

VIRGINIA ACTS OF ASSEMBLY -- 2009 SESSION

CHAPTER 475

An Act to amend and reenact § 15.2-908 of the Code of Virginia, relating to restitution for graffiti abatement costs.

[H 2424]

Approved March 27, 2009

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.

A. 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.

B. *The court may order any person convicted of unlawfully defacing property described in subsection A to pay full or partial restitution to the locality for costs incurred by the locality in removing or repairing the defacement if the locality has adopted an ordinance pursuant to this section.*

C. *An order of restitution pursuant to this section shall be docketed as provided in § 8.01-446 when so ordered by the court or upon written request of the locality and may be enforced by the locality in the same manner as a judgment in a civil action.*