

2011 SESSION

INTRODUCED

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HOUSE BILL NO. 2247

Offered January 12, 2011

Prefiled January 12, 2011

A *BILL to amend the Code of Virginia by adding a section numbered 15.2-906.2, relating to repair of potholes on private property.*

Patron—Torian

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 15.2-906.2 as follows:

§ 15.2-906.2. Authority of localities to require repair of potholes within private highways, streets, rights-of-way, easements, etc.; penalties.

Any locality may by ordinance require the repair of potholes within private highways, streets, rights-of-way, easements, pedestrian ways, roads open to the public, and parking lots open to the public that are designed to accommodate 35 or more vehicles. The ordinance shall apply only to private property where the public is invited for business purposes. The ordinance may provide that whenever the property owner, after reasonable notice, fails to perform repair to the pothole that the locality deems necessary for public safety, the locality may have such pothole repaired by its agents or employees. In the event that the locality undertakes repair or contracts for such repair, the cost and expenses thereof shall be chargeable to and paid by the owner of such property and may be collected by the county as taxes and levies are collected. Violation of such ordinance may be punishable by a civil penalty not to exceed \$100 for the first offense and \$250 for subsequent offenses up to a maximum of \$3,000 in any 24 month period.

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HB2247