



**Urbanna Town Council  
Work Session  
AGENDA  
Town Council Chambers  
390 Virginia Street Suite B  
August 22, 2024 6:00 PM**

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Agenda
5. Public Comment
6. Council Comment
7. Discussion Items
8. Action Items
  - a. Oyster Festival Master Plan-2024
  - b. 2024-RES-003-Restricting Parking and Traffic During the 2024 Urbanna Oyster Festival
  - c. 2024-RES-004-Designating NO PARKING Areas During the 2024 Urbanna Oyster Festival
  - d. Oyster Festival Queen & Spat Contestant Projects
  - e. Determination of Trick-or-Treating date
9. Closed Meeting

*Pursuant to Virginia Code §2.2-3711(A)(3) for the discussion of the acquisition of real property for a public purpose...because discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Town Council-purchase of 390 Virginia St.*

*and*

*Pursuant to Virginia Code §2.2-3711(A)(1) for the discussion...of performance...of employees of any public body. -Ted Costin*
10. Announcements
11. Adjourn



**Agenda Item Summary  
August 22, 2024**

**Agenda Item: 4-**Approval of Agenda

**Staff Recommendation:** Approve

**Council Action Requested:** Yes

**Sample Motion(s):** Motion to approve agenda as presented.



## **Agenda Item Summary August 22, 2024**

### **Agenda Item: 8a-Oyster Festival Master Plan**

**Background:** Urbanna Oyster Festival is an annual event held within the Town Limits. This is the 67<sup>th</sup> event and will take place Friday, November 1 & Saturday, November 2, 2024

**Fiscal Impact:** Positive impact for the Town, Oyster Festival Foundation, local charitable organizations, and Middlesex County.

**Staff Recommendation:** Approve

**Council Action Requested:** Yes

**Sample motion:**

Motion to approve the 2024 Oyster Festival Master Plan as presented.

*67th URBANNA OYSTER FESTIVAL MASTER PLAN  
October 31st, November 1st & 2nd, 2024*



**67th Urbanna Oyster Festival  
October 31<sup>st</sup>, November 1<sup>st</sup> & 2<sup>nd</sup> 2024  
Urbanna, Virginia**

***"The Official Oyster Festival of the Commonwealth of Virginia"***

**MASTER PLAN**

**I. Purpose:**

The purpose of this 2024 Urbanna Oyster Festival Master Plan is to comply with the requirements of Chapter 7.1, Licenses and Business Taxes, of the Urbanna Town Code (1973), as amended. Specifically, Section 7.1-22(b) requires a written Master Plan that addresses non-profit civic status, proof of liability insurance coverage, special licensing procedures, and public safety plans. This Master Plan with addenda is designed to meet the applicable provisions of the Urbanna Town Code (1973), as amended, and the Code of Virginia (1950), as amended, regarding public festivals, and provides the written basis for obtaining approval of the Urbanna Town Council to conduct the 2024 Urbanna Oyster Festival on October 31<sup>st</sup>, November 1<sup>st</sup> & 2<sup>nd</sup>, 2024.

**II. Organization:**

The Urbanna Oyster Festival Foundation is a non-profit organization registered as such under the applicable provisions of the Internal Revenue Service. A copy of the organizational charter is included as addendum 1.

**III. Festival Dates and Hours:**

Thursday, October 31, 2024	8:00 AM - 6:00 PM
(Setup and School Education Day)	
Friday, November 1, 2024	8:30 AM - 12:00 AM
Saturday, November 2, 2024	8:30 AM - 6:00 PM

**FESTIVAL OFFICIALLY CLOSSES AT 6:00 PM ON SATURDAY,  
NOVEMBER 2, 2024 - NO EXCEPTIONS**

#### **IV. Public Safety (Unified Command Structure)**

The Public Safety Functions of the event will be managed through a Unified Command of the Middlesex County, VA Sheriff's Office and the Town of Urbanna Emergency Services Coordinator.

An Incident Action Plan will be developed for the event, which will outline the Command and General Staff functions, as well as the deployment of all Fire, Emergency Medical and Law Enforcement resources for the duration of the event.

#### **V. Public Safety (Law Enforcement):**

15.2-1730.1 In counties where no police department has been established and the Sheriff is the Chief Law Enforcement Officer, the Sheriff may enter into agreements with any other governmental entity providing law-enforcement services in the Commonwealth, and may furnish and received inter-jurisdictional law enforcement assistance for all law enforcement purposes, including those described in this Chapter, and for purposes for Chapter 3.2 (44-146.13 et seq.) for Title 44.

Crowd and traffic control will be provided through a joint public safety effort by the Town of Urbanna, the Oyster Festival Foundation, Middlesex County Sheriff's Office, Virginia State Police, The Department of Transportation, the Virginia Department of Alcoholic Beverage Control. The Sheriff shall exercise 15.2-1730.1 entering agreements with other law enforcement agencies to ensure adequate crowd control, pedestrian safety and emergency health care, motor vehicle parking and traffic flow, parade control.

#### **VI. Public Safety (Emergency Services):**

Emergency service functions, to include Emergency Medical Services and Fire Protection, will be managed by the Town of Urbanna, VA, Emergency Service Coordinator. The primary resources required to complete these responsibilities will be provided by the Central Middlesex Volunteer Rescue Squad and the Middlesex Volunteer Fire Department. Additional Rescue Squad and Fire Department resources from Middlesex County, VA and surrounding jurisdictions will be utilized to supplement the primary resources.

Emergency Medical Aid Stations will be strategically located throughout the Festival Area, and additional Emergency Medical personnel will be moving throughout the Festival Area. Transport Resources will be strategically located throughout the Festival Area, predominantly on the perimeters, as not to cause a hazard to citizens. Patients will be moved from the interior to the Festival Areas on "Gator Type" vehicles and transported to a hospital or

Medivac Landing Area. Medivac Helicopter Landing Areas will be located at the Rosegill Plantation airstrip, in the field behind 296 Rappahannock Avenue in Urbanna and Red Hill cemetery on State Route 1011, just west of town.

