

ORDINANCE NO. 4176

AN ORDINANCE to amend Chapter 2 (FIRE PROTECTION AND PREVENTION) of Title 4 (PUBLIC SAFETY), by adding thereto a new Section 4-2-25 (AUTHORITY OF CODE ENFORCEMENT INSPECTORS), and to amend and reordain Section 11-5-8 (ADMINISTRATION) of Chapter 5 (NOISE CONTROL), Title 11 (HEALTH, ENVIRONMENTAL AND SANITARY REGULATIONS), all of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 2 of Title 4 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same is hereby, amended by adding thereto a new Section 4-2-25 to read as follows:

Sec. 4-2-25 Authority of code enforcement inspectors.

The new construction inspectors and existing structures inspectors within the Code Enforcement Bureau are hereby authorized to enforce within the City, in the manner provided by law, the provisions of Section 10-4-42 of this code relating to parking near fire hydrants, fire stations or in fire lanes, and other like provisions of local and state law.

Section 2. That Section 11-5-8 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. 11-5-8 Administration.

(a) The director shall be charged with administering and enforcing the provisions of this chapter.

(b) The city manager shall, upon the request of the director, allocate such resources of the police department as the city manager shall deem necessary to assist the director in the administration and enforcement of the provisions of this chapter.

(b.1) The fire marshal, deputy fire marshals, new construction inspectors and existing structures inspectors within the Code Enforcement Bureau shall have concurrent jurisdiction to enforce the provisions of this chapter relating to construction, construction devices and power equipment as defined in Section 11-5-2 of this code.

(c) The engineer and the director shall whenever possible coordinate their activities to the end that noise pollution in the city is regulated, prevented, abated and controlled.

(d) In addition to any other powers vested in him, the director may, subject to the availability of funds:

(1) conduct studies, investigations and research relating to noise pollution and its prevention, abatement and control;

(2) issue such orders as may be necessary to effectuate the purposes of this chapter and enforce the same by all appropriate administrative and judicial proceedings;

(3) hold hearings relating to any aspect of or matter in the administration of this chapter;

(4) secure necessary scientific, technical, administrative and operational services, including laboratory facilities, by contract or otherwise;

(5) prepare and develop a comprehensive plan or plans for the prevention, abatement and control of noise pollution;

(6) advise, consult and cooperate with other local governmental units, agencies of the state, industries, interstate or interlocal agencies and the federal government, and with interested persons and groups;

(7) review those matters having a bearing upon noise pollution referred by other agencies (such as planning, zoning, building and fire departments) and make reports, including recommendations, to the referring agencies with respect thereto;

(8) collect and disseminate information and conduct educational and training programs relating to noise pollution;

(9) encourage voluntary cooperation by persons or affected groups to achieve the purposes of this chapter;

(10) do any and all acts which may be necessary for the successful prosecution of the policy of this chapter and such other acts as may be specifically enumerated herein;

(11) prepare annually a report to the city council on progress in implementation and enforcement of the provisions of the noise control code and make recommendations to the council of any changes in the noise control code he deems desirable;

(12) may coordinate the noise control activities of all agencies and departments of the city government and advise, consult, cooperate and coordinate noise control activities with other local governmental units, state agencies, interstate and interlocal agencies, the federal government, and with interested persons and groups with respect to the provisions of this chapter;

(13) may make recommendations to the city council for changes to this chapter to make it consistent with all preemptive state and federal legislation.

(e) The city manager shall submit to the city council recommended noise design limits to be incorporated in city planning and zoning and the design and construction of buildings, streets and highways and in the routing and rerouting of motor vehicle and pedestrian traffic.

Section 3. That this ordinance shall become effective upon the date and at the time of its final passage.

KERRY J. DONLEY
Mayor

Introduction: 12/12/00
First Reading: 12/12/00
Publication: 12/14/00
Public Hearing: 12/16/00
Second Reading: 12/16/00
Final Passage: 12/16/00