not respond to the survey despite repeated requests.

SURVEY ON THE USE OF PROFFERED CASH PAYMENTS

The results of the statewide survey of the acceptance of cash proffers reveal that only 26 out of the 150 eligible localities (16 counties, 5 cities, and 5 towns) reported cash proffer activity for the 2000 Fiscal Year.⁷ During that period, the aggregate amount of cash proffers collected and expended by those jurisdictions was \$21,984,130 and \$12,537,967, respectively.⁸ For the 2001 Fiscal Year, the 30 local governments (18 counties, 6 cities and 6 towns) acknowledging cash proffer activity received a total of \$27,843,520 in such payments and expended collectively \$11,110,104 from cash proffer revenue.⁹ The survey results for individual local governments are reported in Appendix F.

⁷See Appendix E for those eligible jurisdictions that did not accept cash proffers during the 1999-2000 and 2000-2001 Fiscal Years.

⁸Depending on the total cost of the public facility or service to be supported by proffered cash payments, revenue from such proffers may not be expended during the fiscal year in which it was collected.

⁹Fiscal data reported by localities for the 2001 Fiscal Year is likely to be unofficial since local government audits are not published until the December following the end of the fiscal year.

APPENDIX A

House Bill 2476/2001

VIRGINIA ACTS OF ASSEMBLY -- 2001 SESSION

CHAPTER 282

An Act to amend the Code of Virginia by adding a section numbered 15.2-2303.2, relating to disclosure of proffered cash payments and expenditures.

[H 2476]

Approved March 15, 2001

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-2303.2 as follows:

§ 15.2-2303.2. Disclosure of proffered cash payments and expenditures.

A. The governing body of any locality accepting a cash payment voluntarily proffered pursuant to §§ 15.2-2298, 15.2-2303 or § 15.2-2303.1 shall by September 30, 2001, report to the Commission on Local Government the following information for the preceding two fiscal years, concluding with fiscal year 2001:

- 1. The aggregate amount of proffered cash payments collected by the locality;*
- 2. The aggregate amount of proffered cash payments that have been pledged to but not collected by the locality and which pledges are not conditioned on any event other than time; and*
- 3. The aggregate amount of proffered cash payments expended by the locality, and an aggregate list of all public improvements on which such money was expended.*

B. The governing body of any locality eligible to accept any proffered cash payments pursuant to §§ 15.2-2298, 15.2-2303 or § 15.2-2303.1 but that did not accept any proffered cash payments during the preceding two fiscal years shall by September 30, 2001, so notify the Commission on Local Government.

C. The governing body of any locality accepting a cash payment voluntarily proffered pursuant to §§ 15.2-2298, 15.2-2303 or § 15.2-2303.1 shall within three months of the close of each fiscal year, beginning in fiscal year 2002 and for each fiscal year thereafter, report to the Commission on Local Government the following information for the preceding fiscal year:

- 1. The aggregate amount of proffered cash payments collected by the locality;*
- 2. The aggregate amount of proffered cash payments that have been pledged to but not collected by the locality and which pledges are not conditioned on any event other than time; and*
- 3. The aggregate amount of proffered cash payments expended by the locality, and an aggregate list of all public improvements on which such money was expended.*

D. The governing body of any locality eligible to accept any proffered cash payments pursuant to §§ 15.2-2298, 15.2-2303 or § 15.2-2303.1 but that did not accept any proffered cash payments during the preceding fiscal year shall within three months of the close of each fiscal year, beginning in 2001 and for each fiscal year thereafter, so notify the Commission on Local Government.

E. The Commission on Local Government shall, by November 30, 2001, prepare and make available to the public and the chairmen of the Senate Local Government Committee and the House Counties, Cities and Towns Committee a report containing the information made available to it pursuant to subsections A and B.

F. The Commission on Local Government shall by November 30, 2001, and by November 30 of each fiscal year thereafter, prepare and make available to the public and the chairmen of the Senate Local Government Committee and the House Counties, Cities and Towns Committee an annual report containing the information made available to it pursuant to subsections C and D.

APPENDIX B

Virginia Statutes Authorizing The Acceptance of Proffered Cash Payments

**EXCERPTS FROM VIRGINIA STATUTES AUTHORIZING
THE ACCEPTANCE OF PROFFERED CASH PAYMENTS
(Emphasis Added)**

§ 15.2-2298. Same; additional conditions as a part of rezoning or zoning map amendment in certain high-growth localities. – A. Except for those localities to which § 15.2-2303 is applicable, this section shall apply to (i) any locality which has had population growth of ten percent or more from the next-to-latest to latest decennial census year, based on population reported by the United States Bureau of the Census; (ii) any city adjoining such city or county; (iii) any towns located within such county; and (iv) any county contiguous with at least three such counties, and any town located in that county.

In any such locality, notwithstanding any contrary provisions of § 15.2-2297, a zoning ordinance may include and provide for the voluntary proffering in writing, by the owner, of reasonable conditions, prior to a public hearing before the governing body, in addition to the regulations provided for the zoning district or zone by the ordinance, as a part of a rezoning or amendment to a zoning map, provided that (i) the rezoning itself gives rise to the need for the conditions; (ii) the conditions have a reasonable relation to the rezoning; and (iii) all conditions are in conformity with the comprehensive plan as defined in § 15.2-2223. Once proffered and accepted as part of an amendment to the zoning ordinance, the conditions shall continue in effect until a subsequent amendment changes the zoning on the property covered by the conditions; however, the conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

No proffer shall be accepted by a locality unless it has adopted a capital improvement program pursuant to § 15.2-2239 or local charter. In the event proffered conditions include the dedication of real property or payment of cash, the property shall not transfer and the payment of cash shall not be made until the facilities for which the property is dedicated or cash is tendered are included in the capital improvement program, provided that nothing herein shall prevent a locality from accepting proffered conditions which are not normally included in a capital improvement program. If proffered conditions include the dedication of real property or the payment of cash, the proffered conditions shall provide for the disposition of the property or cash payment in the event the property or cash payment is not used for the purpose for which proffered.

§ 15.2-2303. Conditional zoning in certain localities. – A. A zoning ordinance may include reasonable regulations and provisions for conditional zoning as defined in § 15.2-2201 and for the adoption, in counties, or towns therein which have planning commissions, wherein the urban county executive form of government is in effect, or in a city adjacent to or completely surrounded by such a county, or in a county contiguous to any such county, or in a city adjacent to or completely surrounded by such a contiguous county, or in any town within such contiguous county, and in the counties east of the Chesapeake Bay as a part of an amendment to the zoning map of reasonable conditions, in addition to the regulations provided for the zoning district by the ordinance, when such conditions shall have been proffered in writing, in advance of the public hearing before the governing body required by § 15.2-2285 by the owner of the

property which is the subject of the proposed zoning map amendment. Once proffered and accepted as part of an amendment to the zoning ordinance, such conditions shall continue in effect until a subsequent amendment changes the zoning on the property covered by such conditions. However, such conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

§ 15.2-2303.1. Development agreements in certain counties. – A. In order to promote the public health, safety and welfare and to encourage economic development consistent with careful planning, any county with a population between 10,300 and 11,000 according to the 1990 United States Census through which an interstate highway passes may include in its zoning ordinance provisions for the governing body to enter into binding development agreements with any persons owning legal or equitable interests in real property in the county if the property to be developed contains at least one thousand acres.