**VII. Public Safety (In Town Parking and Vehicle Movement):**

Many private properties within the corporate limits of the Town of Urbanna will be available for parking, including parking and occupancy of Recreational campers, for Friday, November 1, 2024 and Saturday, November 2, 2024.

On Saturday, November 2, 2024 vehicular traffic will be restricted starting at 8:30 AM and vehicles parked within the corporate limits of the Town of Urbanna and the areas adjacent to the corporate limits of the Town of Urbanna will be restricted based on the following street closures and associated public safety measures.

The following street closures are made pursuant to a resolution passed by the "Town Council" of the Town of Urbanna, and in accordance with the 2024 Urbanna Oyster Festival permit, as issued by the Virginia Department of Transportation.

On Friday, November 1, 2024, Virginia Street from Cross Street to the Waterfront and from Cross Street to Grace Street, Rappahannock Avenue from Marston Avenue to Virginia Street, and a portion of Prince George Street will be closed to vehicular traffic as required by public safety officials. Notwithstanding the foregoing, various streets and locations may be closed at any time on Friday, November 1, 2024 to insure public and/or pedestrian safety as determined by public safety officials.

On Friday, November 1, 2024 vehicular traffic entering or leaving the town will be prohibited from 5:00 PM to 9:00 PM on the West side (Route 602) and from 6:00 PM to 9:00 PM on the East side (Rosegill) for the Fireman's Parade. During this time, the movement of traffic within the town will be limited. Vehicular traffic, except for parade participants will be strictly prohibited along the Fireman's parade route.

At 9:00 AM, or earlier if deemed necessary by State Police, on Saturday, November 2, 2024, State Route 227 (Urbanna Road) will be closed to all vehicular traffic, except law enforcement, fire and rescue vehicles, with a police manned barricade at Molly's Way. Vehicles will be directed to park in the "official" festival parking lots or they will be allowed to turn around and leave the area.

At 9:00 AM, or earlier if deemed necessary by State Police, on Saturday, November 2, 2024, State Route 602 (Old Virginia Street) will be closed to all vehicular traffic, except law enforcement, fire and rescue vehicles, with a police manned barricade at Route 1011 (Red Hill Drive). The only exceptions for further entrance



past the police barricade will be vehicles that display an "Official 2024 Urbanna Oyster Festival" vehicle permit, issued by the Urbanna Oyster Festival Foundation. The issuance of these permits will be regulated to vehicles for festival sponsors, dignitaries, medical personnel and "parade participants". Vehicles that do not have a permit will be directed to park in the "official" festival parking lots or they will be allowed to turn around and leave the area.

On Saturday, November 2, 2024, beginning at 8:00 AM, Virginia Street from Cross Street to Grace Street, Rappahannock Avenue from Marston Avenue to Virginia Street, and all of Prince George Street will be closed to vehicular traffic, except law enforcement, fire and rescue vehicles.

On Saturday, November 2, 2024, motor vehicles located within the corporate limits of the Town of Urbanna will not be allowed to leave town, until approximately 8:00 PM or earlier as deemed appropriate by law enforcement.

Vehicular traffic shall include, but not be limited to, all golf carts as defined under Chapter 14, Article 4, Sections 14-38 et seq. of the Town Code (except "official golf carts" defined under S14-45 of the Town Code). All golf carts, except for "official golf carts" operating within the Town of Urbanna boundaries as may be expanded for this event shall be properly licensed under S14-38 et seq. of the Town Code and properly display a Town of Urbanna vehicle license sticker.

#### **VIII. Public Safety (Outlying Parking Areas):**

On Saturday, November 2, 2024, traffic approaching Urbanna from the east will be directed by Oyster Festival parking concessionaires into "official" parking areas on private property (Rosegill Farm) on the east and west side of State Route 227 (Urbanna Road). Vehicles reaching the Virginia State Police barricade and/or traffic control point will be directed to turn around and will not be allowed to enter the town.

On Saturday, November 2, 2024, traffic approaching Urbanna from the west will be directed by Oyster Festival parking concessionaires into "official" parking areas on private property on the north and south sides of State Route 602 (Old Virginia Street). The "official" parking lots at Lord Mott corner and Knapps Hill, closest to Town will be filled first. After these lots have been filled, as determined by the Virginia State Police, the "official" parking lot at Hewick Plantation may be opened for parking. Vehicles reaching the Virginia State Police barricade and/or traffic control point will be directed to turn around and will not be allowed to enter the town.

**IX. Public Safety (No Parking Areas) :**

Pursuant to Resolution of The Urbanna Town Council and Virginia Department of Transportation Parade Permit approval, the following streets are designated "no parking" areas within the corporate limits of the Town of Urbanna between the dates and times indicated in order to ensure pedestrian safety, expedient movement of fire and rescue vehicles, and safe parade operations:

A. Between 2:00 AM Friday, November 1, 2024 and 11:00 PM Saturday, November 2, 2024 major "No Parking Tow Away Zones" within the corporate boundaries of the Town of Urbanna shall be prominently marked and shall include;

1. Urbanna Road (State Route 227) from the Urbanna Bridge to the Watling Street (State Route 227 and State Route T1015) intersection, both sides of the street;

2. Watling Street (State Route 227) from its intersection with Urbanna Road (State Route 227) at the traffic triangle to Cross Street (State Route 227), both sides of the street;

3. Cross Street (State Route 227 and State Route T1005) from its intersection with Watling Street (State Route 227) all the way past the Marston Avenue (State Route T1006) intersection, both sides of the street;

4. Prince George Street (State Route T1003) from Cross Street (State Route 227) to Virginia Street (State Route 227), both sides of the street;

5. Virginia Street (State Route 227), east from Waverly Road (State Route 1010) to Oyster Road (T1002) on the waterfront, both sides of the street;

6. Marston Avenue (State Route T1006) from Cross Street (State Route T1005) to Rappahannock Avenue (State Route T1001), both sides of the street; Rappahannock Avenue (State Route T1001) south from the Marston Avenue (State Route T1006) intersection to Virginia Street (State Route 227), both sides of the street; Marston Avenue (State Route T1006) east from Cross Street (State Route T1005) to *first house on each side of street (excludes Sears house)*.

