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SENATE BILL NO. 727

Senate Amendments in [] — February 6, 1995

A BILL to amend and reenact § 15.1-867 of the Code of Virginia, relating to abatement or removal of nuisances by municipalities.

Patrons—Lucas, Quayle and Saslaw; Delegates: Melvin and Moore

Referred to the Committee on Local Government

Be it enacted by the General Assembly of Virginia:**1. That § 15.1-867 of the Code of Virginia is amended and reenacted as follows:**

§ 15.1-867. Abatement or removal of nuisances.

A municipal corporation may compel the abatement or removal of all nuisances, including but not limited to the removal of weeds from private and public property and snow from sidewalks; the covering or removal of offensive, unwholesome, unsanitary or unhealthy substances allowed to accumulate in or on any place or premises; the filling in to the street level, fencing or protection by other means, of the portion of any lot adjacent to a street where the difference in level between the lot and the street constitutes a danger to life and limb; the raising or draining of grounds subject to be covered by stagnant water; [and and] the razing or repair of all unsafe, dangerous or unsanitary public or private buildings, walls or structures which constitute a menace to the health and safety of the occupants thereof or the public [; and any other dangerous or negligent act or situation created by an individual or entity that endangers the public or damages public or privately owned property or has the potential to endanger such properties (in case of an emergency, the municipality shall have the authority to eliminate the situation without notice in the interest of public safety and still collect the costs thereof from the person, entity, owner or occupant that created the situation)] . If after such reasonable notice as the municipal corporation may prescribe the owner or owners, occupant or occupants of the property or premises affected by the provisions of this section shall fail to abate or obviate the condition or nuisance, the municipal corporation may do so and charge and collect the cost thereof from the owner or owners, occupant or occupants of the property affected in any manner provided by law for the collection of state or local taxes. [In the case of an emergency in a city with a population between 100,000 and 110,000, the governing body shall have the authority to abate or to remove persons engaged in noisy, lewd, disorderly or disruptive conduct outside of a business licensed to sell and serve alcoholic beverages on-premises, without notice to the person, entity, owner or occupant of the licensed business that created or resulted in such conduct, and to charge and collect the cost thereof to such person, entity, owner or occupant of the business.]

ENGROSSED

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