

ORDINANCE NO. 3183

AN ORDINANCE to amend and reordain Section 3-2-82, Article G, 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, which Chapter 2 relates to TAXATION, which Article G relates to FEE FOR PROCESSING REQUESTS FOR VACATION OF PUBLIC RIGHTS AND REQUESTS FOR ENCROACHMENTS AND CHARGE FOR COMMERCIAL ENCROACHMENTS and which Section 3-2-82 relates to PROCESSING FEE FOR ENCROACHMENTS.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 3-2-82, 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 and reordained to read as follows:

Sec. 3-2-82. Processing fee for encroachments.

A fee of \$100 shall be charged to process each request to be allowed to encroach upon any public way or right, including but not limited to streets, alleys, sidewalks and public places; provided, however, that no fee shall be charged to process a request received after January 1, 1987, which involves an encroachment by residential property that existed as of December 31, 1986, and which seeks permission for the same or a lesser encroachment to continue to encroach upon a public way or right. Notwithstanding the first sentence of this section, the city manager or her designee is authorized to grant a waiver of the \$100 fee when it is determined that the fee constitutes an undue hardship to the person requesting the encroachment or is disproportionate to the value of the requested encroachment or that a waiver of the fee is otherwise in the public interest.

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.

JAMES P. MORAN, JR.  
Mayor

Final Passage: February 24, 1987