7. Bonner Street (State Route T1020) west from Rappahannock Avenue (State Route T1001) to Linden Avenue (State Route T1021), both sides of the street; Grace

Avenue (State Route 1010) from Bonner Street (State Route T1020) to Virginia Street (State Route 227), both sides of the street; Park Street (State Route T1019) from Rappahannock Avenue (State Route T1001) to Linden Avenue (State Route T1021), both sides of the street;

8. Upton Lane (State Route T1017) in its entirety, both sides of the street. Post Office patron 10-minute parking will be authorized on Friday until the road is closed by the Sheriff.

9. Hilliard Street in its entirety, both sides of the street.

10. Rappahannock Avenue in its entirety, Cross Street in its entirety, Kent Street in its entirety.

- B. Between 2:00 AM and 8:00 PM Saturday, November 2, 2024 there shall be a no parking area from the intersection of Virginia Street (State Route 602) and Lord Mott Road (State Route 615) to the intersection of Virginia Street (State Route 227 and State Route 602) and Waverly Road (State Route 1010) and Red Hill Road (State Route 1011).
- C. No parking signs will be placed on State Route 227 and State Route 602 outside the corporate limits of the Town of Urbanna by the Virginia Department of Transportation, Saluda Residency. Tow away zone signs will be placed accordingly.

Additional details of the no parking areas are contained in the 2024 Oyster Festival Public Safety Plan. "No Parking" areas will be designated as tow away zones, and towing charges will be at the violator's expense.

**X. Public Safety (Parking Permits and Vehicle Passes):**

Parking permits and vehicle passes are not issued by the Town of Urbanna or the Urbanna Oyster Festival Foundation for passage into or out of Urbanna during the hours that routine vehicle traffic is restricted within the Town of Urbanna.

Also, please see Section VII of this document that also discusses parking permits and vehicle passes.

Parade and other Oyster Festival participants must follow published instructions in order to arrive, park, and meet scheduled activities.

**XI. Parade Permit and Public Safety Agency Approval:**

Pursuant to Section 7.1-22, Urbanna Town Code (1973), as amended, a Virginia Department of Transportation (VDOT) Application For A Parade Permit shall be submitted for approval to the Virginia Department of Transportation, District Resident Engineer for approval of the Friday, November 1, 2024 Fireman's Parade and the Saturday, November 2, 2024, Oyster Festival Parade in order to temporarily close affected streets and restrict parking. A copy of this Master Plan and its addenda shall be submitted along with the Parade Permits to secure the coordination and approval of the Town of Urbanna Administrator, Middlesex County Sheriff, the Virginia State Police, and the Virginia Department of Transportation. Copies of the Parade permits are attached as addenda to this Master Plan. Final Parade Permit approval is required no later than seven days prior to the event.

**XII. Fireman's Parade (Route and Time):** The Fireman's Parade will begin at 7:00 PM, Friday, November 1, 2024 and commence east on Virginia Street (State Route 602) from the area of the Urbanna Professional Center (State Route 1011) left on Grace Street (State Route 1010), right on Bonner Street (State Route 1019), left on Rappahannock Avenue, right on Marston Avenue, right on Cross Street, right on Virginia Street to a disband area where the parade began, at the Urbanna Professional Center. The Fireman's Parade duration -approximately one (1) hour. The Fireman's Parade will be restricted to sixty-five (65) self-propelled units.

**XIII. The Oyster Festival Parade (Route and Time):**

The Oyster Festival Parade will begin at 2:00 PM, Saturday, November 2, 2024 and will commence east from the staging and formation area at the Waverly Commons Office Building on State Route 602 on Virginia Street, left on Grace Street, right on Bonner Street, left on Rappahannock Avenue, right on Marston Avenue, right on Cross Street, right on Prince George Street, left on Virginia Street to the disband area where the parade began. Oyster Festival Parade duration - approximately one (1) hour or less. Parade route signage will be furnished by the Oyster Festival Foundation. The maximum number of parade units will be 80 with the slower marching units in front. Parade units may not stop to perform during the parade, except at the reviewing stand. The Oyster Festival Foundation agrees to provide reasonable funding to the Town of Urbanna for additional police officers. The Oyster Festival Foundation will be responsible for any damage along parade route and returning the landscaped areas of Virginia Street back to pre-festival condition.

**XIV. Parade (Safety) :**

Parade participants are instructed that no objects are to be thrown from any parade vehicle or floats or by any parade marchers. Parade participants will be instructed that no stopping will be allowed along the parade route. Parade officials will be located at critical areas and intersections along parade routes to establish and maintain roadblocks and barriers to keep the parade flowing smoothly at all times and to limit pedestrians from obstructing the parade route. Air cannons, explosive devices and other objects to create excessive noise are prohibited. No sirens to be blown if parade stops.

**XV. Virginia Oyster Shucking Contest:**

The Oyster Shucking Contest of the Official Oyster Festival of the Commonwealth of Virginia will be held at 11:00 AM, Saturday, November 2, 2024, at the Firehouse. Duration - approximately one and one-half (1½) hours.

**XVI. Waterfront/Scottish Factor Store:**

The Waterfront will provide opportunities to view the harbor, enjoy entertainment and view many displays. The Town of Urbanna hereby grants the use of portions of the docks designated slips 21, 22, 23, 24, 25 and 26 for the use of in water displays. On Thursday, the waterfront is used to further educate the children of the community with the heritage of the oyster industry. The Scottish Factor Store now houses the Town of Urbanna Visitor Center. Visitors may purchase Town of Urbanna souvenirs and listen to soft entertainment.

