

ORDINANCE NO. 3171

AN ORDINANCE to amend and reordain Article G by changing its title to read FEE FOR PROCESSING REQUESTS FOR VACATION OF PUBLIC RIGHTS AND REQUESTS FOR ENCROACHMENTS AND ANNUAL CHARGE FOR ENCROACHMENTS and by adding a new section numbered 3-2-85 and entitled ANNUAL CHARGE FOR COMMERCIAL ENCROACHMENTS, all of Chapter 2, Title 3 of The Code of the City of Alexandria, Virginia, 1981, as amended; which Title 3 relates to FINANCE, TAXATION AND PROCUREMENT and which Chapter 2 relates to TAXATION.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the title of Article G, Chapter 2, Title 3 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended to read FEE FOR PROCESSING REQUESTS FOR VACATION OF PUBLIC RIGHTS AND REQUESTS FOR ENCROACHMENTS AND CHARGE FOR COMMERCIAL ENCROACHMENTS.

Section 2. That Article G, Chapter 2, Title 3 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended by adding a new section 3-2-185 to read as follows:

Sec. 3-2-85. Annual charge for commercial encroachments.

The owner or owners of property which is used for commercial purposes and encroaches over, under or in any street, alley, sidewalk or other public place, whether or not such encroachment has been authorized by the city, shall annually compensate the city for such encroachment by payment of the equivalent of what would be the real estate tax upon the land being encroached if it were owned by the owner or owners of the encroaching property. This annual charge shall be made and collected for the calendar year beginning January 1, 1987, and for each calendar year thereafter. This charge shall be determined by and made a part of the same process by which real estate taxes are assessed, billed and collected.

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.

JAMES P. MORAN, JR.  
Mayor

Final Passage: December 13, 1986