

Issue Analysis Form



Date: April 12, 2022
Ordinance to Allow the Prince George Masonic Lodge to Take and Hold Land in the County not Exceeding 10 Acres of Land at any one Time

Item:
Lead Department(s): County Attorney

Contact Person(s): Dan Whitten

Description and Current Status

Pursuant to Section 57-20 of the Code of Virginia (attached), the trustee for the use of any benevolent or other association shall not take or hold land exceeding five acres at any one time. The local governing body of any county may by ordinance authorize such trustee to take and hold in such county land not exceeding 10 acres at any one time.

The Prince George Masonic Lodge is a benevolent association and has expressed an interest through their trustee to take and hold land not exceeding 10 acres.

A draft ordinance is attached for consideration; a motion approving authority to advertise the ordinance for a public hearing on May 10, 2022, is requested.

This Ordinance shall be effective immediately.

Sample Motion: I move that the Board approve advertisement of a public hearing on May 10, 2022 for an ordinance to allow for the Prince George Masonic Lodge to take and hold land in the County not exceeding 10 acres of land at any one time.

Government Path

Does this require IDA action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does this require BZA action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does This require Planning Commission Action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does this require Board of Supervisors action?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does this require a public hearing?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If so, before what date?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Board of Supervisors
County of Prince George, Virginia

Resolution

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia, this 12th day of April, 2022:

Present:

Marlene J. Waymack, Chair
Donald Hunter, Vice Chair
Floyd M. Brown, Jr.
Alan R. Carmichael
T. J. Webb

Vote:

A-4

On motion of _____, seconded by _____, which carried unanimously, the following Resolution was adopted:

**RESOLUTION; AUTHORITY TO ADVERTISE AN ORDINANCE
TO ALLOW FOR THE PRINCE GEORGE MASONIC LODGE
TO TAKE AND HOLD LAND IN THE COUNTY NOT EXCEEDING
10 ACRES OF LAND AT ANY ONE TIME**

NOW, THEREFORE, BE IT RESOLVED, that the Board Of Supervisors of the County of Prince George this 12th day of April, 2022, does hereby authorize the advertisement of a public hearing for an Ordinance to allow for the Prince George Masonic Lodge to take and hold land in the County not exceeding 10 acres of land at any one time.

A Copy Teste:

Jeffrey D. Stoke
Interim County Administrator

Board of Supervisors
County of Prince George, Virginia

Ordinance

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this 10th day of May 2022:

Present:

Vote:

Marlene J. Waymack, Chair
Donald R. Hunter, Vice-Chair
Floyd M. Brown, Jr.
Alan R. Carmichael, Jr.
T. J. Webb

ORDINANCE TO ALLOW FOR THE PRINCE GEORGE MASONIC LODGE TO
TAKE AND HOLD LAND IN THE COUNTY NOT EXCEEDING 10 ACRES OF
LAND AT ANY ONE TIME

BE IT ORDAINED by the Board of Supervisors of Prince George County:

- (1) In accordance with Virginia Code § 57-20, the Board of Supervisors authorizes the trustee or trustees of the Prince George Masonic Lodge to take and hold land in the county not exceeding 10 acres of land at any one time.
- (2) That this ordinance shall be effective immediately upon adoption.

Adopted on May 10, 2022 and becoming effective immediately.

Code of Virginia
Title 57. Religious and Charitable Matters; Cemeteries
Chapter 2. Church Property; Benevolent Associations and Objects

§ 57-20. Quantity of land benevolent and other associations may hold.

Except as otherwise provided in this section, the trustee for the use of any benevolent or other association referred to in § 57-19 shall not hereafter take or hold, at one time, any land exceeding five acres; and the trustees of two or more bodies or societies may hold jointly, land not exceeding five acres; provided that the local governing body of any county or city may by ordinance authorize such trustee or trustees to take and hold in such county or city not exceeding 10 acres of land at any one time. However, a school league may, in addition to the five acres held by such trustees, hold not exceeding 10 acres as a home for the principal of the school for which the league is named. All such holdings heretofore acquired are validated; except holdings that are in litigation prior to or on July 1, 1964.

Any lodge of the Benevolent and Protective Order of Elks or other groups organized for rural community civic purposes or improvement of farm life or operations of like purposes and not for profit may hold not exceeding 35 acres of land. All such holdings heretofore acquired are validated; except holdings that are in litigation on or before July 1, 2002.

Any association or post of the Veterans of Foreign Wars, American Legion, Spanish War Veterans, Disabled American Veterans, or any similar association of veterans of the Armed Forces of the United States chartered by an act of Congress may hold not exceeding 200 acres of land. Notwithstanding any other provision of law conveyances of land made prior to June 29, 1948, to any such post or association of veterans is validated provided the same is not in excess of 75 acres. Notwithstanding the provisions of § 58.1-3607, for real property owned by an association or post of the Veterans of Foreign Wars, American Legion, Spanish War Veterans, Disabled American Veterans, or any similar association of veterans of the Armed Forces of the United States chartered by an act of Congress, that portion of real property owned by such association or post in excess of 75 acres shall be subject to the provisions of § 58.1-3651 and shall not be exempt from taxation unless an ordinance to that effect is adopted by the local governing body.

Code 1919, § 48; 1948, p. 634; 1956, c. 454; 1964, c. 553; 1986, c. 63; 2002, c. 638; 2021, Sp. Sess. I, c. 234.