

AN ORDINANCE to amend The Code of the City of Alexandria, Virginia, 1963, as amended, by adding thereto a new chapter numbered 17A entitled HOUSING AND COMMUNITY DEVELOPMENT and to be known as the HOUSING AND COMMUNITY DEVELOPMENT CODE OF THE CITY OF ALEXANDRIA, VIRGINIA; which new chapter numbered 17A MAKES FINDINGS OF FACT AND A DECLARATION OF POLICY; SETS FORTH DEFINITIONS OF CERTAIN WORDS AND PHRASES; PROVIDES FOR THE ACQUISITION OF REAL PROPERTY IN THE CITY BY THE CITY FOR THE PURPOSE OF PROVIDING HOUSING FOR LOW OR MODERATE INCOME PERSONS OR FOR ELDERLY OR HANDICAPPED PERSONS; PROVIDES FOR THE REHABILITATION AND DISPOSITION OF SUCH PROPERTY BY LEASE OR SALE TO LOW OR MODERATE INCOME PERSONS OR ELDERLY OR HANDICAPPED PERSONS OR TO NONPROFIT OR LIMITED PROFIT ORGANIZATIONS WHICH DEVELOP LOW OR MODERATE INCOME HOUSING; PROVIDES FOR NEW CONSTRUCTION OF HOUSING IN THE CITY FOR LEASE OR SALE TO LOW OR MODERATE INCOME PERSONS OR ELDERLY OR HANDICAPPED PERSONS OR TO NONPROFIT OR LIMITED PROFIT ORGANIZATIONS WHICH DEVELOP LOW OR MODERATE INCOME HOUSING; PROVIDES FOR THE GRANTING OF SUBSIDIES TO ENABLE LOW OR MODERATE INCOME PERSONS OR ELDERLY OR HANDICAPPED PERSONS TO PURCHASE ANY SUCH PROPERTY WHICH HAS BEEN REHABILITATED BY THE CITY OR BY A NONPROFIT OR LIMITED PROFIT ORGANIZATION WHICH DEVELOPS LOW OR MODERATE INCOME HOUSING; PROVIDES FOR THE ACQUISITION, AND SUBSEQUENT DEMOLITION OR REHABILITATION OF REAL PROPERTY IN THE CITY WHICH IS BLIGHTED, DETERIORATED, DETERIORATING, A BLIGHTING INFLUENCE ON THE NEIGHBORHOOD, OR IN NONCONFORMANCE WITH THE CITY'S ZONING CODE OR MASTER LAND USE PLAN AND FOR THE DISPOSAL OF SUCH PROPERTY BY LEASE OR SALE TO ANY PERSON; PROVIDES FOR PARTIAL RENTAL SUBSIDIES TO OWNERS OF DWELLINGS OR DWELLING UNITS IN THE CITY LEASED TO LOW OR MODERATE INCOME PERSONS AND FOR ACQUISITION OF SUCH DWELLINGS OR DWELLING UNITS FROM SUCH OWNERS FOR LEASE OR SALE TO LOW OR MODERATE INCOME PERSONS; PROVIDES FOR PARTICIPATION BY THE CITY IN ANY STATE OR FEDERAL PROGRAM RELATED TO THE ABOVE-MENTIONED POWERS AND FOR USE OF STATE, FEDERAL OR PRIVATE FUNDS IN THE EXERCISE OF SUCH POWERS; DECLARES THAT THE EXERCISE OF ANY OF THE POWERS GRANTED IN THIS CHAPTER IS FOR A PUBLIC PURPOSE AND PUBLIC USE; AND PROVIDES THAT PROCEDURES SHALL BE ADOPTED PRIOR TO CARRYING OUT ANY OF THE PROVISIONS IN THIS CHAPTER.

WHEREAS, the City Council of Alexandria, Virginia, finds that the city has a critical shortage of suitable housing for its low and moderate income residents and that inadequate low and moderate income housing has contributed to the growth and persistence of urban blight; and

WHEREAS, the Virginia General Assembly has granted powers to the city relating to Housing and Community Development in § 2.04:2 of the Alexandria City Charter; and

WHEREAS, as a result thereof the council is of the opinion that an ordinance on the matter is needed, has found and determined the facts recited hereinafter set forth and has agreed upon the policy recited in the chapter hereinafter set forth; therefore

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new chapter numbered 17A to read as follows:

CHAPTER 17A
HOUSING AND COMMUNITY DEVELOPMENT

Sec. 17A-1. Short Title.

This chapter shall be known and may be cited as the "Housing and Community Development Code of the City of Alexandria, Virginia."

Sec. 17A-2. Findings of fact and declaration of policy.

1. Findings--The City Council of the City of Alexandria finds:

(a) That there exists within the city a serious shortage of adequate residential dwellings which low and moderate income persons and elderly and handicapped persons can afford.

(b) That there exists within the city real property which is blighted, deteriorated, deteriorating, a blighting influence on the neighborhood, or in nonconformance with the city's zoning code or master land use plan and that such property should be cleared, demolished or rehabilitated and leased or sold.

(c) That the housing shortage and blighted, deteriorated and nonconforming property contributes to the creation and persistence of substandard living conditions for many of Alexandria's citizens which is detrimental to the health, safety and welfare of such citizens.

(d) That it is imperative that the supply of safe and sanitary residential dwellings for such persons and families be increased.

(e) That private enterprise has been unable, without assistance to produce the needed construction or rehabilitation of safe and sanitary housing at prices or rentals which low and moderate income persons and elderly or handicapped persons can afford.

