

ORDINANCE NO. 3929

AN ORDINANCE to amend and reordain Section 4-2-12 (ADOPTION OF VIRGINIA STATEWIDE FIRE PREVENTION CODE), Section 4-2-14 (DEFINITION OF FIRE OFFICIAL, FIRE MARSHAL AND CODE OFFICIAL), Section 4-2-19 (IMPERSONATION), Section 4-2-22 (MODIFICATIONS), Section 4-2-23 (APPEALS) and Section 4-2-24 (PENALTIES AND INJUNCTIONS), to repeal Section 4-2-20 (LOADING AND UNLOADING OF TANK VEHICLES) and Section 4-2-21 (CHANGES IN VIRGINIA STATEWIDE FIRE PREVENTION CODE), and to enact a new Section 4-2-21, of Article B (FIRE PREVENTION), Chapter 2 (FIRE PROTECTION AND PREVENTION), Title 4 (PUBLIC SAFETY), and to amend and reordain Section 8-1-2 (ADOPTION OF THE UNIFORM STATEWIDE BUILDING CODE) and Section 8-1-6 (VIOLATIONS AND PENALTIES) and to repeal Section 8-1-5 (FIRE SUPPRESSION SYSTEMS), of Article A (GENERAL PROVISIONS), Chapter 1 (BUILDING CODE), Title 8 (BUILDING CODE REGULATIONS), all of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 4-2-12, Section 4-2-14, Section 4-2-19, Section 4-2-22, Section 4-2-23 and Section 4-2-24 of The Code of the City of Alexandria, Virginia 1981, as amended, be, and the same hereby are, amended and reordained to read as follows:

Sec. 4-2-12 Adoption of Virginia Statewide Fire Prevention Code.

There is hereby adopted and incorporated, as if fully set out in this article, the Virginia Statewide Fire Prevention Code, as promulgated in 1997 and as thereafter amended by the Virginia Board of Housing and Community Development, except such portions of the Virginia Statewide Fire Prevention Code as are deleted, modified or amended by section 4-2-21 of this article.

Sec. 4-2-14 Definition of fire official, fire marshal and code official.

Whenever the terms "fire official," "fire marshal" and "code official" are used in this article or the Virginia Statewide Fire Prevention Code, they shall mean the city's chief fire marshal, any deputy fire marshal in the city or any other city employee authorized by the chief fire marshal to enforce the provisions of this article.

Sec. 4-2-19 Impersonation.

It shall be unlawful for any person falsely to use a fire department badge, uniform or credentials to identify himself as, or otherwise to impersonate, the fire marshal, a fire officer, a firefighter, a paramedic, an inspector or another authorized representative of the fire department.

Sec. 4-2-22 Modifications.

The fire marshal shall have the authority to modify any of the provisions of the fire prevention code upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in carrying out the strict letter of this code, provided that the spirit and intent of this code shall

be observed and the public safety and welfare assured. The particulars of the modification when granted shall be entered upon the records of the department and a signed copy shall be furnished to the applicant.

Sec. 4-2-23 Appeals.

Any person aggrieved by an order, decision or interpretation of the fire marshal in the administration and enforcement of any provision of this article may appeal the order, decision or interpretation in accordance with section F-113.0 of the Statewide Fire Prevention Code.

Sec. 4-2-24 Penalties and injunctions.

(a) Penalties for violations of this code shall be as set out in section 27-100 of the Code of Virginia. Each day that a violation continues, after a service of notice as provided for in this code, shall be deemed a separate offense.

(b) Neither the initiation of a proceeding to impose a penalty under subsection (a), nor the imposition of such a penalty shall prevent the city attorney from instituting appropriate action to prevent the construction of a structure in violation of this article, to prevent the occupancy of a structure that is in violation of this article, or to restrain, correct or abate a violation of this article.

Section 2. That Section 4-2-20 and Section 4-2-21 of The Code of the City of Alexandria, Virginia, 1981, be, and the same hereby are, repealed.

Section 3. That Chapter 2 of Title 4 of The Code of the City of Alexandria, Virginia, 1981, be, and the same hereby is, amended by adding a new Section 4-2-21 to read as follows:

Sec. 4-2-21 Changes in Virginia Statewide Fire Prevention Code.

