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SENATE BILL NO. 238

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on General Laws and Technology
on February 8, 2016)

(Patron Prior to Substitute—Senator Petersen)

A BILL to amend and reenact § 55-513.2 of the Code of Virginia, relating to the Virginia Property Owners' Association Act; home-based businesses; licensed child care provider.

Be it enacted by the General Assembly of Virginia:

1. That § 55-513.2 of the Code of Virginia is amended and reenacted as follows:

§ 55-513.2. Home-based businesses permitted; compliance with local ordinances; licensed child care providers.

Except to the extent the declaration provides otherwise, no association shall prohibit any lot owner from operating a home-based business within his personal residence. The association may, however, establish (i) reasonable restrictions as to the time, place, and manner of the operation of a home-based business and (ii) reasonable restrictions as to the size, place, duration, and manner of the placement or display of any signs on the owner's lot related to such home-based business. Any home-based business shall comply with all applicable local ordinances.

Any licensed child care provider operating pursuant to state law and local ordinance shall be considered an accessory residential use and shall not be prohibited unless specifically prohibited by the declaration.

SENATE SUBSTITUTE

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