APPENDIX C

Localities Authorized by Statute to Accept Proffered Cash Payments in 1999-2000 and 2000-2001

Localities Eligible to Accept Proffered Cash Payments in 1999-2000 and 2000-2001

Locality	Principal Reason Eligible to Accept Cash Proffers
ACCOMACK COUNTY	County east of Chesapeake Bay.
ALBEMARLE COUNTY	High growth locality (Decennial population growth of 10% or more).
ARLINGTON COUNTY	County contiguous to Urban County Executive [UCE] locality.
BEDFORD COUNTY	High growth locality (Decennial population growth of 10% or more).
CAROLINE COUNTY	County contiguous to three high growth counties.
CHARLES CITY COUNTY	County contiguous to three high growth counties.
CHESTERFIELD COUNTY	High growth locality (Decennial population growth of 10% or more).
CLARKE COUNTY	High growth locality (Decennial population growth of 10% or more).
CRAIG COUNTY	High growth locality (Decennial population growth of 10% or more).
CULPEPER COUNTY	High growth locality (Decennial population growth of 10% or more).
CUMBERLAND COUNTY	County contiguous to three high growth counties.
ESSEX COUNTY	County contiguous to three high growth counties.
FAIRFAX COUNTY	Urban County Executive [UCE] form of government.
FAUQUIER COUNTY	High growth locality (Decennial population growth of 10% or more).
FLUVANNA COUNTY	High growth locality (Decennial population growth of 10% or more).
FRANKLIN COUNTY	High growth locality (Decennial population growth of 10% or more).
FREDERICK COUNTY	High growth locality (Decennial population growth of 10% or more).
GLOUCESTER COUNTY	High growth locality (Decennial population growth of 10% or more).
GOOCHLAND COUNTY	High growth locality (Decennial population growth of 10% or more).
GREENE COUNTY	High growth locality (Decennial population growth of 10% or more).
HANOVER COUNTY	High growth locality (Decennial population growth of 10% or more).
HENRICO COUNTY	High growth locality (Decennial population growth of 10% or more).
ISLE OF WIGHT COUNTY	High growth locality (Decennial population growth of 10% or more).
JAMES CITY COUNTY	High growth locality (Decennial population growth of 10% or more).
KING AND QUEEN COUNTY	County contiguous to three high growth counties.
KING GEORGE COUNTY	High growth locality (Decennial population growth of 10% or more).
KING WILLIAM COUNTY	High growth locality (Decennial population growth of 10% or more).
LOUDOUN COUNTY	County contiguous to UCE locality.
LOUISA COUNTY	High growth locality (Decennial population growth of 10% or more).
MADISON COUNTY	High growth locality (Decennial population growth of 10% or more).
MIDDLESEX COUNTY	High growth locality (Decennial population growth of 10% or more).
MONTGOMERY COUNTY	High growth locality (Decennial population growth of 10% or more).
NEW KENT COUNTY	High growth locality (Decennial population growth of 10% or more).
NORTHAMPTON COUNTY	County east of Chesapeake Bay.
ORANGE COUNTY	High growth locality (Decennial population growth of 10% or more).
PAGE COUNTY	High growth locality (Decennial population growth of 10% or more).
POWHATAN COUNTY	High growth locality (Decennial population growth of 10% or more).
PRINCE WILLIAM COUNTY	County contiguous to UCE locality.
RAPPAHANNOCK COUNTY	County contiguous to three high growth counties.
ROANOKE COUNTY	County contiguous to three high growth counties.
ROCKINGHAM COUNTY	County contiguous to three high growth counties.
SHENANDOAH COUNTY	High growth locality (Decennial population growth of 10% or more).
SPOTSYLVANIA COUNTY	High growth locality (Decennial population growth of 10% or more).
STAFFORD COUNTY	High growth locality (Decennial population growth of 10% or more).
WARREN COUNTY	High growth locality (Decennial population growth of 10% or more).
WESTMORELAND COUNTY	High growth locality (Decennial population growth of 10% or more).
YORK COUNTY	High growth locality (Decennial population growth of 10% or more).
TOTAL COUNTIES ELIGIBLE = 47	

Localities Eligible to Accept Proffered Cash Payments in 1999-2000 and 2000-2001

Locality	Principal Reason Eligible to Accept Cash Proffers
ALEXANDRIA CITY	City adjacent to or surrounded by UCE locality.
BEDFORD CITY	City adjoining high growth city or county.
CHARLOTTESVILLE CITY	City adjoining high growth city or county.
CHESAPEAKE CITY	High growth locality (Decennial population growth of 10% or more).
COLONIAL HEIGHTS CITY	City adjoining high growth city or county.
DANVILLE CITY	High growth locality (Decennial population growth of 10% or more).
EMPORIA CITY	High growth locality (Decennial population growth of 10% or more).
FAIRFAX CITY	City adjacent to or surrounded by UCE locality.
FALLS CHURCH CITY	City adjacent to or surrounded by UCE locality.
FRANKLIN CITY	City adjoining high growth city or county.
FREDERICKSBURG CITY	High growth locality (Decennial population growth of 10% or more).
HAMPTON CITY	City adjoining high growth city or county.
HARRISONBURG CITY	High growth locality (Decennial population growth of 10% or more).
HOPEWELL CITY	City adjoining high growth city or county.
LYNCHBURG CITY	City adjoining high growth city or county.
MANASSAS CITY	City adjacent to or surrounded by county contiguous to UCE locality.
MANASSAS PARK CITY	City adjacent to or surrounded by county contiguous to UCE locality.
NEWPORT NEWS CITY	High growth locality (Decennial population growth of 10% or more).
NORFOLK CITY	City adjoining high growth city or county.
POQUOSON CITY	High growth locality (Decennial population growth of 10% or more).
PORTSMOUTH CITY	City adjoining high growth city or county.
RADFORD CITY	High growth locality (Decennial population growth of 10% or more).
RICHMOND CITY	City adjoining high growth city or county.
STAUNTON CITY	High growth locality (Decennial population growth of 10% or more).
SUFFOLK CITY	City adjoining high growth city or county.
VIRGINIA BEACH CITY	High growth locality (Decennial population growth of 10% or more).
WAYNESBORO CITY	High growth locality (Decennial population growth of 10% or more).
WILLIAMSBURG CITY	High growth locality (Decennial population growth of 10% or more).
WINCHESTER CITY	City adjoining high growth city or county.
TOTAL CITIES ELIGIBLE = 29	

