VIRGINIA ACTS OF ASSEMBLY -- 2020 SESSION

CHAPTER 963

An Act to amend and reenact § 15.2-2011 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 15.2-2009.1, relating to removal of dangerous roadside vegetation; local option.

[S 225]

Approved April 9, 2020

Be it enacted by the General Assembly of Virginia:
1. That § 15.2-2011 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 15.2-2009.1 as follows:
§ 15.2-2009.1. Dangerous roadside vegetation.
Notwithstanding the provisions of subsection A of § 15.2-2000, any locality may, by ordinance, provide that the owner of any property adjacent to the right-of-way of any street, highway, road, alley, bridge, viaduct, subway, underpass, or other public right-of-way or place shall, at such time or times as the governing body may prescribe, remove therefrom any and all trees, tree limbs, shrubs, high grass, or other substance that might dangerously obstruct the line of sight of a driver, be involved in a collision with a vehicle, or interfere with the safe operation of a vehicle or may, whenever the governing body deems it necessary, after reasonable notice as defined in subdivision 2 of § 15.2-906, have such trees, shrubs, high grass, and other like substances removed by its own agents or employees.

§ 15.2-2011. Localities may permit existing encroachments.
Notwithstanding the provisions of subsection A of § 15.2-2000, localities may authorize owners of *property with roadside vegetation described in § 15.2-2009.1 or* buildings or structures encroaching under, upon and over any public rights-of-way therein, within such limitations as the localities may prescribe, to maintain such *vegetation or* encroachments as they exist, until such *vegetation,* buildings, or structures are destroyed or removed; however, nothing contained in this section shall be construed to relieve the owners of negligence on their part on account of any such *vegetation or* encroachment.