

ORDINANCE NO. 3208

AN ORDINANCE to amend and reordain Section 8-1-71, Article D, Chapter 1, Title 8 of The Code of the City of Alexandria, Virginia, 1981, as amended; which Title 8 relates to BUILDING CODE REGULATIONS, which Chapter 1 relates to BUILDING CODE, which Article D relates to REMEDIES, PENALTIES AND APPEALS, which Section 8-1-71 formerly related to COSTS OF ABATEMENT, REMOVAL OR REPAIRS TO BE LIEN ON REAL ESTATE and which Section 8-1-71 now relates to FAILURE OF OWNER TO ACT; ACTION BY CITY; COSTS TO BE LIEN ON PROPERTY.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 8-1-71, Article D, Chapter 1, Title 8 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. 8-1-71. Failure of owner to act; action by city; costs to be lien on property.

(a) If any owner, agent of the owner or person in control of a building which is found by the code official or the building official to be unsafe under section 124, volume 1, or section 109, volume 2, of the Uniform Statewide Building Code fails or refuses timely to comply with any notice mailed or posted as provided by law, or if either official deems it necessary, without providing notice, to take such emergency measures as are set forth in section 124, volume 1, and section 109, volume 2, of the Uniform Statewide Building Code, including the demolition of a building, the appropriate official is authorized in his discretion to utilize city employees and agents to take all actions necessary to carry out the requirements set forth in the notice which have not been complied with and/or to undertake the emergency measures deemed necessary to protect the public's health and safety.

(b) All costs incurred by the city in undertaking actions pursuant to subsection (a) shall be paid from the city treasury upon the certification of the code or building official, but shall be chargeable to and paid by the owner of the affected property and may be collected by the city as taxes and levies are collected. In no case shall the charge be less than \$100. Every charge hereby authorized with which the property owner has been assessed and which remains unpaid shall, upon recordation, constitute a lien against such property. The lien shall continue until actual payment of the charge, plus legal interest and penalty, if any, shall have been made to the city.

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 requests. 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: May 18, 1987