EXHIBIT NO. 1

19
12-13-05

Introduction and first reading:	12/13/2005
Public hearing:	12/17/2005
Second reading and enactment:	12/17/2005

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE to amend and reordain Section 8-1-30 (VIOLATIONS AND PENALTIES), of Article B (MISCELLANEOUS CONDITIONS OF PERMITS), Chapter 1 (BUILDING CODE), Title 8 (BUILDING CODE REGULATIONS) of The Code of the City of Alexandria, Virginia, 1981, as amended.

Summary

The proposed ordinance establishes civil penalties, in lieu of crimainal penalties, for violations of the City's storm and ground water regulations applicable to gutter, downspout, sump pump and similar discharges.

Sponsor

Staff

Emily Baker, City Engineer, Transportation & Environmental Services
Christopher Spera, Assistant City Attorney

Authority

§§ 2.01, 2.03(d), 2.04(m) Alexandria City Charter

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance and its Attachments (if any)

None

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EXHIBIT NO. 2

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Section 8-1-30 (VIOLATIONS AND PENALTIES), of Article B (MISCELLANEOUS CONDITIONS OF PERMITS), Chapter 1 (BUILDING CODE), Title 8 (BUILDING CODE REGULATIONS) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 8-1-30 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 8-1-30 Violations and penalties.

(a) With the exception of violations of Section 8-1-22, a violation of any section or provision of this article shall be a misdemeanor, and any person found guilty of any such violation shall, upon conviction, be punished by a fine of not more than $500. Each day a violation of any section or provision of this article continues shall be deemed a separate violation. Notwithstanding the foregoing, if the violation of a section or provision of this article is also a violation of a section or provision of article A of this chapter, then section 8-1-6 shall apply to the violation in lieu of this section.

(b) A violation of any section or provision of this article may, in addition to and notwithstanding the penalty provided for in subsection (a) (c) or (d), be restrained, prohibited or enjoined by appropriate proceedings in a court of competent jurisdiction.

(c) Notwithstanding the provisions of subsection (a) and (b), any action or omission constituting a violation of a section or provision of this article which also constitutes a violation of a section or provision of article A shall only be subject to the penalties in section 8-1-6.

(d) Any violation of Section 8-1-22 of this article shall be a civil violation that shall be enforced through the levying of a civil penalty, pursuant to section 1-1-11 of this code, of $100 for a person's first violation and of $150 for each subsequent violation of the same section or provision. Each day during which a violation exists shall constitute a separate violation. However, a series of violations arising from the same operative set of facts shall not give rise to the levying of a civil penalty more frequently than once in any 10-day period, and shall not result in civil penalties exceeding a total of $3,000.

Section 2. That this ordinance shall become effective on the date and at the time of its final passage.

WILLIAM B. EUILLE
Mayor

Introduction: 12/13/05
First Reading:
Publication:
Public Hearing:
Second Reading:
Final Passage:

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