

AN ORDINANCE to amend and reordain the second paragraph of Section 42-74 of Article XI, and to amend and reordain Section 42-102.1 of Article XV, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 42 relates to ZONING; which Article XI relates to BOARD OF ZONING APPEALS, which Section 42-74 relates to APPEALS TO BOARD OF ZONING APPEALS, which second paragraph thereof relates to NOTICES OF APPEALS, which Article XV relates to AMENDMENTS, ETC. and which Section 42-102.1 relates to PENALTY FOR DESTROYING, DEFACING OR REMOVING A CARD NOTICE.

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 second paragraph of Section 42-74, Article XI, 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 board shall fix a reasonable time for the hearing of the appeal, give public notice thereof as well as due notice in writing to the parties in interest, such notice to be given not less than five days prior to the date set by such hearing \*. The city manager shall cause additional notice of any such appeal to be given by posting placard notice at least five days before the proposed hearing. The form of the placard shall be prescribed by the city manager, but it shall contain at least the time, date and place of the proposed hearing before the board, the nature of the variance or exception requested, and the location of the property. The location, number and manner of posting placards shall be prescribed by the city manager; provided, however, that where the property in question has frontage on one or more streets, the placard or placards shall be located at least on the street frontage or frontages of such property; and provided, further, that in the event such appeal covers adjacent or contiguous lots or parcels the city manager shall determine the need for posting placard notice for each and every lot or parcel involved and cause placard notices to be posted in accord with such determination. The posting of such placards shall be deemed sufficient compliance with this paragraph, notwithstanding any subsequent destruction, defacement or removal thereof. The city manager shall cause posted placards to be removed no later than seven days after a final determination has been made with respect to the appeal. Such removals shall not constitute violations of section 42-102.1. The board shall decide the issue within a reasonable time. At the hearing, any party may appear in person, by agent or by attorney, and shall be given opportunity to be heard. The board may prescribe a fee to be paid when-

ever an appeal is taken, which fee shall be paid into the city treasury.

Section 2. That Article XV of 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:

It shall be unlawful for any person to destroy, deface or remove the placard notice provided for in sections 42-69, 42-74, 42-101 and 42-102. Any person who shall violate the provisions of this section shall be subject to the penalties set forth in section 42-84.

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 August 1, 1970.

Charles E. Beatley, Jr.  
Mayor

FINAL PASSAGE: JUNE 10, 1970

N.B. Underlining is not part of the ordinance but merely denotes new material; asterisks denote deletions.