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SENATE BILL NO. 710**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Counties, Cities and Towns
on February 14, 1997)

(Patron Prior to Substitute—Senator Whipple)

A BILL to amend and reenact § 18.02 as amended of Chapter 323 of the Acts of Assembly of 1950, which provided a charter for the City of Falls Church, and to amend such chapter by adding a chapter numbered 19A, containing sections numbered 19A.01 through 19A.03, relating to eminent domain and economic development.

Be it enacted by the General Assembly of Virginia:

1. That § 18.02 as amended of Chapter 323 of the Acts of Assembly of 1950 is amended and reenacted and that such chapter is amended by adding a chapter numbered 19A, containing sections numbered 19A.01 through 19A.03, as follows:

§ 18.02. The city is hereby authorized to acquire by condemnation proceedings lands, buildings, structures and personal property or any interest, right, easement or estate therein, of any person or corporation, whenever in the opinion of the council a public necessity exists therefor, ~~which~~ *in accordance with the purposes and procedures set forth in the Code of Virginia, and for the public purpose of the purchase, clearing, renovation, rehabilitation, disposition or resale for development of properties within the city which are necessary for the public welfare, public uses and public purposes, including the stimulation and promotion of industrial and economic development. This condemnation authority includes the necessary public purpose of economic redevelopment of land zoned commercial or industrial only and does not include residentially zoned property. Such condemnation authority for commercial and industrial redevelopment shall not be used to acquire property on which an established business is currently operating or has been operating during the previous six months. The specific public purpose for condemnation shall be expressed in the resolution or ordinance directing such acquisition, and whenever the city cannot agree on terms of purchase or settlement with the owners of the subject of such acquisition because of the incapacity of such owner, or because of the inability to agree on the compensation to be paid or other terms of settlement or purchase, or because the owner or some one of the owners is a nonresident of the State or cannot with reasonable diligence be found in the State, or is unknown.*

Such proceedings shall be instituted in the court of appropriate jurisdiction.

CHAPTER 19A.**ECONOMIC DEVELOPMENT.**

§ 19A.01. *Industrial Development Authority.*

The Industrial Development Authority of the City of Falls Church, Virginia, shall be continued in full force and effect, and nothing in this charter shall in any way limit, change, or modify any existing obligations, agreements or contractual arrangements of such authority.

§ 19A.02. *Economic Development Authority.*

The City of Falls Church Economic Development Authority shall be continued in full force and effect, and nothing in this charter shall in any way limit, change, or modify any existing obligations, agreements or contractual arrangements of such authority.

§ 19A.03. *Powers, etc.*

The Industrial Development Authority of Falls Church, Virginia, and the Falls Church Economic Development Authority shall have all powers, authority and obligations as are provided by state law and such other duties assigned by the city council not inconsistent therewith.

HOUSE SUBSTITUTE

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