

LD2023726

## SENATE BILL NO. 1051

Senate Amendments in [ ] — February 2, 1995

A BILL to amend and reenact § 15.1-11.2 of the Code of Virginia, relating to authority of localities to remove or repair structures.

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Patron—Quayle

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Referred to the Committee on Local Government

**Be it enacted by the General Assembly of Virginia:****1. That § 15.1-11.2 of the Code of Virginia is amended and reenacted as follows:**

§ 15.1-11.2. Authority to require removal, repair, etc., of buildings and other structures.

The governing body of any county, city or town may, by ordinance, provide:

(1) 1. That the owners of property therein, shall at such time or times as the governing body may prescribe, remove, repair or secure any building, wall or any other structure which might endanger the public health or safety of other residents of such county, city or town;

(2) 2. That the governing body of such county, city or town through its own agents or employees may remove, repair or secure any building, wall or any other structure which might endanger the public health or safety of other residents of such county, city or town, wherein the owner and lien holder of such property after reasonable notice and a reasonable time to do so, has failed to remove, repair or secure said building, wall or other structure. [ For purposes of this section, reasonable notice shall include a written notice (i) mailed by certified or registered mail, return receipt requested, sent to the last known address of the property owner and (ii) published in a newspaper having general circulation in the locality. No action shall be taken by the locality to remove, repair or secure any building, wall or other structure for at least five days following the later of the return of the receipt or newspaper publication. ] A bill in equity shall be filed in the circuit court of the county or city in which such property is located asking the owners of such building, wall or other structure to remove, repair or secure same as may be appropriate. Any party who is not otherwise served shall be served by publication pursuant to § 8.01-316;

(3) 3. That in the event the governing body of such county, city or town, through its own agents or employees removes, repairs or secures any building, wall or any other structure after complying with the notice provisions of this section, the cost or expenses thereof shall be chargeable to and paid by the owners of such property and may be collected by the county, city or town as taxes and levies are collected;

(4) 4. That every charge authorized by this section with which the owner of any such property shall have been assessed and which remains unpaid shall constitute a lien against such property ranking on a parity with liens for unpaid local taxes and enforceable in the same manner as provided in Articles 3 (§ 58.1-3940 et seq.) and 4 (§ 58.1-3965 et seq.) of Chapter 39 of Title 58.1.

ENGROSSED

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