The Virginia Statewide Fire Prevention Code, adopted by the city in Section 4-2-12, is deleted, modified or amended in the following respects:

(1) Chapter 1, section F-100.0, subsection F-101.1 is amended to read:

F-101.1 Title: The regulations set forth herein, as modified and amended in section 4-2-21 of The Code of the City of Alexandria, together with the additional regulations in article B of chapter 2, title 4 of that code, shall be known as the Fire Prevention Code of the City of Alexandria, Virginia, and are herein referred to as such or as "the code."

(2) Chapter 1, subsection F-107.2.4 is amended to read:

F-107.2.4 Fees: Fees for permits required under this code will be in accordance with Table F-107.2.3

(3) Chapter 1, Table F-107.2.3 is amended to read:

Table F-107.2.3  
PERMIT REQUIREMENTS

Section	Description	Permit Fee
F-402.3*	Candles--assembly/educational occupancies	\$ 88.50
F-403.4	Open burning, bonfire	\$ 88.50
	charitable organizations	\$ 10.00
F-404.2	Use of torch to remove paint, sweat pipe or apply roofing material	\$ 88.50
F-601.4*	Assembly/educational occupancies,	\$ 50.00
	occupancy less than 50 person	
	occupancy 50 to 100 persons	\$100.00
	occupancy over 100 persons	\$250.00
F-801.2	Airports, heliports and helistops	\$ 88.50
F-901.2	Use of flammable liquids to resurface bowling lanes	\$ 88.50
F-1001.2	Crop ripening and coloring processes	\$ 88.50
F-1101.2	Dry cleaning	\$ 88.50
F-1201.2	Dust explosion hazards	\$ 88.50
F-1301.2	Application of flammable finishes	\$100.00
F-1401.2	Insecticidal fumigation	\$100.00
F-1501.2	HPM facilities	\$100.00
F-1601.2	Lumber yard or woodworking plant	\$ 88.50
F-1701.2	Bulk storage of matches	\$ 88.50
F-1801.2	Oil/gas wells	\$100.00
F-	Organic coatings	\$

1901.2		88.50
F- 2001.2	Tents/air supported structures	\$ 88.50
F- 2102.1	Wrecked yard, junk yard or waste material handling	\$ 88.50
F- 2103.1	Waste handling	\$ 88.50
F- 2201.2	Welding or cutting	\$ 88.50
F- 2205.2	Storage of welding cylinders	\$ 88.50
F- 2207.1	Calcium carbide	\$ 88.50
F- 2208.1	Acetylene generators	\$ 88.50
F- 2208.7	Acetylene cylinder storage	\$ 88.50
F- 2301.2	Hazardous materials	\$100.0 0
F- 2401.2	Aerosol products	\$ 88.50
F- 2501.2	Cellulose nitrate plastics	\$ 88.50
F- 2601.2	Combustible fibers	\$ 88.50
F- 2701.2	Compressed gases	\$ 88.50
F- 2801.2	Corrosives	\$ 88.50
F- 2901.2	Cryogenic liquids	\$ 88.50
F- 3001.2	Blasting/explosives, storage and transportation	\$ 88.50
F- 3001.2	Blasting/explosives, use (each site)	\$ 88.50
F- 3101.2	Fireworks display	\$100.0 0
F- 3201.2	Vehicle repair shop	\$100.0 0
F- 3201.2	Flammable and combustible liquids-storage, handling, use processing	\$ 88.50

F-3201.2	Flammable and combustible liquids-tanks and equipment	\$ 88.50
F-3301.2	Flammable solids	\$ 88.50
F-3401.2	Highly toxic solids and liquids	\$ 88.50
F-3501.2	Irritants, sensitizers and other health hazards	\$ 88.50
F-3601.2	Liquefied petroleum gases	\$ 88.50
F-3701.2	Organic peroxides	\$ 88.50
F-3801.2	Liquid and solid oxidizers	\$ 88.50
F-3901.2	Pesticides	\$ 88.50
F-4001.2	Pyrophoric materials	\$ 88.50
F-4101.2	Radioactive materials	\$100.00
F-4201.2	Unstable (reactive) materials	\$ 88.50
F-4301.2	Water reactive materials	\$ 88.50

\* Occupancies used solely for religious purposes are exempt.

(4) Chapter 3, section F-306.0 is amended by adding thereto a new subsection F-306.6 to read:

F-306.6 Storage or display in roofed-over malls: No combustible goods, merchandise or decorations shall be displayed or stored in a roofed-over mall unless approved by the fire marshal.

