

VIRGINIA ACTS OF ASSEMBLY -- 2003 SESSION

CHAPTER 712

An Act to amend and reenact §§ 15.2-5152 and 15.2-5155 of the Code of Virginia, relating to community development authorities.

[H 2423]

Approved March 19, 2003

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.2-5152 and 15.2-5155 of the Code of Virginia are amended and reenacted as follows:

§ 15.2-5152. Localities may consider petitions for creation of authority.

A. Any city may consider petitions for the creation of community development authorities, *a public body politic and corporate and political subdivision of the Commonwealth*, in accordance with this article.

B. Any town may by ordinance elect to assume the power to consider petitions for the creation of community development authorities in accordance with this article. A public hearing shall be held on such ordinance.

C. The following counties may consider petitions for the creation of community development authorities in accordance with this article:

1. Any county with a population of at least 75,000;
2. Any county with a population of less than 50,000 through which an interstate highway passes; and
3. Any county with a population between 50,000 and 75,000 through which an interstate highway passes.

D. Any county not listed in subsection C may by ordinance elect to assume the power to consider petitions for the creation of community development authorities in accordance with this article. A public hearing shall be held on such ordinance.

§ 15.2-5155. Ordinance or resolution creating authority.

A. Any locality authorized to consider petitions under this article may, by ordinance or resolution not inconsistent with the petition proposing the creation of the authority, create a community development authority, *a public body politic and corporate and political subdivision of the Commonwealth*. Community development authorities proposed for districts ~~which~~ *that* are within any two or more localities may be formed by concurrent ordinances of each locality, and such localities may contract with one another for administration of the authority.

B. An ordinance or resolution creating a community development authority shall not permit the community development authority to provide services which are provided by, or are obligated to be provided by, any authority already in existence whose charter requires or permits service within the proposed community development district, unless the existing authority first certifies to the governing body that the services provided by the proposed community development authority will not have a negative impact upon the existing authority's operational or financial condition. Such certification shall not be unreasonably withheld by the existing authority.