

AN ORDINANCE OF THE COUNTY OF MIDDLESEX, VIRGINIA  
PERTAINING TO SPOT BLIGHT ABATEMENT  
INCLUDING BLIGHT ABATEMENT AUTHORIZATION,  
BLIGHTED PROPERTY DEFINED, PROCEDURES FOR  
DECLARING BLIGHT; NOTIFICATION OF OWNER;  
PUBLIC HEARING

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MIDDLESEX  
COUNTY, VIRGINIA, THAT THE FOLLOWING ORDINANCE IS HEREBY  
ADOPTED:

**Section 1-1. - Purpose.**

The Board of Supervisors finds that deteriorating properties, including the improvements and the land on which they are built, have a deleterious effect on property values and the quality of life in the area surrounding them. This ordinance is enacted to provide for the abatement of blight which threatens the health, safety, morals and welfare of the community.

**Section 1-2. – Blight abatement authorized.**

The County may clear or repair any blighted property as defined in this ordinance in order to abate blight. In addition, the County may recover the cost of any clearing or repair of such property from the owner.

**Section 1-3. – Blighted property/spot blight/spot blight abatement plan defined.**

The term “blighted property” means any individual commercial, industrial, or residential structure or improvement that endangers the public’s health, safety, or welfare because the structure or improvement upon the property is dilapidated, deteriorated, or violates minimum health and safety standards, or any structure or improvement previously designated as blighted under the process for determination of “spot blight.”

The term “spot blight” means a structure or improvement that is a blighted property as defined herein.

“Spot blight abatement plan” means the written plan prepared by the owner or owners of record of the real property to address spot blight. If the owner or owners of record of the real property fail to respond as provided in Section 1-4 of this ordinance, the locality or the authority can prepare a spot blight abatement plan to address the spot blight with respect to an individual commercial, industrial, or residential structure or improvement, but may only implement such plan in accordance with the provisions in Section 1-4 of this ordinance.

**Section 1-4. – Procedures for declaring blight; notification of owner; public hearing.**

(a) The County Administrator or his designee shall make a preliminary determination that a property is blighted in accordance with Section 1-3. The County Administrator or his designee shall notify the owner by regular and certified mail sent to the last address shown on the County’s assessment records, specifying the reasons why the property is blighted. The owner shall have 30 days within which to respond in writing with a plan to cure the blight within a reasonable time.

(b) If the owner fails to respond within the 30-day period with a plan that is acceptable to the County Administrator or his designee, the County Administrator or his designee may prepare a proposed plan to abate the spot blight, request the Board of Supervisors to declare the property is blighted by ordinance, and request the Board of Supervisors to approve the proposed plan to abate the spot blight. The County Administrator or his designee shall send written notice and the proposed plan to the owner before the Board of Supervisors acts on the ordinance and proposed plan.

(c) If the Board of Supervisors declares the property is blighted by ordinance and approves the proposed plan, the County may carry out the approved plan to clear or repair the property in accordance with the approved plan, the provisions of this section, and applicable law. The County shall have a lien on all property so cleared or repaired under an approved plan to recover the cost of demolition or improvements made by the County to bring the blighted property into compliance with applicable building codes. The lien on such property shall bear interest at the legal rate of interest established in Code of Virginia § 6.1-330.53, beginning on the date the repairs are completed through the date on which the lien is paid. The lien shall be filed in the Circuit Court and shall be treated in all respects as a tax lien and enforceable in the same manner as provided by law. The County may recover its costs of clearing or repair from the owner of record of the property when the clearing or repairs were made at such time as the property is sold or disposed of by such owner. The costs of clearing or repair shall be recovered from the proceeds of any such sale.

**Section 1-5. – Provisions cumulative.**

The provisions of this ordinance shall be cumulative and shall be in addition to any remedies for spot blight or nuisance abatement that may be authorized by law.

**Adopted pursuant to the authority of Virginia Code §36-49.1:1.**

Adopted by the Board of Supervisors of Middlesex County, Virginia, on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, as follows:

	YES	NO
WAYNE H. JESSE, SR.	_____	_____
ELIZABETH HURD	_____	_____
PETER W. MANSFIELD	_____	_____
JOHN D. MILLER, JR.	_____	_____
CARLTON S. REVERE	_____	_____