(5) Chapter 3 is amended by adding thereto a new section F-316.0 to read:

F-316.0 Handling readily combustible materials.

F-316.1 General: No person making, using, storing, having charge of or having under his control in a building any combustible excelsior, rubbish, sacks, bags, litter, hay, straw or other combustible waste material shall fail, at the close of each day, to remove all such material which is not compactly baled and/or stacked in an orderly manner, from the building or store it in suitable vaults or in metal or metal-lined and covered receptacles or bins. The fire marshal shall require suitable baling equipment to be installed in stores, apartment buildings, factories and other buildings where accumulations of paper and waste material are not removed at least every second day.

(6) Chapter 3 is amended by adding thereto a new section F-317.0 to read:

F-317.0 Storage, display or repair.

F-317.1 General: It shall be unlawful to store, display or repair in or on a building or structure, or any part thereof, any vehicle, tool or equipment that has a fuel tank containing a flammable or combustible liquid or a liquefied petroleum gas as a source of fuel, unless the building or structure is built and maintained in accordance with the requirements of the Uniform Statewide Building Code, and this code, for such storage, display or repair; provided, that this section shall not apply to single-family dwellings where the storage, display or repair is not conducted as a business.

(7) Chapter 4, subsection F-403.1 is amended to read:

F-403.1 General: A person shall not cause or allow open burning unless approved in accordance with this code and the air pollution control code (chapter 1 of title 11 of the city code) of the city. No person shall kindle, or authorize to be kindled or maintain any fire in such a manner that it constitutes a danger to public health and safety as determined by the fire marshal.

(8) Chapter 4, subsection F-403.3 is amended to read:

F-403.3 Allowable burning: Open burning shall be allowed without prior notification to the code official for recreational fires, highway safety flares, fires for the training of firefighters under the direction of the fire department, smudge pots and similar occupational needs.

(9) Chapter 4, subsection F-404.1 is amended to read:

F-404.1 General: Any person utilizing a torch or other flame producing device for removing paint, sweating pipe or applying roofing material shall provide at least one portable fire extinguisher with a minimum 4-A rating, or two portable fire extinguishers with a minimum 2-A rating each or a water hose connected to the water supply on the premises where such work is to be done. In all cases, a responsible person shall maintain a fire watch on the premises for at least one hour after the use of the torch or flame producing device. This person shall be at least 21 years of age and shall have access to a means of contacting the fire department in an emergency.

(10) Chapter 4, subsection F-404.2 is amended to read:

F-404.2 Approval: Approval shall be secured from the code official prior to the utilization of a torch or other flame producing device for removing paint, sweating pipe or applying roofing material.

(11) Chapter 5 is amended by adding thereto new subsections F-504.6, F-504.7 and F-504.8 to read:

F-504.6 Fire watch: A fire watch shall be established whenever any fire protection system is unable to provide the protection for which it was designed. This fire watch shall be maintained until the system has been restored to normal operation.

F-504.7 Tampering: It shall be unlawful for any person to tamper with, damage, destroy, or use without just cause or authorization any fire protection system or fire extinguisher installed in any building or structure within the city.

F-504.8 Key repository: Owners of buildings in which fire alarm or fire suppression systems are installed after the date of adoption of this code shall provide a key repository to the satisfaction of the fire marshal. This key repository shall be of a type approved by the fire marshal and shall be located on the exterior of the building, near the main entrance. Keys shall be placed in the repository to allow the fire department access to investigate alarms of fire reported from the building.

(12) Chapter 13, subsection F-1301.2 is amended to read:

F-1302.2 Permit required: Approval shall be obtained from the fire marshal for spraying or dipping operations included within the scope of this chapter utilizing any amount of flammable or combustible liquids on any working day.

(13) Chapter 30 is amended by adding thereto new subsections F-3004.2.1 and F-3004.2.2 to read:

F-3004.2.1 Type 2 magazines: Type 2 magazines may be used for temporary storage of explosives at the site of blasting operations where the amount constitutes not more than one day's supply for use in current operations. All explosives not used in the day's operation shall be returned to a Type 1 magazine at the end of the work day for overnight storage. In no case shall a Type 2 magazine be used for overnight storage. Type 2 magazines shall be allowed only in I-2 zones.

