

DANGEROUS STRUCTURES

Chapter 38**DANGEROUS STRUCTURES**

- § 38-1. Purpose; Legislative Authority**
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§ 38-3. Violations

§ 38-1 Purpose; Legislative Authority

The purpose of this chapter is to protect public health, safety and welfare by addressing dangerous buildings, walls and other structures as provided for in the Code of Virginia Section 15.2-906.

§ 38-2 Removal, repair, etc. of buildings and other structures

In addition to any other remedies provided by this Code or the Code of Virginia, the Town may protect public health, safety and welfare by addressing dangerous buildings, walls and other structures as provided in this section.

- A. The owners of property in the Town shall remove, repair or secure any building, wall or any other structure that might endanger the public health or safety of other residents of the Town at such time or times as the Town Council may prescribe by resolution or ordinance.
- B. The Town, through its agents or employees may remove, repair or secure any building, wall or any other structure that might endanger the public health or safety of other residents of the Town if the owner and lien holder(s) of such property have failed to remove, repair, or secure the building, wall or other structure after reasonable notice has been provided and the time to act provided in that notice has elapsed.
 1. For purposes of this section, repair may include maintenance work to the exterior of a building to prevent deterioration of the building or adjacent buildings.
 2. For purposes of this section, reasonable notice includes a written notice (i) 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 successive weeks in a newspaper having general circulation in the locality.
 3. No action shall be taken by the Town to remove, repair, or secure any building, wall, or other structure for at least 30 days following the later of the return of the receipt or newspaper publication, except that the Town may take action to prevent unauthorized access to the building within seven days of such notice if the

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structure is deemed to pose a significant threat to public safety and such fact is stated in the notice.

- C. In the event that the Town, through its own agents or employees, removes, repairs, or secures any building, wall, or any other structure after complying with the notice provisions of this section or as otherwise permitted under the Virginia Uniform Statewide Building Code in the event of an emergency, the cost or expenses thereof shall be chargeable to and paid by the owners of such property and may be collected by the Town as taxes are collected.
- D. Every charge authorized by this section or the Code of Virginia § 15.2-900 with which the owner of any such property has been assessed and that remains unpaid shall constitute a lien against such property ranking on a parity with liens for unpaid local real estate 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 of Title 58.1, Code of Virginia. The Town Council may by resolution waive such liens in order to facilitate the sale of the property. Such liens may be waived 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.

§ 38-3 Violations

The Town may impose and collect civil penalties, not to exceed a total of \$1,000, for violations of this section.