

**ORDINANCE NO. 7638-20**

AN ORDINANCE AUTHORIZING THE REMOVAL OF THE 1909 CONFEDERATE MONUMENT FROM ITS LOCATION AT THE 1884 WARWICK COUNTY COURTHOUSE AT 14421 OLD COURTHOUSE WAY, NEWPORT NEWS, VIRGINIA.

WHEREAS, in 1909 a monument honoring the soldiers of the Confederacy was unveiled and dedicated at the 1884 Warwick County Courthouse, currently located at 14421 Old Courthouse Way, Newport News, Virginia (hereinafter “the Monument”); and

WHEREAS, the Monument consists of a stone base, carved stone pedestal, and a statue depicting a soldier of the former Confederate army holding a rifle, together with accompanying inscriptions and a plaque; and

WHEREAS, on July 1, 2020, changes to Section 15.2-1812 of the Code of Virginia, 1950, as amended, created a process by which localities may vote to remove or relocate publicly owned monuments or memorials for the veterans of any war or conflict, such as the Monument, not less than 30 days after publication of a notice of a public hearing at which interested persons are invited to present their views on the question of relocation or removal; and

WHEREAS, notice of a public hearing regarding the proposed removal or relocation of the Monument was published in the Daily Press on July 1, 2020, inviting interested persons to attend a public hearing on August 11, 2020 and express their views on the issue; and

WHEREAS, the aforesaid state law provides that after the public hearing, the governing body may vote on whether to remove or relocate the Monument, and if the governing body votes to remove or relocate, it must first, for a period of 30 days, offer the Monument for relocation and placement to any museum, historical society, government, or military battlefield; and

WHEREAS, the Monument is situated on property owned by the City of Newport News (“the City”), and is within the boundaries of and included within a historic preservation easement granted to the Commonwealth of Virginia Board of Historic Resources (“the Grantee”) by the City in 2000; and

WHEREAS, said historic preservation easement provides that the Monument cannot be removed or altered without the written approval of the Grantee; and

WHEREAS, the Commonwealth of Virginia Department of Historic Resources has granted written approval for the removal of the Monument; and

WHEREAS, the Newport News City Council desires to remove the Monument from its current location.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News:

1. That the Monument shall be removed from its current location at the 1884 Warwick County Courthouse and relocated to a location to be determined by this Council after the 30 day period during which the City is required to offer the Monument for relocation and placement to any museum, historical society, government, or military battlefield, pursuant to Section 15.2-1812 of the Code of Virginia. Said relocation shall occur no sooner than 30 days after the adoption of this ordinance. Council recognizes that the Monument will likely need to be separated at its original joints for removal, transport, and storage, and specifically authorizes such action.

2. That in the event that any museum, historical society, government, or military battlefield shall propose to take possession of the Monument for location and placement by such museum, historical society, government, or military battlefield prior to its relocation, the City Manager is authorized to negotiate an appropriate agreement with said entity, which said agreement shall not be executed unless and until it is approved by this Council.

3. That any decision as to the final disposition of the Monument shall be subject to the approval of this Council.

4. That this ordinance shall be in effect on and after the date of its adoption, August 11, 2020.

PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON AUGUST 11, 2020

Mabel Washington Jenkins, MMC  
City Clerk

McKinley L. Price, DDS  
Mayor

A true copy, teste:

City Clerk