

ORDINANCE NO. 2460

AN ORDINANCE to amend Chapter 30 of The Code of the City of Alexandria, Virginia, 1963, as amended, by adding a new section numbered 30-11.1; which Chapter 30 relates to SITE PLANS and which new Section 30-11.1 relates to MAINTENANCE OF REQUIRED PRIVATE IMPROVEMENTS; NOTICE OF FAILURE TO MAINTAIN; ASSESSMENT OF COSTS.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 30 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding a new Section 30-11.1 to read as follows:

Sec. 30-11.1. Maintenance of required private improvements; notice of failure to maintain; assessment of costs.

(a) The owner of any building or structure for which an approved site plan is required by this chapter and for which improvements such as pedestrian walkways, vehicular travel lanes or driveways, parking areas, fences, walls, curbs and gutters, signs, screening or landscaping is required by the provisions of this chapter or by the planning commission on the recommendation of any of those city departments which review site plans pursuant to section 30-13 of this chapter, shall maintain such improvements in such condition as to assure public safety and the general welfare. It is the purpose of this section 30-11.1 to assure that those site improvements which are intended for public use or for the protection of neighboring properties, and which are not dedicated or otherwise transferred to and accepted by the city, are maintained in such condition as will permit their intended purposes to continue to be fully served.

(b) Whenever any of those site improvements set out in subsection (a) above fall into disrepair, the director shall give the owner or his agent written notice thereof; such notice shall require the correction of such disrepair within thirty (30) days from the receipt of the notice or the city will make such repair, bill the owner for the costs and collect the costs like taxes in the event of nonpayment by the owner. Mailing to the last known post office address shall constitute sufficient notice to owners who cannot be found after a reasonably diligent search or who are nonresidents of the city.

(c) Whenever the owner refuses, neglects or fails to correct the disrepair of any site improvement set out in subsection (a) above after being notified in the manner prescribed in subsection (b) above, the director shall cause the disrepair to be corrected. The expense thereof shall be forthwith computed, and a bill for such expense shall be prepared by the department of finance and mailed to the owner at the owner's last known post office address within a reasonable time after the repair.

In the event the city does not receive payment of the bill within thirty (30) days after mailing, a duplicate statement of the bill shall be forwarded to the director of finance, who shall see that the expense is charged to the owner and collected in the same manner as city taxes. Every charge for which the owner of any such property shall have been assessed and which remains unpaid shall be recorded with the clerk of the circuit court and thereafter constitute a lien against the property.

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 the date of its final passage.

CHARLES E. BEATLEY, JR.
Mayor

Final Passage: April 12, 1980