Localities Eligible to Accept Proffered Cash Payments in 1999-2000 and 2000-2001

Locality	Principal Reason Eligible to Accept Cash Proffers
ABINGDON TOWN	High growth locality (Decennial population growth of 10% or more).
APPOMATTOX TOWN	High growth locality (Decennial population growth of 10% or more).
ASHLAND TOWN	High growth locality (Decennial population growth of 10% or more).
BERRYVILLE TOWN	High growth locality (Decennial population growth of 10% or more).
BLACKSBURG TOWN	High growth locality (Decennial population growth of 10% or more).
BOONES MILL TOWN	Town located in high growth county.
BOWLING GREEN TOWN	Town located in county contiguous to three high growth counties.
BOYCE TOWN	High growth locality (Decennial population growth of 10% or more).
BRIDGEWATER TOWN	High growth locality (Decennial population growth of 10% or more).
BROADWAY TOWN	Town located in county contiguous to three high growth counties.
CHILHOWIE TOWN	High growth locality (Decennial population growth of 10% or more).
CHINCOTEAGUE TOWN	High growth locality (Decennial population growth of 10% or more).
CHRISTIANSBURG TOWN	High growth locality (Decennial population growth of 10% or more).
CLIFTON TOWN	Town located in county contiguous to UCE locality.
CLINTWOOD TOWN	High growth locality (Decennial population growth of 10% or more).
COLONIAL BEACH TOWN	High growth locality (Decennial population growth of 10% or more).
COLUMBIA TOWN	Town located in high growth county.
COURTLAND TOWN	High growth locality (Decennial population growth of 10% or more).
CULPEPER TOWN	High growth locality (Decennial population growth of 10% or more).
DAYTON TOWN	Town located in county contiguous to three high growth counties.
DUMFRIES TOWN	Town located in county contiguous to UCE locality.
EDINBURG TOWN	High growth locality (Decennial population growth of 10% or more).
ELKTON TOWN	High growth locality (Decennial population growth of 10% or more).
FRONT ROYAL TOWN	Town located in high growth county.
GORDONSVILLE TOWN	Town located in high growth county.
GOSHEN TOWN	High growth locality (Decennial population growth of 10% or more).
GRETNA TOWN	High growth locality (Decennial population growth of 10% or more).
HAMILTON TOWN	Town located in county contiguous to UCE locality.
HAYMARKET TOWN	Town located in county contiguous to UCE locality.
HERNDON TOWN	High growth locality (Decennial population growth of 10% or more).
HILLSBORO TOWN	Town located in county contiguous to UCE locality.
LEESBURG TOWN	Town located in county contiguous to UCE locality.
LOUISA TOWN	High growth locality (Decennial population growth of 10% or more).
LOVETTSVILLE TOWN	Town located in county contiguous to UCE locality.
LURAY TOWN	High growth locality (Decennial population growth of 10% or more).
MADISON TOWN	High growth locality (Decennial population growth of 10% or more).
MIDDLEBURG TOWN	Town located in county contiguous to UCE locality.
MIDDLETOWN TOWN	High growth locality (Decennial population growth of 10% or more).
MINERAL TOWN	High growth locality (Decennial population growth of 10% or more).
MONTROSS TOWN	Town located in high growth county.
MOUNT CRAWFORD TOWN	Town located in county contiguous to three high growth counties.
MOUNT JACKSON TOWN	High growth locality (Decennial population growth of 10% or more).
NEW CASTLE TOWN	Town located in high growth county.
NEW MARKET TOWN	High growth locality (Decennial population growth of 10% or more).
OCCOQUAN TOWN	Town located in county contiguous to UCE locality.
ORANGE TOWN	Town located in high growth county.
PENNINGTON GAP TOWN	High growth locality (Decennial population growth of 10% or more).
PORT ROYAL TOWN	Town located in county contiguous to three high growth counties.
PURCELLVILLE TOWN	Town located in county contiguous to UCE locality.
QUANTICO TOWN	Town located in county contiguous to UCE locality.
REMINGTON TOWN	Town located in high growth county.
ROCKY MOUNT TOWN	Town located in high growth county.
ROUND HILL TOWN	Town located in county contiguous to UCE locality.

Localities Eligible to Accept Proffered Cash Payments in 1999-2000 and 2000-2001

Locality	Principal Reason Eligible to Accept Cash Proffers
SCOTTSVILLE TOWN	Town located in high growth county.
SHENANDOAH TOWN	High growth locality (Decennial population growth of 10% or more).
SMITHFIELD TOWN	High growth locality (Decennial population growth of 10% or more).
STANARDSVILLE TOWN	Town located in high growth county.
STANLEY TOWN	Town located in high growth county.
STEPHENS CITY TOWN	Town located in high growth county.
STRASBURG TOWN	High growth locality (Decennial population growth of 10% or more).
TAPPAHANNOCK TOWN	Town located in county contiguous to three high growth counties.
THE PLAINS TOWN	Town located in high growth county.
TOMS BROOK TOWN	Town located in high growth county.
TIMBERVILLE TOWN	Town located in county contiguous to three high growth counties.
URBANNA TOWN	Town located in high growth county.
VIENNA TOWN	Town located in county contiguous to UCE locality.
VINTON TOWN	Town located in county contiguous to three high growth counties.
WARRENTON TOWN	High growth locality (Decennial population growth of 10% or more).
WARSAW TOWN	High growth locality (Decennial population growth of 10% or more).
WASHINGTON TOWN	Town located in county contiguous to three high growth counties.
WEST POINT TOWN	Town located in high growth county.
WINDSOR TOWN	Town located in high growth county.
WOODSTOCK TOWN	High growth locality (Decennial population growth of 10% or more).
WYTHEVILLE TOWN	High growth locality (Decennial population growth of 10% or more).
TOTAL TOWNS ELIGIBLE = 74	

I. Eligibility for acceptance of cash proffers under § 15.2-2298 (High-growth localities):

- A. any locality which had a decennial Census growth rate of 10% or more;
- B. any city adjoining another city or county which had a decennial Census growth rate of 10% or more;
- C. any towns located within a county which had a decennial Census growth rate of 10% or more; and
- D. any county contiguous with at least three counties which had a decennial Census growth rate of 10% or more, and any town located in that county.

II. Eligibility for acceptance of cash proffers under §15.2-2303:

- A. any county with urban county executive form of government (i.e., Fairfax County);
- B. any city adjacent to or completely surrounded by Fairfax County;
- C. any county contiguous to Fairfax County;
- D. any city adjacent to or completely surrounded by a county contiguous to Fairfax County;
- E. any town within a county contiguous to Fairfax County; and
- F. any county east of the Chesapeake Bay

III. Eligibility for acceptance of cash proffers under §15.2-2303.1:

- A. Any county with a 1990 Census population between 10,300 and 11,000 and through which an interstate highway passes (i.e., New Kent County).

