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SENATE BILL NO. 202

Offered January 11, 2006

Prefiled January 10, 2006

A BILL to amend and reenact Chapter 384, as amended, of the Acts of Assembly of 1946, which provided a charter for the City of Charlottesville, by adding a section numbered 50.7, relating to affordable housing.

Patrons—Deeds; Delegate: Toscano

Referred to Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. That Chapter 384 of the Acts of Assembly of 1946 is amended by adding a section numbered 50.7 as follows:

§ 50.7. Powers relating to housing and community development.

In addition to the powers granted by other sections of this charter and any other provision of law, the city shall have the power:

(a) To acquire land or buildings in the city for the purpose of providing housing for low- or moderate-income persons or for elderly or handicapped persons; to rehabilitate and dispose of any such land and buildings by lease or sale to low- or moderate-income persons or elderly or handicapped persons; to dispose of such land and buildings by lease or sale to any nonprofit or limited profit organization that has as a principal purpose the provision or development of housing for low- or moderate-income persons or elderly or handicapped persons; to construct residential buildings in the city for lease or sale to low- or moderate-income persons or elderly or handicapped persons, or for lease or sale to a nonprofit or limited profit organization that has as its principal purpose the provision or development of housing for low- or moderate-income persons, or elderly or handicapped persons; to make grants and loans of funds to low- or moderate-income persons to aid in the purchase of any land or building in the city including, but not limited to, land and buildings that have been rehabilitated by the city or by a nonprofit or limited profit organization that has as its principal purpose the development of housing for low- or moderate-income persons; and to offer real estate tax deferral to low- or moderate-income persons who own any land or buildings described herein.

(b) To make grants of funds to owners of dwellings or dwelling units in the city for the purpose of subsidizing, in part, the rental payments due and owing to any such owner by a low- or moderate-income person; to acquire any dwellings or dwelling units in the city for the purpose of providing housing to low- or moderate-income persons, and to dispose of such dwellings or dwelling units, by sale or lease, to low- or moderate-income persons or to a nonprofit organization or limited profit organization that has as its principal purpose the provision or development of housing for low- or moderate-income persons; to make grants and loans of funds to low- and moderate-income persons to aid in the purchase of dwellings or dwelling units in the city; and to offer real estate tax deferrals to low- or moderate-income persons who own a dwelling acquired from the city, a nonprofit organization, or a limited profit organization under a program established hereunder.

(c) To issue tax-exempt bonds for the acquisition, rehabilitation, and provision of housing for low- or moderate-income persons provided that, prior to any action authorizing the issuance of such bonds, the city council finds affirmatively that such action is necessary to provide adequate housing in the city.

For purposes of this section, the phrase "low- or moderate-income persons" shall have the same meaning as the phrase "persons and families of low and moderate income" as that phrase is used in the Virginia Housing Development Authority Act, and shall be applied using the income guidelines issued by the Virginia Housing Development Authority for use in its single family mortgage loan program.

In addition to being able to exercise the above-mentioned powers with city funds, the city is authorized to participate in any state or federal program related thereto and to use state, federal, or private funds in the exercise of such powers.

The exercise of any powers granted in this section is hereby declared to be a public purpose and public use.

INTRODUCED

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