

Ordinance No. 1320

AN EMERGENCY ORDINANCE to amend and reordain the third paragraph, Section 42-103, Article XV, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 42 relates to ZONING, which Article XV relates to AMENDMENTS, which Section 42-103 relates to RECOMMENDATION OF PLANNING COMMISSION; ACTION BY COUNCIL; REFERENCE TO PLANNING COMMISSION FOR FURTHER STUDY, and which third paragraph relates to REFERENCE TO PLANNING COMMISSION.

WHEREAS, pursuant to due and timely notice of the time and place of hearing published in a daily paper of general circulation published in the City of Alexandria, Virginia, a public hearing was held in relation to the matters hereinafter set forth, at which public hearing parties in interest and citizens had an opportunity to be heard.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the third paragraph, Section 42-103, Article XV, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

The planning commission shall hold at least one public hearing on any such referral, notice of which hearing shall be advertised once in a daily newspaper of general circulation published in the city, and which publication shall be at least five days before the proposed hearing. The planning commission shall act on such referral within fifteen days and submit its reviewed recommendations to the city council. If adopted by a vote of two-thirds of the entire membership of the planning commission at the referral meetings, such recommendations may be modified only by a three-fourths vote of all members of the city council. If the planning commission fails to act within the prescribed period or by a two-thirds vote, the city council may adopt such application by a simple majority of its membership. The public hearing on any matter referred by the city council to the planning commission for further study may be continued by the city council over a period not to exceed thirty days, but the city council shall take final action on or before thirty days after such referral. Time, not to exceed thirty days, may be taken to prepare an appropriate draft of an ordinance or to follow the proper procedure for the passage of an ordinance and such time shall not be considered any part of the above mentioned thirty day referral period or the three month time period prescribed in Section 42-105 of this Code.

Section 2. That in the opinion of the City Council an emergency exists and this ordinance is hereby declared an EMERGENCY ORDINANCE in order to prevent a three-month delay in enacting into law this comprehensive zoning plan change and revision.

Section 3. That this ordinance shall be published in a newspaper of general circulation in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The Clerk of the Council shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

FRANK E. MANN
Mayor

Final Passage: April 13, 1965