

2008 SESSION

INTRODUCED

087041324

HOUSE BILL NO. 466

Offered January 9, 2008

Prefiled January 7, 2008

A BILL to amend and reenact § 15.2-2208 of the Code of Virginia, relating to restraining certain violations.

Patrons—Watts, Albo, Amundson, Bulova, Hugo, Marsden, Plum, Rust, Scott, J.M., Sickles and Vanderhye; Senators: Cuccinelli, Herring, Petersen, Puller, Saslaw and Whipple

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-2208 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-2208. Restraining violations of chapter.

A. Any violation or attempted violation of this chapter, or of any regulation adopted hereunder may be restrained, corrected, or abated as the case may be by injunction or other appropriate proceeding.

B. *At any time after the filing of an injunction or other appropriate proceeding to restrain, correct or abate a zoning ordinance violation related to the maximum number of residential dwelling units permitted on a lot or the maximum occupancy limitations of a residential dwelling unit and where the owner of the real property is a party to such proceeding, the zoning administrator or governing body may file a notice of zoning ordinance enforcement action in the land records of the circuit court where the injunction or other proceeding is pending. Such notice of zoning ordinance enforcement action shall set forth the title of the injunction or other proceeding, the court where the proceeding is pending, the nature of the zoning ordinance violation, a description of the real property, and the name of the real property owner. Upon filing with the circuit court land records, the notice of zoning ordinance enforcement action shall be admitted to record in a deed book by the clerk of the circuit court and shall be indexed in the grantor's index in the name of the owner of the real property. Once recorded and indexed, the owner's successors in interest and assigns shall be bound by the outcome of the court proceedings.*

INTRODUCED

HB466