

ORDINANCE NO. 2695

AN ORDINANCE to amend Chapter 4, Title 7 by adding a new section numbered 7-4-5, and to amend and reordain Title 7 of The Code of the City of Alexandria, Virginia, 1981, as amended, by renaming Chapter 4; which Title 7 relates to PLANNING AND DEVELOPMENT, which Chapter 4 formerly related to CONDOMINIUMS and now relates to CONDOMINIUMS AND COOPERATIVES and which new Section 7-4-5 relates to CONVERSION CONDOMINIUMS AND CONVERSION COOPERATIVES--DEFINITIONS; EXTENSIONS OF LEASES AND DISLOCATION REIMBURSEMENT REQUIRED.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Title 7 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained by renaming the title of Chapter 4 as follows:

CHAPTER 4

Condominiums and Cooperatives.

Section 2. That Chapter 4, Title 7 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended by adding a new subsection numbered 7-4-5 to read as follows:

Sec. 7-4-5. Conversion condominiums and conversion cooperatives--Definitions; extensions of leases and dislocation reimbursement required.

(a) For the purposes of this section:

(1) "Declarant" shall mean all persons who execute or propose to execute a declaration of condominium conversion or cooperative conversion or on whose behalf the declaration is executed or proposed to be executed. From the time of the recording of any amendment to the declaration expanding an expandable condominium, all persons who execute that amendment or on whose behalf that amendment is executed shall also come within this definition. Any successors of the persons referred to in this subsection who come to stand in the same relation to the condominium or cooperative as their predecessors shall also come within this definition.

(2) "Disabled" means a person suffering from a severe, chronic physical or mental impairment which results in substantial functional limitations.

(3) "Elderly" means a person not less than 62 years of age.

(b) The elderly or disabled tenants occupying as their residence, at the time of the issuance of a general notice of condominium conversion or cooperative conversion, shall be offered leases or extensions of leases on the apartments or units they then occupied or, on other apartments or units of at least equal size and overall quality. The terms and conditions thereof shall be as agreed upon by the lessor and the lessee, provided that the rent for such apartment or unit shall not be in excess of reasonable rent for comparable apartments or units in the same market area as such converted condominium or cooperative. Nothing herein shall require that such leases or extensions be offered on more than 20 percent of the apartments or units in such converted condominium or cooperative, or that such leases or extensions extend beyond three (3) years from the date of such notice. Such leases or extensions shall not be required, however, in the case of any apartments or units which will, in the course of the conversion, be substantially altered in the physical layout, restricted exclusively to nonresidential use or rendered legally uninhabitable because of renovations or rehabilitation which the declarant intends in good faith to perform.

(c) Any declarant of any residential condominium or cooperative converted from multifamily rental use shall pay any tenant displaced by the conversion for amounts not exceeding the amount to which the tenant would have been entitled to receive under sections 25-239(b) and 25-247.1 of the Code of Virginia (1950), as amended, if the real estate comprising the condominium or cooperative had been condemned by the Department of Highways and Transportation, provided that such limitation shall not apply if declarant has elected to follow Alexandria's housing relocation assistance policy.

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 on July 1, 1982.

CHARLES E. BEATLEY, JR.
Mayor

Final Passage: June 12, 1982