F-3004.2.2 Records: Daily records shall be kept of the amount of explosives received from a supplier and the amount delivered to the magazine. A daily record shall be kept of the amount of explosives removed from the magazine for daily use and the amount returned to the magazine. This record will be kept within the magazine so that, on inspection of the magazine, an inventory for all explosives can be made. The inventory shall be separated as to the different types of explosives stored and used. Forms for these records shall be approved by the fire marshal.

(14) Chapter 31 is amended to read:

#### Chapter 31. Fireworks.

##### Section F-3101.0 General.

##### F-3101.1 Scope:

(a) This chapter shall apply to fireworks as hereinafter defined in F-3101.2.

(b) Nothing in this chapter shall be construed to prohibit: (i) any resident wholesaler, dealer or jobber to sell at wholesale any fireworks as are not herein prohibited; (ii) the sale of any kind of fireworks, provided they are to be shipped directly out of the state, in accordance with the Department of Transportation (DOT) regulations covering the transportation of explosives and other dangerous articles; (iii) the use of fireworks by railroads or

other transportation agencies for signal purposes or illumination; or (iv) the sale or use of blank cartridges for a show or theater or for signal or ceremonial purposes in athletics or sports or for use by military organizations or the police department. Fireworks permitted by this section shall be stored in accordance with Chapter 30.

F-3101.2 Definitions: "Fireworks" shall mean and include any combustible or explosive composition, or any substance or combination of substances or articles prepared for the purpose of producing a visible or an audible effect by combustion, explosion, chemical reaction, deflagration or detonation and shall include blank cartridges, toy pistols, toy cannons, toy canes or toy guns in which explosives are used, the type of balloons which require fire underneath to propel them, firecrackers, torpedoes, skyrocket, model rockets, Roman candles, Daygo bombs, sparklers or other devices containing any explosive or flammable compound, or any tablets or other devices of like construction and any devices containing any explosive; except that the term "fireworks" shall not include auto flares, paper caps containing not in excess of an average of twenty-five hundredths of a grain of explosive content per cap manufactured in accordance with the DOT regulations for packing and shipping as provided therein, and toy pistols, toy cannons, toy canes, toy guns or other devices for use of the caps, the sale and use of which shall be permitted at all times. Pyrotechnics (special fireworks) shall comply with the applicable provisions of Chapter 31.

F-3101.3 Manufacture, sale and discharge of fireworks:

(a) The manufacture of fireworks is prohibited within the city.

(b) It shall be unlawful for any person to store, offer for sale, expose for sale, sell at retail, use or explode any fireworks except as otherwise provided in subsections (c) through (f) of subsection F-3101.3.

(c) The fire marshal shall adopt rules and regulations for the granting of permits for supervised public displays of fireworks. The permits shall be issued upon application to the fire marshal after the filing of a bond by the applicant as provided in subsection F-3101.4. Every such display shall be handled by an experienced and competent operator approved by the fire marshal and shall be of such composition, character and so located, discharged or fired as will, in the opinion of the fire marshal after proper inspection, not be dangerous or hazardous to any property or person.

(d) Applications for permits shall be made in writing at least 30 days in advance of the date of the display. After the permit has been granted, sale, possession, use and distribution

of fireworks for display purposes shall be lawful for that purpose only. No permit granted hereunder shall be transferable.

(e) The sale, possession, use and distribution of fireworks for display purposes shall be conducted so as to be safe to persons and property. Evidence that the sale, possession, use and distribution of fireworks for display purposes has been conducted in accordance with the applicable provisions of this chapter of the city code and the applicable standards contained chapter 42 of the Virginia

Statewide Fire Prevention Code shall be evidence that such sale, possession, use and distribution of fireworks for display purposes provides safety to persons and property.

(f) The fire marshal shall adopt rules and regulations for the use of model rockets. The design, construction and use of model rockets shall be safe to persons and property. Evidence that the design, construction and use of model rockets is in accordance with the current edition of the "Code for Model Rocketry," published by the National Fire Protection Association, shall be evidence that any design, construction and use provides safety to persons and property.

F-3101.4 Bond and responsibility for fireworks display required:

(a) The fire marshal shall require a bond from the permittee in a sum not less than \$2,000,000 conditioned on compliance with the provisions of this chapter.

(b) Before any permit for a pyrotechnic display shall be issued, the person, firm or corporation making application therefor shall furnish proof of the responsibility to satisfy claims for damages to property or personal injuries arising out of any act or omission on the part of the person, firm or corporation or any agent or employee thereof in such amount, character and form as the fire marshal determines to be necessary for the protection of the public.