APPENDIX D

Survey Instrument for Local Government Revenues and Expenditures Derived from Proffered Cash Payments

Commission on Local Government

Survey of Cash Proffers Accepted by Local Governments

Date: _____

Locality: _____ County ☐ City ☐ Town ☐

Name: _____ Title: _____
 Phone: _____ Fax: _____
 E-mail: _____

Did your locality accept cash proffers in either or both of the following fiscal years?

FY1999-00		FY2000-01	
YES <input type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>

If you answered "No" for both fiscal years, no further information is needed. Please return the survey to the Commission on Local Government as indicated on the next page.

If you answered "Yes" for either fiscal year, provide the following information concerning the cash proffers accepted by your locality: (See definitions on next page.)

	FY1999-00	FY2000-01
1. Total Amount of Cash Proffer Revenue <u>Collected</u> by the Locality in Each Fiscal Year:	\$ _____	\$ _____
2. Total Amount of Cash Proffers <u>Pledged</u> in Each Fiscal Year but Not Collected and Whose Payment Was <u>Conditioned</u> Only on Time:	\$ _____	\$ _____
3. Total Amount of Cash Proffer Revenue <u>Expended</u> by the Locality in Each Fiscal Year:	\$ _____	\$ _____

4. Indicate the Purpose(s) for Which the Expenditures in Number 3 Above Were Made:

	FY1999-00	FY2000-01
Law Enforcement and Traffic Control	<input type="checkbox"/>	<input type="checkbox"/>
Fire and Rescue Services	<input type="checkbox"/>	<input type="checkbox"/>
Highways, Streets, Bridges, and Sidewalks	<input type="checkbox"/>	<input type="checkbox"/>
Education	<input type="checkbox"/>	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>	<input type="checkbox"/>
Library	<input type="checkbox"/>	<input type="checkbox"/>
Other (List for Each Fiscal Year): _____	<input type="checkbox"/>	<input type="checkbox"/>
Use additional sheet if necessary. _____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

Comments: Use additional sheet if necessary.	
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**QUESTIONS? CONTACT LARRY McMILLAN AT THE
 COMMISSION ON LOCAL GOVERNMENT (804) 786-6508**

Commission on Local Government Survey of Cash Proffers Accepted by Local Governments

Please complete this form and return it to the Commission on Local Government by September 30, 2001 using one of the following methods:

- By Mail: Commission on Local Government, 900 E. Main St., Ste. 103, Richmond, VA 23219-3513
- By Fax: (804) 371-7999
- By Electronic Mail: A Microsoft Word template of this form may be downloaded at www.clg.state.va.us; once completed, send it by e-mail to lmcmillan@clg.state.va.us.

DEFINITIONS

Cash Proffer: (i) any money voluntary proffered in a writing signed by the owner of property subject to rezoning, submitted as part of a rezoning application and accepted by a locality pursuant to the authority granted by Va. Code Ann. § 15.2-2303, or § 15.2-2298, or (ii) any payment of money made pursuant to a development agreement entered into under authority granted by Va. Code Ann. § 15.2-2303.1.

Cash Proffer Revenue Collected [§15.2-2302.2(A)(1), Code of Virginia]: Total dollar amount of revenue collected from cash proffers in the specified fiscal year regardless of the fiscal year in which the cash proffer was accepted. Unaudited figures are acceptable.

Cash Proffers Pledged but Not Collected and Whose Payment Was Conditioned Only on Time [§15.2-2302.2(A)(2), Code of Virginia]: Cash proffers conditioned only on time approved by the locality as part of a rezoning case but not collected. Unaudited figures for the specified fiscal year are acceptable.

Cash Proffer Revenue Expended [§15.2-2302.2(A)(3), Code of Virginia]: Total dollar amount of public projects funded with cash proffer revenue in the specified fiscal year. Unaudited figures are acceptable.

Purposes for Which Cash Proffer Revenue was Expended: For each of the categories specifically listed or categories that may be written in, use the Expenditure Accounts Definitions found in Chapter 3 of the Auditor of Public Accounts' Uniform Financial Reporting Manual. Include in the appropriate category, however, any expenditures for capital outlays which result in the acquisition of or addition to fixed assets, or the construction or acquisition of major capital facilities (i.e., land and buildings).

**QUESTIONS? CONTACT LARRY McMILLAN AT THE
COMMISSION ON LOCAL GOVERNMENT (804) 786-6508**

APPENDIX E

Authorized Localities Not Accepting Proffered Cash Payments, 1999-2000 and 2000-2001

Virginia Localities Not Accepting Proffered Cash Payments, 1999-2000 and 2000-2001

Counties	Cities	Towns		
Accomack	Alexandria	Abingdon	Louisa Town	Urbanna
Arlington	Bedford City	Appomattox Town	Lovettesville	Vienna
Bedford County	Charlottesville	Ashland	Luray	Vinton
Charles City	Colonial Heights	Berryville	Madison Town	Warsaw
Craig	Danville	Blacksburg	Middleburg	Washington Town
Culpeper County	Emporia	Boones Mill	Middletown	West Point
Cumberland	Falls Church	Bowling Green	Mineral	Windsor
Essex	Franklin City	Boyce	Montross	Woodstock
Franklin County	Hampton	Bridgewater	Mount Crawford	Wytheville
Frederick	Harrisonburg	Broadway	Mount Jackson	
Gloucester	Hopewell	Chilhowie	New Castle	
Goochland	Lynchburg	Chincoteague	New Market	
Henrico	Newport News	Christiansburg	Occoquan	
James City	Norfolk	Clifton	Orange Town	
King and Queen	Poquoson	Clintwood	Pennington Gap	
King George	Portsmouth	Colonial Beach	Port Royal	
Madison County	Radford	Columbia	Quantico	
Middlesex	Richmond	Courtland	Remington	
Montgomery	Staunton	Culpeper Town	Rocky Mount	
Northampton	Virginia Beach	Dayton	Round Hill	
Orange County	Waynesboro	Dumfries	Scottsville	
Page	Williamsburg	Edinburg	Shenandoah Town	
Rappahannock	Winchester	Elkton	Smithfield	
Roanoke County		Front Royal	Stanley	
Rockingham		Gordonsville	Stephens City	
Shenandoah County		Goshen	Strasburg	
Warren		Gretna	Tappahannock	
Westmoreland		Hamilton	The Plains	
York		Haymarket	Toms Brook	
		Hillsboro	Timberville	

Source: Commission on Local Government survey, July - October 2001

APPENDIX F

Summary of Survey Responses from Localities Accepting Proffered Cash Payments, 1999 – 2000 and 2000 – 2001

Survey Responses from Localities Accepting Proffered Cash Payments **FY1999-00 – FY2000-01**

Locality **ALBEMARLE**

Type **COUNTY**

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	<input type="text" value="\$104,700"/>	<input type="text" value="\$82,500"/>

Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	<input type="text" value="\$0"/>	<input type="text" value="\$0"/>
--	----------------------------------	----------------------------------

Total amount of cash proffer revenue expended in each fiscal year:	<input type="text" value="\$0"/>	<input type="text" value="\$0"/>
---	----------------------------------	----------------------------------

Purpose for which cash proffer revenue was expended in each fiscal year:	FY1999-00	FY2000-01
Law Enforcement and Traffic Control	<input type="text"/>	<input type="text"/>
Fire and Rescue Services	<input type="text"/>	<input type="text"/>
Highways, Streets, Bridges, and Sidewalks	<input type="text"/>	<input type="text"/>
Education	<input type="text"/>	<input type="text"/>
Parks and Recreation	<input type="text"/>	<input type="text"/>
Library	<input type="text"/>	<input type="text"/>
Other:		

Comments

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality CAROLINE

Type COUNTY

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	\$15,000	\$3,000

Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	\$0	\$0
--	-----	-----

Total amount of cash proffer revenue expended in each fiscal year:	\$0	\$0
---	-----	-----

	FY1999-00	FY2000-01
Purpose for which cash proffer revenue was expended in each fiscal year:		
Law Enforcement and Traffic Control		
Fire and Rescue Services		
Highways, Streets, Bridges, and Sidewalks		
Education		
Parks and Recreation		
Library		
Other:		

Comments

All proffers conditioned on development.

Survey Responses from Localities Accepting Proffered Cash Payments **FY1999-00 – FY2000-01**

Locality **CHESTERFIELD**

Type **COUNTY**

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	<input type="text" value="\$1,521,861"/>	<input type="text" value="\$1,731,227"/>
Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	<input type="text" value="\$0"/>	<input type="text" value="\$0"/>
Total amount of cash proffer revenue expended in each fiscal year:	<input type="text" value="\$1,552,819"/>	<input type="text" value="\$1,867,503"/>
Purpose for which cash proffer revenue was expended in each fiscal year:	FY1999-00	FY2000-01
Law Enforcement and Traffic Control	<input type="text"/>	<input type="text"/>
Fire and Rescue Services	<input type="text" value="X"/>	<input type="text"/>
Highways, Streets, Bridges, and Sidewalks	<input type="text" value="X"/>	<input type="text" value="X"/>
Education	<input type="text" value="X"/>	<input type="text" value="X"/>
Parks and Recreation	<input type="text" value="X"/>	<input type="text" value="X"/>
Library	<input type="text" value="X"/>	<input type="text"/>
Other:		

Comments

1. [Cash proffer] revenues [collected] in prior years can be used for expenditures in subsequent years. Accordingly, it is possible for expenditures in any one year to be higher than the revenues collected in the same year as presented above [for Chesterfield County] in FY1999-00 and FY2000-01.

2. Chesterfield County has accepted cash proffers that typically are required to be paid prior to the issuance of a building permit, thus excluded from survey question [Cash Proffers Pledged but Not Collected and Whose Payment Was Conditioned Only on Time] for FY2000 and FY2001. [The County has] provided information [below] reflecting our results since approval of the first case with cash proffers in 1990. The figures [below] are inclusive of proffers conditioned on factors other than time.

Total Amount of Cash Proffer Revenue Collected by Chesterfield County, 1/1/90 – 6/30/01 = \$7,502,945.

Total Amount of Cash Proffers Pledged to Chesterfield County, 1/1/90 – 6/30/01 = \$40,023,661.

Total Amount of Cash Proffer Revenue Expended by Chesterfield County, 1/1/90 – 6/30/01 = \$4,392,386.

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality CLARKE

Type COUNTY

Fiscal year in which accepted cash proffers: FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	\$0	\$7,720

Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	\$0	\$0
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Total amount of cash proffer revenue expended in each fiscal year:	\$44,000	\$0
---	----------	-----

	FY1999-00	FY2000-01
Purpose for which cash proffer revenue was expended in each fiscal year:		
Law Enforcement and Traffic Control		
Fire and Rescue Services		
Highways, Streets, Bridges, and Sidewalks		
Education	X	
Parks and Recreation		
Library		
Other:		

Comments

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality **FAIRFAX**

Type COUNTY

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	\$5,523,415	\$6,620,812

Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	\$663,588	\$5,268,097
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Total amount of cash proffer revenue expended in each fiscal year:	\$1,140,732	\$1,765,585
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	FY1999-00	FY2000-01
Purpose for which cash proffer revenue was expended in each fiscal year:		
Law Enforcement and Traffic Control	X	X
Fire and Rescue Services		
Highways, Streets, Bridges, and Sidewalks	X	X
Education		
Parks and Recreation	X	X
Library		
Other:		
<u>Affordable Housing</u>	X	X
<u>Historical Markers</u>	X	X
<u>Open Space</u>	X	X

Comments

Cash proffers that merely restate existing ordinance requirements to pay certain fees are not included under cash proffers collected or cash proffered pledged [for FY1999-00 and FY2000-01]. [Cash proffer p]ledges [for FY1999-00 and FY2000-01] do not include cash proffers where the amount to be paid cannot be calculated at the time of rezoning approval (i.e., amounts based on formulas subject to future credits and inflationary adjustments).

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality **FAUQUIER**

Type **COUNTY**

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	\$11,750	\$40,144

Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	\$0	\$0
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Total amount of cash proffer revenue expended in each fiscal year:	\$11,750	\$40,144
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	FY1999-00	FY2000-01
Purpose for which cash proffer revenue was expended in each fiscal year:		
Law Enforcement and Traffic Control		
Fire and Rescue Services		
Highways, Streets, Bridges, and Sidewalks		
Education	X	X
Parks and Recreation		
Library		
Other:		

Comments

All cash proffers referenced in this report are conditioned on events rather than time. Cash proffers pledged but not collected and conditioned on events are \$3,364,838 for FY1999-00 and \$3,324,914 for FY200-01.

