

VIRGINIA ACTS OF ASSEMBLY -- 2005 SESSION

CHAPTER 730

An Act to amend and reenact § 15.2-2118 of the Code of Virginia, relating to water and sewer liens.

[S 795]

Approved March 26, 2005

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-2118 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-2118. Lien for water and sewer charges and taxes imposed by localities.

The governing body of any county adjoining a city lying wholly within the Commonwealth and which has a population of more than 75,000 according to the 1970 or any subsequent census and any county having a density of population of more than 600 per square mile according to the 1960 or any subsequent census, Botetourt, Culpeper, *Cumberland*, Franklin, Gloucester, Goochland, Hanover, Orange and any town located therein, Rockingham, Spotsylvania, Stafford, and York Counties and the Cities of Fairfax, Newport News, Petersburg, Richmond, and Roanoke may by ordinance provide that taxes or charges hereafter made, imposed or incurred for water or sewers or use thereof within or outside such county or city shall be a lien on the real estate served by such waterline or sewer. Where residential rental real estate is involved, no lien shall attach (i) unless the user of the water or sewer services is also the owner of the real estate or (ii) unless the owner of the real estate negotiated or executed the agreement by which such water or sewer services were provided to the property.