

2005 SESSION

INTRODUCED

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SENATE BILL NO. 1269

Offered January 19, 2005

A *BILL to amend and reenact § 36-19.5 of the Code of Virginia, relating to the housing authorities; exercise of eminent domain to acquire blighted commercial properties.*

Patrons—Locke, Lambert, Lucas, Marsh and Miller

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That § 36-19.5 of the Code of Virginia is amended and reenacted as follows:

§ 36-19.5. Additional powers.

A. In addition to the powers otherwise granted, an authority may acquire, subject to prior approval, after public hearing, of each such acquisition by the governing body of the county, city or town wherein the property to be acquired is located, any single-family or multi-family dwelling unit, *or any commercial or industrial structure*, within the authority's area of operation by purchase, lease, or gift or through the exercise of the power of eminent domain as provided in subsection B of this section, for development and redevelopment including, but not limited to, the renovation, rehabilitation and disposition thereof, when such authority has determined: (i) that such dwelling unit or other structure has deteriorated to such extent as to constitute a serious and growing menace to the public health, safety and welfare; (ii) that such dwelling unit or other structure is likely to continue to deteriorate unless corrected; (iii) that the continued deterioration of such dwelling unit or other structure may contribute to the blighting or deterioration of the area immediately surrounding the said dwelling unit or other structure; and (iv) that the owner of such dwelling unit or other structure, after ~~sixty~~ 60 days' notice to the landowner by certified mail, citing § 36-19.5, has failed to correct the deterioration thereof.

B. A local governing body may, on behalf of an authority, acquire through the exercise of the power of eminent domain any single-family or multi-family dwelling unit, *or any commercial or industrial structure*, within the authority's area of operation, but only for those purposes set forth in subsection A of this section.

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