

## ORDINANCE NO. 55

**AN ORDINANCE DECLARING DANGEROUS WALLS, CHIMNEYS AND OTHER STRUCTURES TO BE NUISANCES; REQUIRING THE REMOVAL THEREOF BY THEIR OWNERS AND AUTHORIZING THE CITY TO REMOVE SAME AT THE EXPENSE OF SAID OWNERS; AND TO ASSESS THE COST THEREOF AGAINST THE PROPERTY FROM WHICH REMOVED; REQUIRING UNOCCUPIED BUILDINGS TO BE SECURED; AND PROVIDING A PENALTY FOR VIOLATION OF THIS ORDINANCE.**

Be It Ordained by the City Council of the City of Alexandria, Virginia:

Section 1. That any building or structure or any part thereof, of any appurtenances or fixtures thereto, or any wall, chimney, smokestack, stove, oven, furnace or thing connected with such building or premises, which shall for any reason become in a situation or condition to be dangerous to persons or property, and any building which shall be damaged by fire, decay or any other cause to the extent of 50 per cent of its actual value, to be estimated above the line of the sidewalk in front of said building, is hereby declared to be a nuisance and subject to removal under the terms of this ordinance.

Section 2. Whenever in the judgment of the City Manager, any nuisance, as herein above described, exists within the City of Alexandria, the City Manager shall immediately give notice in writing to the owner or owners of the premises on which the same exists, or to his, her, or their agent, or to the person having control thereof, if the owner cannot be found, to remove the same forthwith; and the person receiving such notice shall within five (5) days after receiving the same commence the removal of such structure or nuisance and shall carry on said removal without any unnecessary delay.

Section 3. In case any owner or agent of such owner shall fail or neglect to commence the removal of such nuisance or structure within said five days, said owner or agent shall be deemed guilty of a violation of this ordinance and subject to the penalty hereinafter provided, and in addition thereto, the City Manager is hereby authorized and directed to immediately remove and abate said nuisance or structure, and to render the same entirely safe to persons and property at the expense of the City of Alexandria. In all cases in which the City of Alexandria shall so abate any nuisance or structure, the City Manager shall report such action to the City Council, together with a statement of the actual expense thereof. On receipt of such report the City Council shall direct the Commissioner of Revenue to assess said expense against the owner or owners of the lots, lands and premises from which said nuisance or structure was so removed. Said assessment shall be made in the form of an assessment roll in manner and form as provided in the Charter of the City of Alexandria and shall be entered on the lien docket of the City of Alexandria and shall be and constitute a lien against the property so assessed therefor.

Section 4. Whenever any unoccupied building or buildings are not properly secured or inclosed, the City Manager or his representative shall immediately visit the premises and notify the owner or owners, agent or

agents, or person having control of the same, of the condition of such unoccupied building or buildings, and shall require that such building or buildings be within twenty-four hours properly secured so as to prevent evilly disposed persons from gaining access thereto.

Section 5. The City Manager, the Captain of Police, Chief of the Fire Department, and the City Engineer, are directed to see that the provisions of this Ordinance are enforced and to that end are empowered, whenever any complaint shall be made to them or either of them, of the violation of any of the provisions of this Ordinance and they, or either of them, have reasonable grounds to believe that any of the provisions of this ordinance are being violated by any person, to enter any premises or place, or go into any building about which complaint is made, or upon or in which they or either of them have reasonable grounds to believe that any of the provisions of this Ordinance are being violated.

Section 6. Any person, firm, company or corporation that violates, disobeys, omits, neglects or refuses to comply with, or that resist, opposes the execution of, or violates any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding One Hundred Dollars (\$100.00) or by imprisonment for not more than twenty (20) days or by both such fine and imprisonment, and every such person, firm, company or corporation shall be deemed guilty of a separate offense, for every ten (10) days such violation, disobedience, neglect or refusal shall continue, and shall be subject to the penalty of this section for each and every such separate offense, and any builder or contractor who shall construct any building in violation of any of the provisions of this Ordinance, and any architect having charge of such building who shall permit it to be so constructed shall be liable to the penalties provided and imposed by this section.

Section 7. This Ordinance shall not repeal or in any way alter or abridge any of the provisions of Ordinance commonly known as the Building Code of the City of Alexandria, approved March 12, 1910; but shall be an additional regulation supplemental thereto.

Section 8. All Ordinances or Resolutions in conflict herewith are hereby repealed.

Section 9. This Ordinance shall take effect immediately upon its passage.

Approved this 13th day of May, 1926.

W. A. SMOOT, Mayor.