

Ordinance No. 1340

AN EMERGENCY ORDINANCE to amend the Code of the City of Alexandria, Virginia, 1963, as amended, by adding thereto a new chapter numbered 9A; which new chapter numbered 9A relates to CONDOMINIUM and PROVIDES FOR THE ESTABLISHMENT OF RULES AND REGULATIONS BY THE CITY PLANNING COMMISSION FOR THE APPLICATION OF CONDOMINIUM (THE VIRGINIA HORIZONTAL PROPERTY ACT) WITHIN THE CITY.

WHEREAS, the General Assembly of Virginia has adopted a law known as the "Horizontal Property Act" to provide for what is commonly known as condominium; and

WHEREAS, the act provides that the planning commission of any municipality may adopt supplemental rules and regulations of implementation; and

WHEREAS, there are many provisions of city law whose application to condominium may not be clear without an expression of intention and provision for rules and regulations; and

WHEREAS, though the law with respect to condominium and its regulation may take some years to evolve and develop, nevertheless the city council is of the opinion that the city should be in a position to handle condominium projects if they be developed within the city; and

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 Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new chapter numbered 9A to read as follows:

CHAPTER 9A CONDOMINIUM

Sec. 9A-1. Condominium generally.

Any building or structure erected or proposed to be erected within the city which is subject to the "Horizontal Property Act" of the Commonwealth of Virginia, or any amendments thereto, or the land on which they may be proposed or situated,

shall be treated as though it be a building, structure or land without the feature of horizontal property or condominium ownership, except where such treatment would be inconsistent with the general law governing a horizontal property regime established under said Horizontal Property Act.

Sec. 9A-2. Rules and regulations by planning commission.

The city planning commission is hereby directed and authorized to adopt supplemental rules and regulations not inconsistent with general law governing any horizontal property regime established under the State Horizontal Property Act, not inconsistent with the intention expressed in Sec. 9A-1 above and subject to the approval of the city council.

Sec. 9A-3. Provisions of this chapter; additional and supplemental.

The provisions of this chapter shall be in addition and supplemental to all other provisions of the City Code.

Section 2. That this is declared and EMERGENCY ORDINANCE because in the opinion of the city council it is necessary to immediately have a method of handling any condominium project that might be started within the city.

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 this meeting. This ordinance shall become effective the date of its final passage.

FRANK E. MANN
Mayor

Final Passage: June 22, 1965