

2008 SESSION

INTRODUCED

081014640

HOUSE BILL NO. 434

Offered January 9, 2008

Prefiled January 4, 2008

A BILL to amend and reenact § 15.2-908 of the Code of Virginia, relating to defacement of buildings; immunity.

Patron—Miller, J.H.

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-908 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-908. Authority of localities to remove or repair the defacement of buildings, walls, fences and other structures.

Any locality may by ordinance undertake or contract for the removal or repair of the defacement of any public building, wall, fence or other structure or any private building, wall, fence or other structure where such defacement is visible from any public right-of-way. The ordinance may provide that whenever the property owner, after reasonable notice, fails to remove or repair the defacement, the locality may have such defacement removed or repaired by its agents or employees. *Such agents or employees shall have any and all immunity normally provided to an employee of the locality. However, the immunity granted by this section shall not apply to conduct constituting intentional or willful misconduct or gross negligence.*

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