

ORDINANCE NO. 2376

AN ORDINANCE to amend and reordain Section 18-28, Article II and to further amend the aforesaid Article II by adding thereto a new section numbered 18-27.1, all of Chapter 18 of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 18 constitutes the MINIMUM HOUSING HYGIENE STANDARDS CODE, which Article II relates to STANDARDS AND ENFORCEMENT, which Section 18-28 relates to APPEALS FROM ORDERS TO VACATE OR TO SECURE and which new section numbered 18-27.1 relates to SECURING UNOCCUPIED AND UNSECURED DWELLINGS; UNPAID CHARGES AS LIEN AGAINST PROPERTY.

THE CITY COUNCIL OF ALEXANDRIA HEREBY OPDAINS:

Section 1. That Section 18-28, Article II, Chapter 18 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:

Sec. 18-28. Appeals from orders to vacate or to secure.

Any occupant or owner aggrieved by an order made pursuant to section 18-27 or any owner aggrieved by an order made pursuant to section 18-27.1 of this Code may appeal to the board as provided in section 18-25 of this Code.

Section 2. That Article II, Chapter 18 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new section numbered 18-27.1 to read as follows:

Sec. 18-27.1. Securing unoccupied and unsecured dwellings; unpaid charges as lien against property.

(a) Dwellings which are unoccupied and unsecured are hereby deemed to constitute a potential danger to the public health and safety. The owner of any such dwelling shall immediately secure the same. For the purpose of this section "unoccupied" shall mean not used as a dwelling by authorized persons and "unsecured" shall mean unguarded or open at door or window.

(b) Whenever the director finds that such a dwelling constitutes an immediate danger to the life, health or safety of any person, the director shall order the owner of the dwelling to secure the dwelling within ten (10) days after service of notice made pursuant to section 18-20 of this Code. Said notice shall also set forth the provisions of this section and section 18-25 of this Code.

(c) If within ten (10) days after service of notice the owner has failed to secure said dwelling, the director may cause the dwelling to be secured.

(d) In the event the director secures any dwelling after complying with the notice provisions of this section, the costs or expenses thereof shall be chargeable to and paid by the owner or owners of such property and may be collected by the city as taxes and levies are collected.

(e) Every charge authorized by this section with which the owner of any such property shall have been assessed and which remains unpaid shall constitute a lien against such property.

Section 3. 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.

FRANK E. MANN  
Mayor

Introduction: May 8, 1979  
First Reading: May 8, 1979  
Publication: May 11, 1979

Public Hearing: May 12, 1979  
First Reading: May 22, 1979  
Final Passage: May 22, 1979

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