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HOUSE BILL NO. 1853

Offered January 9, 2019

Prefiled January 2, 2019

A BILL to amend and reenact § 55-513.2 of the Code of Virginia, relating to the Virginia Property Owners' Association Act; home-based businesses.

Patrons—Bulova, Lindsey and Murphy

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That § 55-513.2 of the Code of Virginia is amended and reenacted as follows:

§ 55-513.2. Home-based businesses permitted; compliance with local ordinances.

A. Except to the extent the declaration provides otherwise, no association shall prohibit any lot owner from operating a home-based business within his personal residence. The association may, however, establish (i) reasonable restrictions as to the time, place, and manner of the operation of a home-based business and (ii) reasonable restrictions as to the size, place, duration, and manner of the placement or display of any signs on the owner's lot related to such home-based business. Any home-based business shall comply with all applicable local ordinances.

B. *If a development is located in a locality that classifies home-based child care services as an accessory or ancillary residential use under the locality's zoning ordinance, the provision of home-based child care services in a personal residence shall be deemed a residential use unless expressly (i) prohibited or restricted by the declaration or (ii) restricted by the association's bylaws or rules as provided in subsection A.*