

**1VAC50-20-570. Town incorporation.**

In developing its findings of fact and recommendations with respect to a proposed town incorporation, the commission shall consider the information, data, and factors listed in this section. Any party or parties filing notice with the commission that they propose to have a community incorporated as a town, or whose petition for incorporation has been referred to the commission by the court pursuant to § [15.2-3601](#) of the Code of Virginia, shall submit with such notice or subsequent to the court referral data and other evidence responsive to each element listed in this section that they deem relevant to the proposed incorporation.

1. A petition signed by not less than 100 duly qualified voters residing within the boundaries of the proposed town supporting the proposed incorporation.
2. A written metes and bounds description of the area proposed for incorporation as a town having, as a minimum, sufficient certainty to enable a layman to identify the proposed town boundary. The description may make reference to readily identifiable monuments such as public roads, rivers, streams, railroad rights of way, and similar discernible physical features.
3. A map or maps showing: (i) the boundaries of the proposed town and their relationship to existing political boundaries; (ii) identifiable unincorporated communities; (iii) major streets, highways, schools, and other major public facilities; (iv) significant geographic features, including mountains and bodies of water; and (v) existing uses of the land, including residential, commercial, industrial and agricultural.
4. A land-use table showing both the acreage and percentage of land currently devoted to the various categories of land use in the area proposed for incorporation.
5. The estimated past, the estimated current, and the projected population of the area proposed for incorporation and the county within which the town would be situated.
6. Information indicating: (i) why the proposed incorporation is desired and in the interest of the inhabitants; (ii) how the general good of the community is served by the incorporation; and (iii) why the services needed within the proposed town cannot be provided by the establishment of a sanitary district, through the extension of existing county services, or by other arrangements provided by law.
7. The commission shall endeavor to assist communities contemplating or involved in proposed town incorporations by identifying additional data elements considered by the commission to be

relevant in the disposition of incorporation issues.

#### Statutory Authority

§ [15.2-2903](#) of the Code of Virginia.

#### Historical Notes

Derived from VR445-01-02 § 4.4, eff. November 1, 1984; amended, Virginia Register Volume 22, Issue 26, eff. October 4, 2006.

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[prev](#) | [next](#) | [new search](#) | [table of contents](#) | [home](#)