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality **FREDERICK**

Type **COUNTY**

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	<input type="text" value="\$268,465"/>	<input type="text" value="\$132,169"/>
Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	<input type="text" value="\$0"/>	<input type="text" value="\$0"/>
Total amount of cash proffer revenue expended in each fiscal year:	<input type="text" value="\$20,009"/>	<input type="text" value="\$0"/>

Purpose for which cash proffer revenue was expended in each fiscal year:	FY1999-00	FY2000-01
Law Enforcement and Traffic Control	<input type="text"/>	<input type="text"/>
Fire and Rescue Services	<input type="text" value="X"/>	<input type="text"/>
Highways, Streets, Bridges, and Sidewalks	<input type="text"/>	<input type="text"/>
Education	<input type="text"/>	<input type="text"/>
Parks and Recreation	<input type="text"/>	<input type="text"/>
Library	<input type="text"/>	<input type="text"/>
Other:		

Comments

Type COUNTY

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality **HANOVER**

Type **COUNTY**

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	<div>\$1,403,386</div>	<div>\$1,801,641</div>
Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	<div>\$1,338,051</div>	<div>\$2,791,160</div>
Total amount of cash proffer revenue expended in each fiscal year:	<div>\$4,139,872</div>	<div>\$1,369,159</div>

Purpose for which cash proffer revenue was expended in each fiscal year:	FY1999-00	FY2000-01
Law Enforcement and Traffic Control	<div></div>	<div></div>
Fire and Rescue Services	<div></div>	<div></div>
Highways, Streets, Bridges, and Sidewalks	<div>X</div>	<div>X</div>
Education	<div>X</div>	<div>X</div>
Parks and Recreation	<div></div>	<div></div>
Library	<div></div>	<div></div>
Other:		

Comments

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality ISLE OF WIGHT

Type COUNTY

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	\$172,650	\$179,650

Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	\$1,500	\$3,000
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Total amount of cash proffer revenue expended in each fiscal year:	\$0	\$149,050
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	FY1999-00	FY2000-01
Purpose for which cash proffer revenue was expended in each fiscal year:		
Law Enforcement and Traffic Control		
Fire and Rescue Services		X
Highways, Streets, Bridges, and Sidewalks		
Education		
Parks and Recreation		
Library		
Other:		

Comments

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality **KING WILLIAM**

Type **COUNTY**

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	<input type="text" value="\$19,366"/>	<input type="text" value="\$10,000"/>
Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	<input type="text" value="\$392,116"/>	<input type="text" value="\$382,116"/>
Total amount of cash proffer revenue expended in each fiscal year:	<input type="text" value="\$5,845"/>	<input type="text" value="\$147,877"/>

Purpose for which cash proffer revenue was expended in each fiscal year:	FY1999-00	FY2000-01
Law Enforcement and Traffic Control	<input type="text"/>	<input type="text"/>
Fire and Rescue Services	<input type="text" value="X"/>	<input type="text" value="X"/>
Highways, Streets, Bridges, and Sidewalks	<input type="text"/>	<input type="text"/>
Education	<input type="text" value="X"/>	<input type="text" value="X"/>
Parks and Recreation	<input type="text" value="X"/>	<input type="text" value="X"/>
Library	<input type="text" value="X"/>	<input type="text" value="X"/>
Other:		

Comments

Survey Responses from Localities Accepting Proffered Cash Payments FY1999-00 – FY2000-01

Locality **LOUDOUN**

Type **COUNTY**

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	\$8,329,776	\$9,155,774
Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	\$0	\$57,332
Total amount of cash proffer revenue expended in each fiscal year:	\$1,651,968	\$3,309,638
Purpose for which cash proffer revenue was expended in each fiscal year:	FY1999-00	FY2000-01
Law Enforcement and Traffic Control		
Fire and Rescue Services	X	X
Highways, Streets, Bridges, and Sidewalks	X	X
Education		X
Parks and Recreation	X	X
Library	X	X
Other:		
Mental Health/Mental Retardation	X	X
Housing	X	X

Comments

1. The total amount of cash proffer revenue collected by Loudoun County in FY1999 and FY2000 include cash proffers only and do not represent the value of land proffered or the value of in-kind proffers that may have been accepted during the specified reporting period.
2. It is important to note that the majority of proffers pledged during [FY1999-00 and FY2000-01] are not due on a specified date. This issue was outlined to the Commission on Local Government in [the County's] earlier comments with respect to the reporting procedures. During the reporting period, Loudoun County approved over 35 individual rezoning applications that resulted in newly pledged proffers or amendments to previously approved proffers. Some of these contained cash proffers with respect to specific areas such as but not limited to capital facilities, open space, initial fire and rescue contributions, and transportation. (Proffers relative to initial, one-time contributions for fire and rescue services are included in most approved applications. These represent funds that are paid to the County and distributed to fire and rescue companies. The payments are generally due to the County at the time of rezoning permit issuance. The Board of Supervisors no longer accepts proffers relative to annual, ongoing fire and rescue contributions collected and disbursed by [home]owner's associations, and in June 2001 adopted an explicit resolution regarding the cessation of those types of proffers.) The majority of these cash proffers are due to be paid upon issuance of a zoning permit, with no date specified as to when that might occur. Of further note is that the majority of the pledged proffers include escalation factors for increasing the contribution to a value relative to changes in the Consumer Price Index. Clearly, the actual value of these cash proffers due at a time not certain, cannot be accurately forecasted or reported.
3. With respect to cash proffer revenue expended in FY1999 and FY2000, it is important to note that the figures cited on the survey form represent an actual cash outlay of proffered cash contributions. The cited figure will not align with expenditures as referenced in Loudoun County's Comprehensive Annual Financial Report, because fund transfers are reflected as expenditures. For example, anticipated public facilities expenditures are typically transferred to a Capital Improvement Program fund and as such, are reflected as expenses. In order to respond fully to the survey, the cited figures represent a total actual proffer cash outlay and not fund transfers.

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality LOUISA

Type COUNTY

Fiscal year in which accepted cash proffers: FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text" value="\$0"/>

Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text" value="\$520,000"/>
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Total amount of cash proffer revenue expended in each fiscal year:	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text" value="\$0"/>
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	FY1999-00	FY2000-01
Purpose for which cash proffer revenue was expended in each fiscal year:		
Law Enforcement and Traffic Control	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
Fire and Rescue Services	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
Highways, Streets, Bridges, and Sidewalks	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
Education	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
Parks and Recreation	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
Library	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
Other:		

Comments

Cash proffer was designated at \$520.00 for each residential lot when issuance of a building permit occurs. Monies used to defray the cost of utility infrastructure improvements at Zion Crossroads or Capital Improvement Plan projects.

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality **NEW KENT**

Type **COUNTY**

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	\$20,000	\$156,100

Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	\$0	\$0
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Total amount of cash proffer revenue expended in each fiscal year:	\$0	\$0
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	FY1999-00	FY2000-01
Purpose for which cash proffer revenue was expended in each fiscal year:		
Law Enforcement and Traffic Control		
Fire and Rescue Services		
Highways, Streets, Bridges, and Sidewalks		
Education		
Parks and Recreation		
Library		
Other:		

Comments

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality POWHATAN

Type COUNTY

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	<input type="text" value="\$373,115"/>	<input type="text" value="\$303,997"/>
Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	<input type="text" value="\$85,200"/>	<input type="text" value="\$97,600"/>
Total amount of cash proffer revenue expended in each fiscal year:	<input type="text" value="\$1,212,158"/>	<input type="text" value="\$0"/>

Purpose for which cash proffer revenue was expended in each fiscal year:	FY1999-00	FY2000-01
Law Enforcement and Traffic Control	<input type="text" value="X"/>	<input type="text"/>
Fire and Rescue Services	<input type="text" value="X"/>	<input type="text"/>
Highways, Streets, Bridges, and Sidewalks	<input type="text"/>	<input type="text"/>
Education	<input type="text" value="X"/>	<input type="text"/>
Parks and Recreation	<input type="text"/>	<input type="text"/>
Library	<input type="text" value="X"/>	<input type="text"/>
Other:		
Solid Waste Transfer Station	<input type="text" value="X"/>	

