

1995 SESSION

INTRODUCED

LD7364204

HOUSE BILL NO. 2078

Offered January 23, 1995

A BILL to amend the Code of Virginia by adding a section numbered 15.1-11.2:2, relating to authority of certain local governments to remove or repair the defacement of certain public or private real property.

Patrons—Diamonstein, Almand, Crittenden, Mims and Stump; Senators: Calhoun, Waddell and Walker

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 15.1-11.2:2 as follows:

§ 15.1-11.2:2. Authority of counties, cities and towns to remove or repair the defacement of buildings, walls, fences and other structures.

The governing body of any county, city or town, by ordinance, may 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. Prior to such removal, the locality shall seek the written permission of the property owner. Should the property owner fail to provide such permission within ten days, the locality may maintain a public nuisance action against the property owner in order to compel the property owner to allow removal or repair of the defacement. After receiving the written permission or the appropriate court order, the locality may undertake the removal or repair of the defacement. All such removal or repair shall be at the expense of the locality.

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