**XVII. Sanitation:**

Portable public sanitation facilities and supplies will be provided under contract by a private waste management firm, and the portable bathrooms will be positioned throughout the festival area to optimize utilization by festival participants. Handicapped facilities will be made available and conveniently located. Positioning of the portable sanitary facilities and solid waste dumpsters will be a coordinated effort between the Oyster Festival Foundation staff and the Town of Urbanna. Festival officials will contract for cleanup services and traffic control signs/devices with the Virginia Department of Transportation, Saluda Resident Engineer.

The Oyster Festival Foundation will provide trash cleanup and disposal services throughout the festival in coordination with, and in addition to, Middlesex County, the VDOT and private waste management contracted services. The Urbanna Oyster Festival Foundation, in coordination with the Town of Urbanna, shall obtain

the approval of the Middlesex County Administrator for the private waste contractor and the Virginia Department of Transportation to dispose of permitted solid wastes in the Middlesex County solid waste transfer station, if required. The Oyster Festival Foundation shall guarantee to the citizens of the Town of Urbanna that the Town of Urbanna will be returned to pre-festival condition as soon as possible after the conclusion of the event.

**XVIII. Virginia Department of Health Certification of Temporary Restaurants:**

Pursuant to Section 7.1-22, Urbanna Town Code (1973), as amended, the Urbanna Oyster Festival Foundation shall require all food handlers and concessionaires to have a permit from the Middlesex County Health Department. The Oyster Festival Foundation shall provide each food vendor applicant a copy of the Virginia Department of Public Health Division of Sanitation Services regulations governing the permitting of temporary restaurants as part of the application for Special Business License process. Copies of the 2024 Urbanna Oyster Festival Foundation Concession Rules and Regulations, Special Business License application form, and Virginia Department of Health regulations governing temporary restaurants are included as addenda to this master plan.

**XIX. Communications:**

The Oyster Festival Foundation will maintain a communication capability with key staff personnel of the Oyster Festival through the use of a mobile radio net provided exclusively for the Oyster Festival. The command post will be the established communications center during oyster festival operations. The command post will be located on the corner of Rappahannock and Virginia Street.

**XX. Motorized Carts:**

The Oyster Festival Foundation will utilize clearly identifiable golf carts or "street carts" for the transportation of key staff in and around the festival grounds. The carts will be maintained by the Oyster Festival Foundation or at the residence of the authorized festival staff member. Only authorized members of the Oyster Festival staff are allowed to operate the carts, and they remain responsible for the vehicle and its operation. Motorized carts for the handicapped will be permitted in the festival areas as crowd density permits. Golf carts or "street carts" motorized skateboards, scooters or mopeds, operated by town citizens or festival attendees will not be permitted on any streets that are otherwise closed to motor vehicles. Any law enforcement officer witnessing an unsafe condition involving a motorized cart

may terminate the use of the cart by the individual involved for the duration of the Oyster Festival.

**XXI. Musical Entertainment:**

The Oyster Festival Foundation shall provide entertainment during the festival.

**XXII. Town of Urbanna Special Business Licenses:**

Pursuant to Chapter 7, Article IV, Sections 7.1-17 through 7.1-29, both inclusive, Urbanna Town Code (1973), as amended, the Urbanna Oyster Festival Foundation, as the sponsoring organization, shall provide for the application and payment of Special Business Licenses by concessionaires. The Special Business Licenses issued by the Town of Urbanna is comprised of two parts; the first part which is payable to the Town of Urbanna and the second part which is payable to the Urbanna Oyster Festival Foundation as more fully described in the Urbanna Oyster Festival Foundation Concession Application attached hereto as Addenda XVIII(3) and incorporated herein by reference. Application forms, to include Special Business License fees, are included as an addendum to this Master Plan. The Special Business Licenses can only be obtained by concessionaires from the Oyster Festival Foundation. Any person or business entity which engages in or conducts any business, calling, profession, or concession in the Town of Urbanna solely or primarily during the Oyster Festival shall qualify for the Special Business License prior to engaging in any business activity. No Special Business License shall be issued to any such person or business entity unless they have entered into a reciprocal agreement with the Urbanna Oyster Festival Foundation to comply with the provisions of this Master Plan and the ordinances and regulations of the Town of Urbanna, the Virginia State Police, the Virginia Department of Health and the Virginia Department of Transportation. In addition to other penalties that may be imposed, if any person, corporation or partnership shall commence to operate or engage in any business, employment, calling, occupation, profession or concession without a Special Business License such person or entity shall be fined a civil penalty of two hundred fifty (\$250.00) dollars. In addition to the civil penalty such persons or entity shall be subject to paying the applicable Special Business License Tax plus a penalty of ten (10%) of the amount of the Special License (See Section 7.1-29 of Urbanna Town Code (1973)). Any person or business entity which has obtained a regular Town of Urbanna business license and whose business activities within the Town of Urbanna are not limited to the Urbanna Oyster Festival shall be exempt from obtaining a Special License Permit provided that such person or

business entity does not allow unlicensed parties to conduct any business activity ostensibly under the authority of their Urbanna business license during the annual Urbanna Oyster Festival. Notwithstanding the foregoing, all regular Town of Urbanna business licenses issued to a person or business entity engaged as a peddler or itinerant merchant with no definite place of business as defined in Section 7-1.2 of the Town Code shall be null and void during the Urbanna Oyster Festival. Pursuant to Section 7.1-17 of the Urbanna Town Code, any such person or business entity that does not receive remuneration for its activities shall not be required to pay the Town Special Business License fee.