Comments

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality **PRINCE WILLIAM**

Type **COUNTY**

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	\$3,059,400	\$5,180,942

Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	\$8,400,000	\$29,200,000
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Total amount of cash proffer revenue expended in each fiscal year:	\$2,412,473	\$1,955,332
---	-------------	-------------

	FY1999-00	FY2000-01
Purpose for which cash proffer revenue was expended in each fiscal year:		
Law Enforcement and Traffic Control	X	X
Fire and Rescue Services		X
Highways, Streets, Bridges, and Sidewalks	X	X
Education	X	X
Parks and Recreation	X	X
Library		
Other:		
<u>Commuter Parking</u>	X	
<u>Landscaping</u>	X	X

Comments

The definition of [cash proffers pledged but not collected and whose payment was conditioned only on time] implies that [Prince William County] should report only date certain cash proffers. The overwhelming majority of approved cash proffers are event driven and are not tied to a date certain. [The County has] reported all cash proffers not only those conditioned on time.

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality SPOTSYLVANIA

Type COUNTY

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

Total amount of cash proffer revenue collected in each fiscal year:	FY1999-00	FY2000-01
	\$10,000	\$72,430

Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	\$0	\$100,000
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Total amount of cash proffer revenue expended in each fiscal year:	\$20,000	\$17,500
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Purpose for which cash proffer revenue was expended in each fiscal year:	FY1999-00	FY2000-01
Law Enforcement and Traffic Control		
Fire and Rescue Services		
Highways, Streets, Bridges, and Sidewalks		
Education		
Parks and Recreation		X
Library		
Other:		
Water and Sewer	X	

Comments

The total amount of cash proffers pledged in FY2000-01 but not collected and whose payment was conditioned only on time includes a traffic light to be installed once traffic counts warrant such.

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality **STAFFORD**

Type **COUNTY**

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	<input type="text" value="\$394,849"/>	<input type="text" value="\$524,644"/>
Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	<input type="text" value="\$745,622"/>	<input type="text" value="\$0"/>
Total amount of cash proffer revenue expended in each fiscal year:	<input type="text" value="\$140,799"/>	<input type="text" value="\$182,045"/>
Purpose for which cash proffer revenue was expended in each fiscal year:	FY1999-00	FY2000-01
Law Enforcement and Traffic Control	<input type="text"/>	<input type="text"/>
Fire and Rescue Services	<input type="text"/>	<input type="text"/>
Highways, Streets, Bridges, and Sidewalks	<input type="text" value="X"/>	<input type="text" value="X"/>
Education	<input type="text"/>	<input type="text" value="X"/>
Parks and Recreation	<input type="text"/>	<input type="text"/>
Library	<input type="text"/>	<input type="text"/>
Other:		

Comments

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality **CHESAPEAKE**

Type **CITY**

Fiscal year in which accepted cash proffers: FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	<input type="text"/>	<input type="text" value="\$41,483"/>
Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	<input type="text"/>	<input type="text" value="\$0"/>
Total amount of cash proffer revenue expended in each fiscal year:	<input type="text"/>	<input type="text" value="\$41,483"/>

	FY1999-00	FY2000-01
Purpose for which cash proffer revenue was expended in each fiscal year:		
Law Enforcement and Traffic Control	<input type="text"/>	<input type="text"/>
Fire and Rescue Services	<input type="text"/>	<input type="text"/>
Highways, Streets, Bridges, and Sidewalks	<input type="text"/>	<input type="text"/>
Education	<input type="text"/>	<input type="text" value="X"/>
Parks and Recreation	<input type="text"/>	<input type="text"/>
Library	<input type="text"/>	<input type="text"/>
Other:		

Comments

Cash proffers for school impacts were not pledged after March 1995. Because the "Level-of-Service Policy" was implemented at that time, it was determined that cash proffers for school impacts would not be anticipated.

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality **FAIRFAX**

Type **CITY**

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	\$148,577	\$155,482

Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	\$0	\$0
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Total amount of cash proffer revenue expended in each fiscal year:	\$0	\$0
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	FY1999-00	FY2000-01
Purpose for which cash proffer revenue was expended in each fiscal year:		
Law Enforcement and Traffic Control		
Fire and Rescue Services		
Highways, Streets, Bridges, and Sidewalks		
Education		
Parks and Recreation		
Library		
Other:		

Comments

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality **FREDERICKSBURG**

Type **CITY**

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	\$123,590	\$0

Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	\$0	\$50,000
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Total amount of cash proffer revenue expended in each fiscal year:	\$0	\$0
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	FY1999-00	FY2000-01
Purpose for which cash proffer revenue was expended in each fiscal year:		
Law Enforcement and Traffic Control		
Fire and Rescue Services		
Highways, Streets, Bridges, and Sidewalks		
Education		
Parks and Recreation		
Library		
Other:		

Comments

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality MANASSAS

Type CITY

Fiscal year in which accepted cash proffers: FY1999-00

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	<input type="text" value="\$0"/>	<input type="text" value="\$287,000"/>
Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	<input type="text" value="\$515,000"/>	<input type="text" value="\$0"/>
Total amount of cash proffer revenue expended in each fiscal year:	<input type="text" value="\$0"/>	<input type="text" value="\$0"/>

	FY1999-00	FY2000-01
Purpose for which cash proffer revenue was expended in each fiscal year:		
Law Enforcement and Traffic Control	<input type="text"/>	<input type="text"/>
Fire and Rescue Services	<input type="text"/>	<input type="text"/>
Highways, Streets, Bridges, and Sidewalks	<input type="text"/>	<input type="text"/>
Education	<input type="text"/>	<input type="text"/>
Parks and Recreation	<input type="text"/>	<input type="text"/>
Library	<input type="text"/>	<input type="text"/>
Other:		

Comments

The total amount of cash proffers pledged in FY1999-00 but not collected and whose payment was conditioned only on time is a proffer that is conditioned to an event in the life of the project.

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality **MANASSAS PARK**

Type **CITY**

Fiscal year in which accepted cash proffers: FY1999-00

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	\$24,205	

Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	\$0	
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Total amount of cash proffer revenue expended in each fiscal year:	\$24,205	
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	FY1999-00	FY2000-01
Purpose for which cash proffer revenue was expended in each fiscal year:		
Law Enforcement and Traffic Control		
Fire and Rescue Services		
Highways, Streets, Bridges, and Sidewalks	X	
Education	X	
Parks and Recreation		
Library		
Other:		

Comments

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality **SUFFOLK**

Type **CITY**

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	\$31,500	\$25,500

Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	\$0	\$0
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Total amount of cash proffer revenue expended in each fiscal year:	\$0	\$0
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	FY1999-00	FY2000-01
Purpose for which cash proffer revenue was expended in each fiscal year:		
Law Enforcement and Traffic Control		
Fire and Rescue Services		
Highways, Streets, Bridges, and Sidewalks		
Education		
Parks and Recreation		
Library		
Other:		

Comments

The amount of cash proffer revenue collected in each fiscal year are contributed based on houses built in a certain subdivision (\$1,500 per house). The funds are held by the City in escrow.

