

13103590D

HOUSE BILL NO. 2011

Offered January 9, 2013

Prefiled January 9, 2013

A *BILL to amend the Code of Virginia by adding a section numbered 15.2-815.1, relating to urban county executive form of government; abandoned personal property.*

Patrons—Surovell and Kory

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-815.1 as follows:

§ 15.2-815.1. Disposition of abandoned personal property; penalties.

A. Any county that has adopted the urban county executive form of government may, by ordinance, provide that it shall be unlawful for any person to place, leave, or abandon on any real property in the county, or within specified districts within the county, any dilapidated furniture, appliance, machinery, equipment, shopping cart, building material or other item or personal property, which is either in a wholly or partially rusted, wrecked, junked, dismantled or inoperative condition and which is not completely enclosed within a building. The ordinance shall provide that any such item which remains on the real property for a period of seven days after a notice of violation is given to the owner of such personal property shall be presumed to be abandoned and subject to being removed from the real property by the county or its agents without further notice. A notice of violation sent by registered or certified mail to the last known address of the personal property's owner or its registered agent reflected in state or county public records shall satisfy the notice requirement of this section. In the event any such item is so removed, the cost of removal, including an administrative fee in the amount of \$150.00, shall be charged to the owner of the personal property. Any such charge which is not paid within 30 days of the date on which it is billed to the owner shall constitute a lien upon the personal property and may be collected in any manner provided by law for the collection of taxes.

B. No such ordinance shall apply to any real property used for the purpose of a licensed junk dealer or establishment engaged in the repair, rebuilding, reconditioning or salvaging of equipment.

C. The ordinance may provide that a violation of the ordinance shall constitute a class 1 misdemeanor. In addition to any other remedy provided herein, the county or its designee may institute legal action to enjoin the continuing violating of this section.

INTRODUCED

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