**XXIII. Insurance and Indemnification Agreement:**

Pursuant to Section 7.1-22, Urbanna Town Code (1973), as amended, the following insurance and indemnification agreement shall be executed between the Town of Urbanna and the Urbanna Oyster Festival Foundation upon approval of the Master Plan by the Urbanna Town Council, but no later than thirty days prior to the date of the Oyster Festival. The duly executed Insurance and Indemnification Agreement shall be included as an Addendum to this Master Plan:

**INSURANCE AND INDEMNIFICATION AGREEMENT**

This Insurance and Indemnification Agreement is entered into this \_\_\_\_ day of \_\_\_\_\_, 2024 by and between the Town of Urbanna, Virginia, a Virginia municipal corporation, and the Urbanna Oyster Festival Foundation, a Virginia non-stock, not-for-profit corporation.

**WHEREAS**, the Urbanna Oyster Festival Foundation, and not the Town of Urbanna, but with the cooperation and support of the residents, businesses and the governmental authorities of the Town of Urbanna, sponsors an annual event known as the Oyster Festival within the municipal limits of the Town of Urbanna; and

**WHEREAS**, Section 7.1-22(5) of the Urbanna Town Code, 1973, as amended, requires, among other things, that the Urbanna Oyster Festival Foundation execute an Insurance and Indemnification Agreement that provides for an indemnity to the Town of Urbanna and a general liability insurance policy in an amount established by a resolution of the Urbanna Town Council (as herein described) as a condition precedent to holding the annual Oyster Festival; and

**WHEREAS**, it is the intent of the Town of Urbanna that the indemnity given in this Insurance and Indemnification Agreement be limited to those claims (as herein described) not covered by the insurance policy.



**NOW THEREFORE, THE URBANNA OYSTER FESTIVAL FOUNDATION** hereby agrees to save, indemnify and hold harmless the Town of Urbanna, Virginia against all liability claims, demands, losses, damages, judgments or actions of any nature whatsoever arising from acts, omissions, accidents or claims thereof, to persons or property occasioned in connection with the Oyster Festival Foundation and the agents, invitees, employees, volunteers, or others under the general aegis and control of the Urbanna Oyster Festival Foundation in its sponsorship of an annual event known as the Urbanna Oyster Festival (hereinafter "claims") not covered by the insurance policy.

Notwithstanding the foregoing, this indemnification shall be limited to any claim arising from the Oyster Festival (i.e. November 1st and 2nd, 2024) and a period thirty days prior to and thirty days after the Oyster Festival, but alleged to be in connection therewith, and not otherwise covered by the insurance policy. In addition, this indemnification shall be subject to the following:

- 1) Any defenses the Urbanna Oyster Festival Foundation may have, if any, against the Town of Urbanna, for any claim; and
- 2) In the event that any act or omission by the Town of Urbanna shall cause a lack or failure of the coverage of the claim by the insurance carrier, the Urbanna Oyster Festival Foundation shall not be obliged to indemnify the Town of Urbanna for any claim otherwise covered or provided for by the insurance policy; and
- 3) In the defense of the Town of Urbanna under this indemnity, the Urbanna Oyster Festival Foundation shall have and may exercise all of the same or similar rights, duties, obligations and privileges which accrue to the insurance carrier under the insurance policy, including without limitation any defenses available to the Town of Urbanna as a municipal corporation and political subdivision of the Commonwealth of Virginia.
- 4) Any claims arising from any existing business operation, including any claims arising from the operation of the expanded business area(s) for the consumption of alcoholic beverages, shall be expressly excluded from this indemnity.

The URBANNA OYSTER FESTIVAL FOUNDATION shall provide a general liability policy which covers both bodily injury and property damage with a per occurrence limit of One Million Dollars,

Five Million Dollars aggregate, to include products coverage, liquor legal liability endorsement, and personal and advertising injury. Such policy shall be provided by an insurance carrier with an A.M. Best rating of B+ or better.

Said insurance shall insure against any and all liability of the Town of Urbanna with respect to the Urbanna Oyster Festival, in any connection therewith, whether thirty days before, during, or thirty days after the actual event. Any such policy of insurance shall be issued by a company reasonably acceptable to the Town of Urbanna and the Urbanna Oyster Festival Foundation, shall provide the Town Administrator a certificate of such insurance, without demand therefor, dated not more than thirty days prior to the date of the event showing evidence of current insurance as above stipulated with the Town of Urbanna as an additional insured. Such policy shall provide therein that such policy shall not be canceled or terminated without thirty days prior notice from the insurance company to the Town of Urbanna (the 'insurance policy').

The Executed Insurance and Indemnification Agreement is included as Addendum 5 to this Master Plan.

**XXIV: SERVICE MARK:**

All participants in the Urbanna Oyster Festival under this Master Plan, hereby acknowledge and agree, as a condition to participate in the festival:

1. That the Urbanna Oyster Festival Foundation (the "Foundation") is the sole and exclusive owner of all right, title and interest in and to the Service Mark, i.e. oysters logo and/or the words, "Urbanna Oyster Festival", (the "Mark") and any colorable imitations, designations, counterfeits or copies of the Mark; and
2. That the Mark has become distinctive of the Foundation's services and has become famous under 15 U.S.C. Section 1125; and
3. The Foundation has registered the Mark in the United States Patent and Trademark office (Registration Nos. 2,198,679 and 2,208,800) and any use of the Mark, without the expressed written consent of the Foundation shall constitute an infringement on this Foundation's federally registered service mark in contravention of 15 U.S.C. Section 1114(1)(a).; and
4. Not to engage in any conduct in violation of this Section

XXIV; and

5. That if the Foundation determines, in its sole discretion, that a participant has used the Mark without the expressed written authorization or license from the Foundation, then the participant after receiving a demand, whether written or oral, from the Foundation to cease and desist from any further use of the Mark, hereby consents to the follows actions:

- a) The chief law enforcement officer and his deputies or officers may close any activity in violation of this Section XXIV upon written notice from the Foundation; and
- b) The person or entity in violation of this provision of the Master Plan consents to the entry of an exparte order granting injunctive relief to the Foundation to enjoin any unauthorized use of the Mark; and
- c) The person or entity in violation of this provision of the Master Plan hereby acknowledges that the Foundation is entitled to recover all of the profits earned as a result of the use of the Mark; together with other damages that the Foundation has suffered, which shall be trebled, including but not limited to actual attorney fees.

