

BOARD OF SUPERVISORS
COUNTY OF RUSSELL
LEBANON, VIRGINIA

Ordinance

At a regular meeting of the Russell County Board of Supervisors held in the Russell County Government Center, Lebanon, Virginia on the 1st day of April, 2013:

<u>Present</u>	<u>Vote</u>
Jon Bowerbank, Chairman	Aye
Joseph Puckett, Vice Chairman	Aye
Bob Gibson	Nay
Ernest "Shy" Kennedy	Aye
Larry Rasnake	Aye
Danny L. Brown	Nay
Rebecca Dye	Nay

On motion of Ernest "Shy" Kennedy, seconded by Joseph Puckett, which carried 4-3, the following ordinance was adopted:

ORDINANCE TO COMPEL THE REPAIR OR REMOVAL OF
BUILDINGS AND OTHER STRUCTURES WHICH MIGHT
ENDANGER THE PUBLIC HEALTH OR SAFETY

WHEREAS, Section 15.2-906 of the Code of Virginia, 1950, as amended, authorizes Russell County to enact an ordinance to compel property owners to remove, repair or secure any building, wall or any other structure which might endanger the public health or safety of other residents of Russell County; and

WHEREAS, in order to properly enforce the Virginia Uniform Statewide Building Code, the Russell County Board of Supervisors deem it necessary to enact such an ordinance.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Russell County Board of Supervisors:

1. That the owners of any property located within Russell County shall at such time or times as the Board of Supervisors, acting through its Building Inspector may prescribe, remove, repair or secure any building, wall or any other structure which might endanger the public health or safety of other residents of the County.
2. That the County, acting through its Building Inspector and other agents or employees may remove, repair or secure any building, wall or any other structure which might endanger the public health or safety of other residents of the County, if the owner and lien holder of such property after reasonable notice and a reasonable time to do so, has failed to remove, repair or secure the building, wall or other structure. Notice shall be given by: (i) a written notice

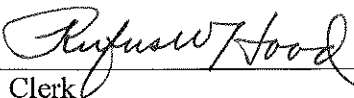
mailed by certified or registered mail, return receipt requested, sent to the last known address of the property owner; and (ii) published once a week for two consecutive weeks in a newspaper having general circulation in the County. All recommendations to repair or secure any building or structure shall be brought before the Board of Supervisors in an open meeting for discussion and approval before any action is taken. Further, no action shall be taken by the County to remove, repair or secure any building, wall or other structure for at least thirty (30) days following the later of the return of the receipt or newspaper publication.

3. That in the event the County, acting through its agents or employees, removes, repairs or secures any building, wall or any other structure after complying with the notice provisions of this Ordinance, the cost or expenses thereof shall be chargeable to and paid by the owners of such property and may be collected by the locality as taxes are collected.
4. That every charge authorized by this Ordinance with which the owner of any such property has been assessed and which remains unpaid shall constitute a lien against such property ranking on a parity with liens for unpaid local taxes and enforceable in the same manner as provided in Articles 3 (§ 58.1-3940 *et seq.*) and 4 (§ 58.1-3965 *et seq.*) of Chapter 39 Title 58.1. The County may waive such liens only as to a purchaser who is unrelated by blood or marriage to the owner and who has no business association with the owner. All such liens shall remain a personal obligation of the owner of the property at the time the liens were imposed.
5. If an owner fails to remove, repair or secure any building, wall or any other structure which might endanger the public health or safety of other residents of the County, after having been given reasonable notice and a reasonable time to do so, shall be punishable by a \$1,000.00 civil penalty.
6. This Ordinance shall supersede and take the place of all previous Ordinances Compelling the Repair and Removal of Buildings and Structures Which Might Endanger the Public Health or Safety, as previously adopted.
7. All ordinances and portions of ordinances in conflict with the provisions of this Ordinance are hereby repealed.
8. Should any part or provision of this Ordinance be found to be invalid due to conflict with federal or state law or regulation, or found to be otherwise invalid by any court of competent jurisdiction, such invalidity shall in no way affect any other provision of this Ordinance, and the invalid portion of such Ordinance shall be deemed to be deleted here-from without affecting any other provision of this Ordinance.

This ordinance shall become effective April 1, 2013.

Adopted this 1st day of April, 2013

Attest:


Clerk


JON BOWERBANK, CHARIMAN
Russell County Board of Supervisors