

ORDINANCE NO. 5111

AN ORDINANCE to amend and reordain Sections 8-1-111 (DEFINITIONS), 8-1-113 (RENTAL INSPECTION DISTRICTS ESTABLISHED), and 8-1-120 (RIGHT OF ENTRY) of Article G-1 (RESIDENTIAL RENTAL INSPECTION DISTRICTS), of Title 8 (BUILDING CODE REGULATIONS) of the Code of the City of Alexandria, Virginia, 1981, as amended.

WHEREAS, Code of Virginia §36-105.1:1 and Virginia Administrative Code Section 13VAC5-63-470 authorize localities to establish programs to inspect residential rental dwelling units for compliance with the Virginia Uniform Statewide Building Code; and

WHEREAS the City of Alexandria established such a program in 2010 and codified it as City of Alexandria Code of Ordinances Sections 8-1-110 et seq.; and

WHEREAS Section 8-1-113 identified the geographical boundaries of the program by their “census tract” numbers; and

WHEREAS the City’s census tract numbers have changed since the adoption of 8-1-113; and

WHEREAS the City has no intention of adjusting the boundaries of the residential rental dwelling inspection program, or to bring any additional structures into the program, but only seeks to clarify that the 2000 census tracts continue to set the boundaries of the program; and

WHEREAS the City wishes to address other non-substantive / stylistic issues contained within City of Alexandria Code of Ordinances Sections 8-1-110 et seq.;

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Sections 8-1-111, 8-1-113, and 8-1-120 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby are, amended by eliminating the language that is struck-through and by adding the language that is underlined.

Sec. 8-1-111 - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Building Code means the Virginia Uniform Statewide Building Code.

Code official means the director of the department of code administration, any technical assistants who are employees of the department, or any designee of the director.

Conditions which immediately affect safe, decent and sanitary living conditions of persons occupying a residential rental dwelling unit include items that violate fire safety; lack of or poor condition of sanitary facilities; absence of adequate heating systems or equipment; items which affect the safe operation of electrical and mechanical systems; items which affect structural integrity of the building and/or the ability of the building envelope to keep out weather, or one or

more other conditions that if not corrected would be reasonably expected to become conditions that affect the safe, decent and sanitary living conditions of the occupants.

Disqualifying violation includes those conditions which affect safe, decent and sanitary living conditions of persons occupying a residential rental dwelling unit, or other conditions that violate the provisions of the building code, or multiple building code violations that indicate in their totality that the dwelling unit is not being properly maintained.

Dwelling unit means a building or structure or part thereof that is used for a home or residence by one or more persons who maintain a household. The term "dwelling unit" shall not include hospitals, nursing homes, convalescent homes or similar facilities providing medical care to the aged, infirm or disabled.

Multiple-family development means any structure, consisting of 10 or more residential rental dwelling units under common ownership and occupied for valuable consideration. The term "multiple-family development" shall not include mobile homes under common ownership in a mobile home park or subdivision; nor shall such term include single-family detached dwellings, duplex dwellings, or townhouse dwellings under common ownership.

Owner means the person or entity shown on the current real estate assessment books or current real estate assessment records of the city or the fee simple titleholder of the property if ownership has changed since such tax assessment records were last updated.

Residential rental dwelling unit means a dwelling unit that is leased or rented to one or more tenants month to month or for any period in excess of 30 days including, but not limited to, condominiums, manufactured or mobile homes, single-family detached dwellings, duplex dwellings, townhouse dwellings or multi-family dwellings (which shall include efficiency apartments and condominiums). However, a dwelling unit occupied in part by the owner thereof shall not be construed to be a residential rental dwelling unit unless a tenant occupies a part of the dwelling unit which has its own cooking and sleeping areas, and a bathroom, unless otherwise provided in the zoning ordinance—by the local governing body.

Sec. 8-1-113 - Rental inspection districts established.

Based upon the findings of city council as set forth in section 8-1-112 herein above, the following areas are included and hereby declared to be rental inspection districts which are subject to the requirements of this article:

East District: Year 2000 City of Alexandria Census tracts 7.00, 8.02, 12.02, 12.03, 12.04, 13.00, 14.00, 16.00, 18.01, 18.02, and 20.01.

West District. Year 2000 City of Alexandria Census tracts 1.01, 1.03, 1.04, 1.05, 3.01, 3.02, 3.03, 4.01, 4.02, 5.00, and 6.00.

A map showing the rental inspection districts described in section 8-1-113 is hereby adopted as a part of this article, and shall be available for public inspection in the code enforcement bureau. Said districts are hereinafter referred to collectively as "inspection districts" and individually as "inspection district."

Sec. 8-1-120 - ~~Right of entry~~ Enforcement.

Any person failing to comply with the inspection requirements of this article shall be subject to the civil penalties as stated in section 8-1-6.

Section 2. That Sections 8-1-111, 8-1-113, and 8-1-120, as amended pursuant to Section 1 of this Ordinance, be, and the same hereby are, re-ordained as part of the Code of the City of Alexandria.

Section 3. That this Ordinance shall become effective on the date and at the time of its final passage.

ALLISON SILBERBERG
Mayor

Final Passage: February 24, 2018