**XXV: Controlled Consumption of Alcoholic Beverages:**

The Virginia Alcoholic Beverage Control Board ("ABC") has recommended the establishment of controlled areas for the consumption of alcoholic beverages during events such as the Urbanna Oyster Festival ("Expanded Area"). In accordance with that recommendation and to accommodate certain existing businesses operating within the Town of Urbanna, such businesses shall, in addition to complying with any existing laws and regulations in the Commonwealth of Virginia, agree to the following terms and conditions, which must be included and made a part of their application to the ABC for an administrative expansion to their existing license during this event:

- 1. Provide adequate security within the expanded area to the satisfaction of the appropriate government authorities of the Town of Urbanna and the Urbanna Oyster

Festival Foundation; and

2. Provide a general liability insurance policy which covers both bodily injury and property damage with an occurrence limit of One Million Dollars and include products coverage, a liquor legal liability endorsement, and personal and advertising injury. Said policy shall be provided by an insurance carrier with an A.M. Best rating of B+ or better. In addition, the business shall name the Urbanna Oyster Festival Foundation and the Town of Urbanna as an additional insured; and
3. Agree to operate within the hours prescribed by the Urbanna Oyster Festival Foundation and the appropriate governmental authorities of the Town of Urbanna; and
4. Agree to abide by all of the rules and regulations promulgated by the Urbanna Oyster Festival Foundation.

All businesses authorized to operate an Expanded Area hereby acknowledge, as evidenced by their application to the ABC, that this business activity is a privilege agreed to by the Town of Urbanna under this Master Plan and not a right under any existing business license issued by the Town of Urbanna. The failure of any business operating an Expanded Area to comply with one or more of the conditions contained in this Master Plan shall constitute a default under this Master Plan and result in the automatic termination of the privilege to operate an Expanded Area.

**XXVI: Raffles:**

The Urbanna Oyster Festival Foundation (Foundation) has not permitted raffles and other games of chance at the Urbanna Oyster Festival because these activities were thought to conflict with the family-oriented nature of the Urbanna Oyster Festival. However, the Foundation recognizes that some bona fide non-profit organizations utilize raffles as a fundraising tool for the benefit of the community that they serve as part of their non-profit mission. This shall not apply to the Virginia Lottery.

Therefore, the Foundation may permit raffles during the Urbanna Oyster Festival for which the Foundation receives an advance application for review and approval, and which includes evidence of the sponsoring organization's tax-exempt status granted by the U.S. Internal Revenue Service as well as evidence of compliance with the Commonwealth of Virginia's charitable gaming regulations, as amended. Approval of such raffle applications shall be at the

sole discretion of the Urbanna Oyster Festival Foundation.

**XXVII: Financial Responsibility:**

The Urbanna Oyster Festival Foundation agrees to fully fund any short fall in revenues that would result in any financial loss to the Town of Urbanna.

**XVIII. Addenda:**

1. Urbanna Oyster Festival Foundation Charter.
2. Urbanna Oyster Festival Foundation Concession Rules and Regulations.
3. Urbanna Oyster Festival Foundation Concession Applications.
4. The Virginia Department of Health Guidelines And Checklist For Temporary Food Events, and Application For Temporary Restaurant Permit.
5. Executed Insurance and Indemnification Agreement.
6. Ordinance of the County of Middlesex authorizing the Town of Urbanna to apply its Master Plan to certain portions of Middlesex County during Oyster Festival weekend, Friday, November 1, 2024 and Saturday, November 2, 2024.
7. VDOT Permit Application for Oyster Festival 2024.
8. VDOT Permit for Oyster Festival 2024.



## **Agenda Item Summary August 22, 2024**

### **Agenda Item: 8b-2024-RES-003-Restricting Parking and Traffic During the 2024 Urbanna Oyster Festival**

**Background:** Section VII “Public Safety (In Town Parking and Vehicle Movement)” of the Urbanna Oyster Festival Master Plan 2024 states, “The following street closures are made pursuant to a resolution passed by the “Town Council” of the Town of Urbanna, and in accordance with the 2024 Urbanna Oyster Festival permit, as issued by the Virginia Department of Transportation.”

The street closures are enumerated in the master plan, as well as in the attached resolution.

**Fiscal Impact:** NA

**Staff Recommendation:** Approve

**Council Action Requested:** Yes

**Sample motion:**

Motion to approve Resolution 2024-RES-003 as presented.



## **RESOLUTION 2024-RES-003**

### **RESTRICTING PARKING AND TRAFFIC DURING THE 2024 URBANNA OYSTER FESTIVAL**

**WHEREAS**, the Town of Urbanna, Virginia, will host the annual Urbanna Oyster Festival on Friday, November 1, 2024, and Saturday, November 2, 2024; and

**WHEREAS**, the Urbanna Oyster Festival, organized by the Oyster Festival Foundation, is celebrating its 67th year, marking a significant tradition and cultural event within the community; and

**WHEREAS**, the street closures and traffic restrictions necessary to ensure public safety and the orderly conduct of the festival are detailed in the 2024 Oyster Festival Master Plan; and

**WHEREAS**, the safety and security of the public, including festival attendees, residents, and participants, necessitate the closure of certain streets and the restriction of vehicular traffic within the town limits; and

**WHEREAS**, it is the responsibility of the Town of Urbanna to take necessary actions to ensure the orderly and safe conduct of the festival; and

**WHEREAS**, public safety officials have determined that certain streets and locations must be closed to vehicular traffic at specified times to facilitate the festival and the Fireman's Parade;

**NOW, THEREFORE, BE IT RESOLVED** by the Town of Urbanna, Virginia, as follows:

1. **Street Closures on Friday, November 1, 2024:**
  - o **Virginia Street**, from Cross Street to the Waterfront and from Cross Street to Grace Street, **Rappahannock Avenue**, from Marston Avenue to Virginia Street, and a portion of **Prince George Street** shall be closed to vehicular traffic as required by public safety officials.