(f) That it is in the public interest and in furtherance of the welfare and well being of all citizens of Alexandria, Virginia, to assure that each citizen of Alexandria is provided with decent housing and a suitable living environment.

(g) That only through the concerted efforts of federal, state and local government can we eliminate blight, conserve and renew older urban neighborhoods and improve the living environment of low and moderate income, elderly and handicapped persons.

(h) That the exercise of powers in Sec. 2.04:2 of the City Charter is for a public purpose and public use.

2. Policy--The City Council of the City of Alexandria, Virginia, hereby declares:

(a) That it is contrary to the policy of the city to permit the conditions mentioned in this section to exist.

(b) That it is the duty and policy of the city to exercise all available means and every power it possesses to protect the city and its citizens from such conditions and from the undesirable results that have been or may be caused or encouraged by the inadequacy of the current housing stock.

(c) That it is the duty and policy of the city to assist in the removal of blighted, deteriorated real property and real property in nonconformance with the city's zoning code or master land use plan.

(d) That it shall be the policy of the city, hereafter, to exercise its powers pursuant to Sec. 2.04:2 of the Alexandria City Charter to assist in providing low and moderate income, elderly and handicapped persons with decent housing and to assist in the removal of blighted, deteriorated and nonconforming real property.

(e) That the exercise of powers in Sec. 2.04:2 of the City Charter is for a public purpose and public use.

Sec. 17A-3. Definitions.

"Blighted real property" means a building or buildings which, by reason of dilapidation, obsolescence, faulty arrangement of design, lack of ventilation, light or sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, is detrimental to the health, safety or welfare of the community.

"Elderly person" means any person, married or single, who is sixty-five years of age or over and who meets other eligibility standards as set forth in procedures adopted by council pursuant to Sec. 17A-6 of this Chapter.

"Handicapped person" means any person determined, in accordance with procedures adopted by council pursuant to Sec. 17A-6 of this Chapter, to have a physical or mental impairment which (a) is expected to be of long-continued and indefinite duration, (b) substantially impedes his ability to live independently, and (c) is of such a nature that such ability could be improved by more suitable living conditions, and determined to be otherwise eligible in accordance with procedures adopted by council pursuant to Sec. 17A-6 of this Chapter.

"Low income persons" means persons or families whose incomes do not exceed 50 percent of the median income of residents in the city as calculated in accordance with procedures adopted by council pursuant to Sec. 17A-6 of this Chapter. A "family" shall mean one or more persons living together on the premises as a single house-keeping unit.

"Moderate income persons" means persons or families whose incomes do not exceed 80 percent of the median income of residents in the city as calculated in accordance with procedures adopted by council pursuant to Sec. 17A-6 of this Chapter. A "family" shall mean one or more persons living together on the premises as a single house-keeping unit.

"Nonprofit or limited profit organization" means an organization which has as a principal purpose the development of housing for low or moderate income persons or elderly or handicapped persons.

"Real property" shall include all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and

right, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage or otherwise, and the indebtedness secured by such liens.

Sec. 17A-4. Powers relating to housing and community development.

1. Powers relating to the acquisition and development of land and buildings in the city.

The city may upon authorization of council by resolution:

(a) Acquire by purchase, exchange, gift, lease, condemnation or otherwise, land or buildings in the city for the purpose of providing housing for low or moderate income persons or for elderly or handicapped persons.

(b) Rehabilitate and dispose of any such land and buildings by lease or sale to low or moderate income persons or elderly or handicapped persons.

(c) Dispose of such land and buildings by lease or sale to a nonprofit or limited profit organization.

(d) Construct residential buildings in the city for lease or sale to low or moderate income persons or elderly or handicapped persons or for lease or sale to a nonprofit or limited profit organization.

(e) Make grants of funds to low or moderate income persons to aid in the purchase of any land or building in the city which has been rehabilitated by the city or by a nonprofit or limited profit organization.

2. Powers relating to the acquisition and disposition of blighted, deteriorated, nonconforming property.

The city may upon authorization of council by resolution:

(a) Acquire by purchase, exchange, gift, lease or otherwise, real property in the city which is blighted, deteriorated, deteriorating, a blighting influence on the neighborhood, or in nonconformance with the city's zoning code or master land use plan.

(b) Clear, demolish or rehabilitate any such real property and to dispose of any such real property by lease or sale to any person.

3. Powers relating to the granting of funds to owners of dwellings leased to low or moderate income persons.

The city may upon authorization of council by resolution:

(a) Make grants of funds to owners of dwellings or dwelling units in the city leased to low or moderate income persons for the purpose of subsidizing, in part, the rental payments due and owing to any such owner by a low or moderate income person.

(b) Acquire any such dwellings or dwelling units from any such owners and to dispose of such property by sale or lease to low or moderate income persons.

4. Powers relating to federal and state housing programs.

The city may, upon authorization of council by resolution, participate in any federal or state program related to the powers granted in this section and to use state, federal or private funds in the exercise of such powers.

Sec. 17A-5. Declaration of public purpose and public use.

The exercise of any of the powers granted in this section is hereby declared to be a public purpose and public use.

Sec. 17A-6. Procedure.

The city manager shall prepare, and council shall adopt, procedures to carry out the provisions of this Chapter. None of the powers specified in this Chapter shall be exercised prior to adoption of such procedures by council.

Section 2. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published 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 city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk 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 July 1, 1976.

CHARLES E. BEATLEY, JR.
Mayor

FINAL PASSAGE: June 22, 1976