F-3101.5 Disposal of unfired fireworks: Any fireworks that remain unfired after the display is concluded shall be immediately disposed of in a manner safe for the particular type of fireworks remaining.

F-3101.6 Seizure of fireworks: The fire marshal shall seize, take, remove or cause to be removed at the expense of the owner, all fireworks offered for sale, stored or held in violation of Chapter 31.

(15) Chapter 32 is amended by adding thereto new subsections F-3203.12, F-3203.13, F-3208.12, F-3208.13, F-3208.14, F-3208.15 and F-3210.3 to read as follows:

F-3203.12 Spill prevention plan: The owner or operator of any storage facility comprised of one or more tanks above or below ground with a total capacity of 5,000 gallons or more shall prepare and maintain on site a plan for product spill prevention, control and countermeasures certified by a professional engineer registered in the Commonwealth of Virginia and approved by the fire marshal. The certification of the professional engineer shall be that the plan is in substantial compliance with the spill prevention, control and countermeasures plan requirements of the Environmental Protection Agency contained in part 112 of title 40, Code of Federal Regulations. A plan that has been approved by the Environmental Protection Agency may be submitted to the fire marshal in lieu of one certified by a professional engineer.

F-3203.13 Clean-up of spills and leaks: The owner, tenant or other person in control of premises where a spill or leak has

occurred shall be responsible for taking immediate and effective countermeasures to contain the spill, clean up the flammable or combustible liquid and dispose of all waste in an approved manner.

Upon notification by the city that it has determined that such person lacks the capability or intent to perform these countermeasures, the person notified shall have a reasonable opportunity to elect either to contract with another for the performance of these countermeasures or to join the city in a contract with another for such work. In either case, the person shall pay the entire cost of the work. If a person who has received a notice from the city under this section fails to inform the city of his election within the time specified in the notice, the city may proceed without delay to undertake the required countermeasures, and to charge the owner, tenant or other person in control of the premises the entire cost of such work.

F-3208.12 Monitoring wells: Two permanent monitoring wells shall be installed in opposing corners of the tank field on all new installations after the effective date of this regulation. These wells shall extend to a minimum depth of two feet below the bottom of the tanks in the tank field. These wells shall be a minimum of four inches schedule 40 PVC screen pipe or equivalent and shall be flush with covering surface and covered with standard metal cover and gravel packed to prevent clogging. The screened section shall have a minimum size of .025 inch.

F-3208.13 Tank closure: All underground storage tanks, not exempted by F-2806.10.3, permanently removed from service shall have a site assessment in accordance with the regulations of the Virginia State Water Control Board. A copy of this assessment must be submitted to the fire marshal, and to the Virginia Water Control Board if it so requires. A minimum of three soil samplings should be obtained to complete this assessment. Previously used tanks which are removed from the ground shall not be reinstalled unless the original manufacturer certifies that they are suitable for service. The manufacturer's written certification must be kept on file at the facility and be available for inspection by the fire marshal.

F-3208.14 Product inventory: All buried tanks installed after this regulation is effective shall have provisions for taking direct measurements of readings of content level by the stick method. Liquid levels of storage tanks shall be measured by the operator each day of operation and compared with pump meter readings taken on receipt of the product. These records shall be kept in a log book and be available for reasonable inspection by the fire marshal and/or his representative. Loss of product above normal evaporation (one half of one percent of pump meter sales readings) shall be reported immediately to the fire marshal. Records shall be retained for two years. This period shall be extended upon request of the fire marshal.

F-3208.15 Special equipment: High liquid level gauges or alarm systems as well as pump cut-off devices shall be installed by the owner or the authorized operator in all oil storage tanks wherever in the judgment of the fire marshal there is a possibility that product may be lost by overflowing. Since these emergency devices can fail to operate, their use for spill prevention purposes shall be considered only as auxiliary and supplementary to the use of personnel engaged in a transfer or fill operation.