- Notwithstanding the foregoing, various streets and locations may be closed at any time on Friday, November 1, 2024, to ensure public and/or pedestrian safety as determined by public safety officials.
2. **Traffic Restrictions During Fireman's Parade on Friday, November 1, 2024:**
    - Vehicular traffic entering or leaving the town shall be prohibited on the **West side (Route 602)** from 5:00 PM to 9:00 PM and on the **East side (Rosegill)** from 6:00 PM to 9:00 PM.
    - During this time, the movement of vehicular traffic within the town shall be limited, and vehicular traffic, except for parade participants, shall be strictly prohibited along the Fireman's Parade route.
  3. **Street Closures on Saturday, November 2, 2024:**
    - At 9:00 AM, or earlier if deemed necessary by State Police, **State Route 227 (Urbanna Road)** shall be closed to all vehicular traffic, except law enforcement, fire, and rescue vehicles, with a police-manned barricade at Molly's Way. Vehicles will be directed to park in the "official" festival parking lots or will be allowed to turn around and leave the area.
    - At 9:00 AM, or earlier if deemed necessary by State Police, **State Route 602 (Old Virginia Street)** shall be closed to all vehicular traffic, except law enforcement, fire, and rescue vehicles, with a police-manned barricade at Route 1011 (Red Hill Drive). Only vehicles displaying an "Official 2024 Urbanna Oyster Festival" vehicle permit, issued by the Urbanna Oyster Festival Foundation, shall be permitted further entrance past the police barricade. Vehicles without a permit will be directed to park in the "official" festival parking lots or allowed to turn around and leave the area.
  4. **Additional Traffic Restrictions on Saturday, November 2, 2024:**
    - Beginning at 8:00 AM, **Virginia Street**, from Cross Street to Grace Street, **Rappahannock Avenue**, from Marston Avenue to Virginia Street, and all of **Prince George Street** shall be closed to vehicular traffic, except law enforcement, fire, and rescue vehicles.
    - Motor vehicles located within the corporate limits of the Town of Urbanna shall not be permitted to leave town until approximately 8:00 PM or earlier as deemed appropriate by law enforcement.
  5. **Regulation of Golf Carts:**
    - Vehicular traffic, as defined herein, shall include, but not be limited to, all golf carts as defined under Chapter 14, Article 4, Sections 14-38 et seq. of the Town Code, except "official golf carts" as defined under S14-45 of the Town Code.
    - All golf carts, except for "official golf carts" operating within the Town of Urbanna boundaries as may be expanded for this event, shall be properly licensed under S14-38 et seq. of the Town Code and shall properly display a Town of Urbanna vehicle license sticker.

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately upon its adoption.



Adopted the 22<sup>nd</sup> day of August, 2024  
A Copy Teste:

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Martha J Rodenburg  
Town Clerk



## **Agenda Item Summary August 22, 2024**

### **Agenda Item: 8c-2024-RES-004-Designating NO PARKING Areas During the 2024 Urbanna Oyster Festival**

**Background:** Section IX “Public Safety (No Parking Areas)” of the Urbanna Oyster Festival Master Plan 2024 states, “Pursuant to Resolution of The Urbanna Town Council and Virginia Department of Transportation Parade Permit approval, the following streets are designated “no parking” areas within the corporate limits of the Town of Urbanna between the dates and times indicated in order to ensure pedestrian safety, expedient movement of fire and rescue vehicles, and safe parade operations”

The “no parking” areas are enumerated in the master plan, as well as in the attached resolution.

**Fiscal Impact:** NA

**Staff Recommendation:** Approve

**Council Action Requested:** Yes

**Sample motion:**

Motion to approve Resolution 2024-RES-004 as presented.



## **RESOLUTION 2024-RES-004**

### **DESIGNATING NO PARKING AREAS DURING THE 2024 URBANNA OYSTER FESTIVAL**

**WHEREAS**, the Town of Urbanna, Virginia, will host the annual Urbanna Oyster Festival on Friday, November 1, 2024, and Saturday, November 2, 2024; and

**WHEREAS**, the Urbanna Oyster Festival, organized by the Oyster Festival Foundation, is celebrating its 67th year, marking a significant tradition and cultural event within the community; and

**WHEREAS**, the safety and security of the public, including festival attendees, residents, and participants, necessitate the designation of certain streets as “No Parking” areas to ensure pedestrian safety, the expedient movement of fire and rescue vehicles, and safe parade operations; and

**WHEREAS**, these “No Parking” designations are detailed in the 2024 Oyster Festival Public Safety Plan and are necessary for the orderly conduct of the festival; and

**WHEREAS**, the Virginia Department of Transportation Parade Permit approval and a resolution of the Urbanna Town Council authorize the establishment of “No Parking Tow Away Zones” within the corporate limits of the Town of Urbanna;

**NOW, THEREFORE, BE IT RESOLVED** by the Town of Urbanna, Virginia, as follows:

1. **Major "No Parking Tow Away Zones":**
  - **Between 2:00 AM Friday, November 1, 2024, and 11:00 PM Saturday, November 2, 2024**, the following streets within the corporate boundaries of the Town of Urbanna shall be designated as “No Parking Tow Away Zones” and shall be prominently marked:
    1. **Urbanna Road (State Route 227):** From the Urbanna Bridge to the Watling Street (State Route 227 and State Route T1015) intersection, both sides of the street.