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality **VIRGINIA BEACH**

Type **CITY**

Fiscal year in which accepted cash proffers: FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	<input type="text"/>	<input type="text" value="\$0"/>
Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	<input type="text"/>	<input type="text" value="\$44,992"/>
Total amount of cash proffer revenue expended in each fiscal year:	<input type="text"/>	<input type="text" value="\$0"/>

Purpose for which cash proffer revenue was expended in each fiscal year:	FY1999-00	FY2000-01
Law Enforcement and Traffic Control	<input type="text"/>	<input type="text"/>
Fire and Rescue Services	<input type="text"/>	<input type="text"/>
Highways, Streets, Bridges, and Sidewalks	<input type="text"/>	<input type="text"/>
Education	<input type="text"/>	<input type="text"/>
Parks and Recreation	<input type="text"/>	<input type="text"/>
Library	<input type="text"/>	<input type="text"/>
Other:		

Comments

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality **ASHLAND**

Type **TOWN**

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	\$0	\$0

Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	\$525,000	\$28,800
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Total amount of cash proffer revenue expended in each fiscal year:	\$0	\$0
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	FY1999-00	FY2000-01
Purpose for which cash proffer revenue was expended in each fiscal year:		
Law Enforcement and Traffic Control		
Fire and Rescue Services		
Highways, Streets, Bridges, and Sidewalks		
Education		
Parks and Recreation		
Library		
Other:		

Comments

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality **HERNDON**

Type **TOWN**

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	\$6,500	\$0

	\$75,000	\$0
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	\$0	\$6,500
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Purpose for which cash proffer revenue was expended in each fiscal year:	FY1999-00	FY2000-01
Law Enforcement and Traffic Control		
Fire and Rescue Services		
Highways, Streets, Bridges, and Sidewalks		
Education		
Parks and Recreation		X
Library		
Other:		

Comments

Survey Responses from Localities Accepting Proffered Cash Payments FY1999-00 – FY2000-01

Locality **LEESBURG**

Type **TOWN**

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	<input type="text" value="\$361,752"/>	<input type="text" value="\$1,189,761"/>
Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	<input type="text" value="\$0"/>	<input type="text" value="\$0"/>
Total amount of cash proffer revenue expended in each fiscal year:	<input type="text" value="\$142,449"/>	<input type="text" value="\$185,508"/>

Purpose for which cash proffer revenue was expended in each fiscal year:	FY1999-00	FY2000-01
Law Enforcement and Traffic Control	<input type="text"/>	<input type="text"/>
Fire and Rescue Services	<input type="text" value="X"/>	<input type="text" value="X"/>
Highways, Streets, Bridges, and Sidewalks	<input type="text"/>	<input type="text"/>
Education	<input type="text"/>	<input type="text"/>
Parks and Recreation	<input type="text" value="X"/>	<input type="text" value="X"/>
Library	<input type="text"/>	<input type="text"/>
Other:		

Comments

1. The figure [for the total amount of cash proffer revenue collected in each fiscal year] includes proffered money collected for specific road improvements, a high school site acquisition fund, fire and rescue services, and parks and recreation.
2. [The total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time] can be interpreted a number of ways. [The Town of Leesburg has] chosen to take it literally, meaning that [the Town has] searched [its] proffer files for cash proffers approved in FY1999-00 and FY2000-01 but that have not been collected because the payment is conditioned on time. By "time" [the Town] interprets the statute to mean a date certain, such as "by November 1, 2002." The Town approved two rezonings with proffers in FY1999-00 and three [rezonings with proffers] in FY2000-01. None of these had proffers conditioned on time.
3. The discrepancy between [cash proffer revenue that] was collected and [cash proffer revenue that] was expended is based on the maturation time for the various road improvements and payment for the high school site. Transportation cash proffers earmark specific road improvements and the money will be expended when the improvements become due. The same is true for the high school site. Money earmarked for fire and rescue services and parks and recreation use is disbursed in the year it is collected.

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality MOUNT JACKSON

Type TOWN

Fiscal year in which accepted cash proffers: FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text" value="\$0"/>

Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text" value="\$12,500"/>
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Total amount of cash proffer revenue expended in each fiscal year:	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text" value="\$0"/>
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	FY1999-00	FY2000-01
Purpose for which cash proffer revenue was expended in each fiscal year:		
Law Enforcement and Traffic Control	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
Fire and Rescue Services	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
Highways, Streets, Bridges, and Sidewalks	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
Education	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
Parks and Recreation	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
Library	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
Other:		

Comments

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality **PURCELLVILLE**

Type **TOWN**

Fiscal year in which accepted cash proffers: Both FY1999-00 and FY2000-01

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	\$10,145	\$46,766

Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	\$0	\$0
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Total amount of cash proffer revenue expended in each fiscal year:	\$8,760	\$7,002
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	FY1999-00	FY2000-01
Purpose for which cash proffer revenue was expended in each fiscal year:		
Law Enforcement and Traffic Control		
Fire and Rescue Services	X	X
Highways, Streets, Bridges, and Sidewalks		
Education		
Parks and Recreation		
Library		
Other:		

Comments

**Survey Responses from Localities Accepting Proffered Cash Payments
FY1999-00 – FY2000-01**

Locality **WARRENTON**

Type **TOWN**

Fiscal year in which accepted cash proffers: FY1999-00

	FY1999-00	FY2000-01
Total amount of cash proffer revenue collected in each fiscal year:	<input type="text" value="\$50,128"/>	<input type="text" value="\$43,496"/>
Total amount of cash proffers pledged in each fiscal year but not collected and whose payment was conditioned only on time:	<input type="text" value="\$85,000"/>	<input type="text" value="\$0"/>
Total amount of cash proffer revenue expended in each fiscal year:	<input type="text" value="\$10,128"/>	<input type="text" value="\$14,496"/>

Purpose for which cash proffer revenue was expended in each fiscal year:	FY1999-00	FY2000-01
Law Enforcement and Traffic Control	<input type="text"/>	<input type="text"/>
Fire and Rescue Services	<input type="text" value="X"/>	<input type="text" value="X"/>
Highways, Streets, Bridges, and Sidewalks	<input type="text"/>	<input type="text"/>
Education	<input type="text"/>	<input type="text"/>
Parks and Recreation	<input type="text"/>	<input type="text"/>
Library	<input type="text"/>	<input type="text"/>
Other:		
Affordable Housing	<input type="text" value="X"/>	

Comments