F-3210.3 Maintenance: Tank vehicles operating within the city while in transit into or out of the city shall be maintained in accordance with the federal regulations contained in parts 390 through 397 of title 49, Code of Federal Regulations. Part 397.3 of title 49 requires that all motor vehicles carrying hazardous materials comply with state and local laws, ordinances and regulations, unless the regulations of the U.S. Department of Transportation apply and are more strict. Pursuant to the authority granted in section 18.2-278.4 of the Code of Virginia (1950), as amended, any duly sworn law enforcement officer of the city, including fire marshals, may halt any tank vehicle which is observed to have a condition or characteristic which indicates that there exists a violation of city, state or federal regulations governing the transportation of hazardous materials. The vehicle may be detained long enough to determine whether the permits required for transporting hazardous materials have been obtained, whether the cargo is secure, and whether the observed condition or characteristic presents an immediate threat of a transportation related spill or other catastrophic event. The tank vehicle may resume operation if it is found to be in good repair and free of leaks in accordance with NFPA 385. If that finding is not made, the vehicle shall not be detained any longer than necessary for the officer or official to determine that arrangements for the repair of the vehicle where situated or for its removal to a safe place and repair there, whichever in the judgment of the officer or official is appropriate, are made. Upon refusal of the operator to make arrangements required by the officer or official, the vehicle shall be impounded and held until the repair is made or until the officer or official is certain it will be made.

Section 4. That Sections 8-1-2 and 8-1-6 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby are, amended and reordained to read as follows:

Sec. 8-1-2 Adoption of the Uniform Statewide Building Code.

There is hereby adopted and incorporated as if fully set out at length herein the Uniform Statewide Building Code ("USBC"), as adopted and promulgated in 1997 by the Virginia Board of Housing and Community Development and as hereafter amended from time to time, including chapter 34 which regulates the maintenance and redevelopment of existing structures and which incorporates the BOCA Property Maintenance Code. The "name of jurisdiction" in the USBC shall be the City of Alexandria, Virginia.

Sec. 8-1-6 Violations and penalties.

(a) Criminal violations. A violation (i) of any section of, or provision in, chapters 2 through 33 of the USBC, incorporated into this chapter by section 8-1-2, or (ii) of any section of, or provision in, chapter 34 of the USBC, also incorporated into this chapter by section 8-1-2, that regulates or relates to the authority to vacate buildings, fire sprinkler systems, single and multiple station smoke detectors, automatic sprinkler systems, fire protective signaling systems, fire detection systems, or electrical systems,, shall be considered a violation of this chapter, and shall be a misdemeanor. Any person found guilty of any such violation shall, upon conviction, be punished by a fine of not more than \$2,500; provided, that a person convicted of a second violation committed within five years following a conviction for a violation of this chapter shall be punished by a fine of not less

than \$1,000 nor more than \$2,500, that a person convicted of a second violation committed more than five but less than 10 years following a conviction for a violation of this chapter shall be punished by a fine of not less than \$500 nor more than \$2,500, and that a person convicted of a third or additional violation committed within 10 years following a conviction for a violation of this chapter shall be punished by a fine of not less than \$1,500 nor more \$2,500; and provided further, that the provisions in the foregoing proviso requiring a minimum fine shall apply only to convictions for violations which cause a building or structure to be unsafe or unfit for human habitation.

(b) Civil violations. A violation of any section or provision of chapter 34 of the USBC that does not regulate or relate to the matters specifically set out in subsection (a) shall be a civil violation that shall be enforced through the levying of a civil penalty, pursuant to section 1-1-11 of this code, of \$100 for a person's first violation and of \$150 for each subsequent violation of the same section or provision. Each day during which a violation exists shall constitute a separate violation. However, a series of violations arising from the same operative set of facts shall not give rise to the levying of a civil penalty more frequently than once in any 10-day period, and shall not result in civil penalties exceeding a total of \$3,000. Any section or provision of chapter 34 of the USBC whose violation is hereby designated a civil violation shall not be penalized by a criminal sanction and, except for any violation resulting in injury to persons, may not give rise to criminal prosecution.

(c) Injunctive relief. A violation of any section or provision of the USBC, incorporated into this chapter by section 8-1-2 may, in addition to and notwithstanding the penalty provided for in subsection (a) or (b), be restrained, prohibited or enjoined by appropriate proceedings in a court of competent jurisdiction.

Section 5. That Section 8-1-5 of the Code of the City of Alexandria, Virginia, 1981, be, and the same hereby is, repealed.

Section 6. That this ordinance shall become effective upon the date and at the time of its final passage.

KERRY J. DONLEY  
Mayor

Introduction: 6/10/97  
First Reading: 6/10/97  
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