2. **Watling Street (State Route 227):** From its intersection with Urbanna Road (State Route 227) at the traffic triangle to Cross Street (State Route 227), both sides of the street.
  3. **Cross Street (State Route 227 and State Route T1005):** From its intersection with Watling Street (State Route 227) past the Marston Avenue (State Route T1006) intersection, both sides of the street.
  4. **Prince George Street (State Route T1003):** From Cross Street (State Route 227) to Virginia Street (State Route 227), both sides of the street.
  5. **Virginia Street (State Route 227):** East from Waverly Road (State Route 1010) to Oyster Road (T1002) on the waterfront, both sides of the street.
  6. **Marston Avenue (State Route T1006):** From Cross Street (State Route T1005) to Rappahannock Avenue (State Route T1001), both sides of the street.
  7. **Rappahannock Avenue (State Route T1001):** South from the Marston Avenue (State Route T1006) intersection to Virginia Street (State Route 227), both sides of the street.
  8. **Bonner Street (State Route T1020):** West from Rappahannock Avenue (State Route T1001) to Linden Avenue (State Route T1021), both sides of the street.
  9. **Grace Avenue (State Route 1010):** From Bonner Street (State Route T1020) to Virginia Street (State Route 227), both sides of the street.
  10. **Park Street (State Route T1019):** From Rappahannock Avenue (State Route T1001) to Linden Avenue (State Route T1021), both sides of the street.
  11. **Upton Lane (State Route T1017):** In its entirety, both sides of the street. Post Office patron 10-minute parking will be authorized on Friday until the road is closed by the Sheriff.
  12. **Hilliard Street:** In its entirety, both sides of the street.
  13. **Rappahannock Avenue, Cross Street, and Kent Street:** In their entirety.
2. **Additional "No Parking" Designations:**
    - o **Between 2:00 AM and 8:00 PM Saturday, November 2, 2024,** there shall be a "No Parking" area from the intersection of Virginia Street (State Route 602) and Lord Mott Road (State Route 615) to the intersection of Virginia Street (State Route 227 and State Route 602) and Waverly Road (State Route 1010) and Red Hill Road (State Route 1011).
  3. **No Parking Signs Outside Corporate Limits:**
    - o No parking signs will be placed on **State Route 227** and **State Route 602** outside the corporate limits of the Town of Urbanna by the Virginia Department of Transportation, Saluda Residency. Tow away zone signs will be placed accordingly.
  4. **Enforcement and Towing:**
    - o "No Parking" areas will be designated as tow away zones, and towing charges will be at the violator's expense.

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately upon its adoption.

Adopted the 22<sup>nd</sup> day of August, 2024  
A Copy Teste:

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Martha J Rodenburg  
Town Clerk

**Agenda Item Summary**  
**August 22, 2024**

**Agenda Item: 8d-Oyster Festival Queen & Spat Contestant Projects**

**Background:** Last month by consensus council accepted the donation of a handicap swing for Taber Park from Oyster Festival Queen candidate Anna Crown. Now that a second offer has been made it is more appropriate to take formal action on both. The second offer comes from Oyster Festival Queen candidate Hailey Bruce to donate two white composite benches from Wekinz. It is her intent these benches would honor our veterans and provide a new place for the community to enjoy. Staff will work with these donors to find a suitable location for each item should council agree.

**Fiscal Impact:** Minimal, staff time to coordinate placement and installation.

**Staff Recommendation:** Accept the donation of a handicap swing for Taber Park from Oyster Festival Queen candidate Anna Crown and two white composite benches from Oyster Festival Queen candidate Hailey Bruce.

**Council Action Requested:** Accept the donation of a handicap swing for Taber Park from Oyster Festival Queen candidate Anna Crown and two white composite benches from Oyster Festival Queen candidate Hailey Bruce.

**Sample Motion:** I move to Accept the donation of a handicap swing for Taber Park playground from Oyster Festival Queen candidate Anna Crown and two white composite benches from Oyster Festival Queen candidate Hailey Bruce.

Handicap swing proposal.

Anna Crown 2024 Oyster Festival Queen Contestant, and her two Little Miss Spats Holden Sweeden, and Charlee O'Brian are looking to donate, and install a handicap swing for the local Taber Park as a part of their project which is raising awareness for strokes and symptoms specifically to the younger generations. They are raising money to get better handicap amenities throughout the county. One of these things being a handicap swing for both of the community parks in the county.

The swing and installation will be free of charge to Urbanna.  
Below is an example of what the swing will look like:



The swing is fully ADA compliant.

What we need from you: Approval, and which swing you would like us to replace and put in the new handicap swing.

Thank you very much,

Anna Crown Oyster Festival Queen contestant.

**From:** Hailey Bruce [REDACTED]  
**Sent:** Monday, August 12, 2024 12:47 PM  
**To:** m.rodensburg@urbannava.gov  
**Subject:** Hailey Bruce - Oyster Queen Contestant

Good Afternoon,

My name is Hailey Bruce, and I am a candidate for the 2024 Oyster Festival Queen. I am working with my spat, Leah Fucella, on a service project dedicated to supporting and raising awareness for veterans in our community. We plan to assist local veterans with yard work, house repairs, and other everyday needs.

I am reaching out to see if it would be possible to donate two white composite benches from Wekinz in Mattaponi for Urbanna Park. These benches would not only honor our veterans but also provide a new place for the community to enjoy.

Thank you for considering this request.

Best regards,  
Hailey Bruce

[REDACTED]

[REDACTED]



# Garden Bench



1 of 1:



close



## **Agenda Item Summary August 22, 2024**

### **Agenda Item: 8e-Trick-or-Treating date change**

**Background:** Due to the Oyster Festival taking place November 1 & 2 this year, October 31<sup>st</sup> will be a busy day and evening within the Town limits. For safety reasons, staff is recommending moving the date for Trick-or-Treating in the Town of Urbana. After researching other Halloween festivities taking place in the area, staff is recommending moving the Trick-or-Treat day, within the Town of Urbana, to Tuesday, October 29, 2024 for this year.

**Fiscal Impact:** NA

**Staff Recommendation:** Approve

**Council Action Requested:** Yes

**Sample motion:**

Motion to move Trick-or-Treating in the Town of Urbana to Tuesday, October 29, 2024.