

ORDINANCE NO. 2911

AN ORDINANCE to amend and reordain subsection (5) of Section 11-3-2, the title of Section 11-3-27, and Section 11-3-39, all of Article A, Chapter 3, Title 11 of The Code of the City of Alexandria, Virginia, 1981, as amended; which Title 11 relates to HEALTH, ENVIRONMENTAL AND SANITARY REGULATIONS, which Chapter 3 relates to HOUSING STANDARDS, which Article A relates to TITLE AND DEFINITION, which Section 11-3-2 relates to DEFINITIONS, which subsection (5) relates to DEFINITION OF DIRECTOR, which title of Section 11-3-27 formerly related to ENFORCEMENT PROCEDURE OF DIRECTOR OF PUBLIC HEALTH and now relates to ENFORCEMENT PROCEDURE OF DIRECTOR OF PUBLIC SAFETY and which Section 11-3-39 relates to SAME--PROCEDURE BY THE BOARD; ADDITIONAL NOTICE IN OLD AND HISTORIC ALEXANDRIA DISTRICT.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That subsection (5) of Section 11-3-2, Article A, Chapter 3, Title 11 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

(5) Director. The director of public safety of the city or his authorized representative.

Section 2. That the title of Section 11-3-27, Article A, Chapter 3, Title 11 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 11-3-27. Enforcement procedure of director of public safety.

Section 3. That Section 11-3-39, Article A, Chapter 3, Title 11 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 11-3-39. Same--procedure by the board; additional notice in Old and Historic Alexandria District.

The board of housing hygiene shall at once attempt to notify the person responsible that there will be a meeting of the board at a specified time, date and place, which shall be not less than 10 nor more than 15 days after its attempt to notify such person, to consider action on the emergency. At such meeting any person affected shall be given an opportunity to be heard, but whether or not any such person shall appear to be heard, the board shall conduct a hearing, consider factors relevant to the emergency and decide that there is or is not such immediate danger. If the

board finds that because of any reason set forth in section 11-3-37 it reasonably appears there is immediate danger to the life, health or safety of any person unless a dwelling, dwelling unit or habitable room is immediately repaired or demolished, it shall order the director to either repair the dwelling, unit or room or tear down and destroy the dwelling, unit or room if it appears to the board that it is in such condition as not to warrant the expenditure thereon of a sufficient sum of money to make such repairs that will put the dwelling in a safe and sanitary condition. A finding that there does not reasonably appear to be such immediate danger to the life, health or safety of any person shall not preclude the director from proceeding pursuant to sections 11-3-27 to 11-3-29 and 11-3-34; provided, however, that before a building which existed in 1846 or prior thereto within the boundaries of the Old and Historic Alexandria District, as those boundaries are defined in section 7-6-221, can be ordered to be razed by the board under this section, the director of public safety of the city shall have first mailed to the subscribers provided for in section 7-6-238, not less than 10 days prior to the meeting, a notice of the meeting of the board to be held pursuant to this section.

Section 4. 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 the date of its final passage.

CHARLES E. BEATLEY, JR.
Mayor

Final Passage: March 21, 1984