

**AN ORDINANCE TO AMEND CHAPTER 17 OF THE CODE OF CITY OF PORTSMOUTH, VIRGINIA (1988) BY AMENDING SECTIONS 17-1(c), 17-75(a), AND 17-134(a) PERTAINING TO RENTAL INSPECTION AND OTHER ENVIRONMENTAL INSPECTION ADMINISTRATIVE FEES.**

**BE IT ORDAINED** by the Council of the City of Portsmouth, Virginia:

1. That Sections 17-1(c), 17-75, and 17-134(a) of the Code of the City of Portsmouth, Virginia (1988) be amended and reordained to read as follows:

**Sec. 17-1. Dangerous buildings.**

(c) If an owner, agent for the owner or person in control of such building fails, refuses or neglects to comply with the notice provided for in subsection (b) of this section, the code official shall ascertain the cost to demolish and remove the building, structure or portion thereof and shall cause such building, structure or portion thereof to be demolished and removed from the lot or property. The code official shall thereafter transmit to the city treasurer a statement of all costs incurred including a ~~seventy-five dollar (\$75.00)~~ \$160.00 fee to cover the administrative expenses of the code official, which costs shall be added to the taxes assessed against the real property on which the nuisance existed and shall be collected with such taxes by any manner prescribed by law for the collection of city taxes. Such costs shall also be docketed in the nuisance abatement lien docket book maintained in the office of the city treasurer as a lien against the real property on which the nuisance existed, and shall rank on a parity with liens for unpaid local taxes, which lien shall exist until removed by payment of such costs in full. In lieu of causing the building, structure or portion thereof to be demolished, the director may institute legal proceedings as may be deemed necessary for the failure, refusal or neglect to comply with his order or notice.

**Sec. 17-75. Inspection fees.**

(a) Each applicant for a certificate of compliance required by this division for a dwelling or dwelling unit shall pay a fee of ~~thirty dollars (\$30.00)~~ \$40.00 for an initial rental inspection conducted prior to occupancy, ~~fifty dollars (\$50.00)~~ \$60.00 for an initial inspection conducted within five (5) days after occupancy, and ~~one hundred dollars (\$100.00)~~ \$110.00 for an initial inspection conducted after the fifth day of occupancy. A fee of ~~fifty dollars (\$50.00)~~ \$60.00 shall be charged for each reinspection.

**Sec. 17-134. Registration and permits required.**

(a) Whenever any building in the city is or hereafter becomes vacant or unoccupied and the building or any of its doors, windows or other openings cannot be securely closed by the conventional means used in the design of the building, as required by section 17-133, the owner of such building shall, within fifteen (15) days thereafter, secure such building against unauthorized entry by boarding up or by some other approved method; shall register such building with the director; and shall obtain therefor a permit. When such registration is accomplished and the fees as set forth in section 17-136 are paid, the director shall issue a permit allowing the building to be maintained in a boarded-up condition for a period of one (1) month from that date. Any building that becomes vacant or unoccupied and cannot be secured by the conventional means used in the design of the building, shall be deemed a nuisance and a threat to public safety and welfare. If, after written notice to the building's owner, with reasonable opportunity to comply, the building is not secured by boarding up or other approved method, the city manager or his designee may cause the building to be so secured. The actual cost of securing the building, together with an administrative fee of \$85.00, shall be charged to and collected from the building's owner.

2. That this ordinance shall take effect on July 1, 2004.

**ADOPTED** by the Council of the City of Portsmouth, Virginia at a meeting held on June 15, 2004.

Teste:

City Clerk