

VIRGINIA MAINTENANCE CODE (VMC)

Code Enforcement enforces the Virginia Maintenance Code, which applies to existing dwellings, buildings and structures. The VMC is enforced through complaint response, inspector patrols and systematic exterior neighborhood inspections. The time allowed for correcting violations ranges from 24 hours to 30 days, depending on the nature and seriousness of violations. Failure to comply with notices can result in legal action that may result in fines up to \$2,500.

COMMON EXTERIOR VIOLATIONS

- Peeling, flaking and chipped paint
- Loose and missing roof shingles
- Missing or deteriorated siding
- Sheds or fences in disrepair
- Gutters rusted or hanging loose
- Vacant, open buildings
- Street number not properly displayed

COMMON INTERIOR VIOLATIONS

- Gas appliance Red Tagged by Virginia Natural Gas
- Plumbing leaks
- Electrical system hazards
- Inoperative heating systems
- Damage from leaking roofs
- Pest infestation
- Smoke detector missing or inoperative

UNSAFE BUILDINGS: Dilapidated, otherwise unsafe, or vacant and open buildings are posted with an Unsafe Building placard. Vacant and open buildings are required to be secured within 48 hours. Failure to comply will result in the building being secured by the city's contractor. If necessary to protect public safety, unsafe buildings may be demolished, with all costs charged to the owner.

EXTENSIONS: Extensions in the time allowed for correction of violations of the VMC may be granted if necessary repairs are temporarily delayed due to practical difficulties. A written request addressed to the Code Enforcement Division, including the address of the property, brief explanation of the difficulty and reasonable time frame for repairs must be received before the time allowed for compliance has expired.

RIGHT TO APPEAL: Any person aggrieved by the application of the VMC has the right to appeal within 14 days to the Board of Building Code Appeals. Notice of appeal shall be in writing, specify the grounds for the appeal, and be mailed or delivered to the Housing Code Administrator.

AFFORDABLE HOME REPAIR LOANS: Housing and Neighborhood Preservation has programs to assist in the repair or rehabilitation of private dwellings. For more information, call (757) 385-5750 or visit www.vbgov.com/housing.

VMC REQUIREMENTS

The following excerpts from the Virginia Maintenance Code are not complete or intended to be all inclusive. Other code requirements may apply to a particular property.

EXTERIOR PROPERTY AREAS

ACCESSORY STRUCTURES: All accessory structures, including detached garages, fences and walls shall be maintained structurally sound and in good repair.

EXTERIOR OF STRUCTURE

EXTERIOR PAINTING: All wood and metal surfaces shall be maintained in good condition. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted.

STREET NUMBERS: Each structure shall display assigned street numbers of at least 4 inches high and 1/2 inch wide, and visible from the public right-of-way.

STRUCTURAL MEMBERS: Structural members shall be maintained free of deterioration.

FOUNDATION WALLS: Shall be maintained plumb and free from open cracks and breaks.

EXTERIOR WALLS: Shall be weatherproof and maintained, free of holes, breaks, loose or rotting materials; and properly surface coated where required to prevent deterioration.

ROOFS & DRAINAGE: Roof and flashing shall be sound, tight, and not have defects which admit rain.

DECORATIVE FEATURES -- TRIM: All cornices, terra cotta trim, wall facing and similar decorative features shall be maintained in good repair.

CHIMNEY: Shall be maintained structurally safe, sound and in good repair. Exposed surfaces of metal or wood shall be protected against the elements by surface treatment to prevent decay or rust.

HANDRAILS & GUARDS: Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

WINDOWS & DOOR FRAMES: Shall be maintained weather tight and properly maintained.

GLAZING: All glazing material shall be maintained free of cracks and holes.

OPENABLE WINDOWS: Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

DOORS: All exterior doors and hardware shall be maintained in good condition.

SWIMMING POOLS, SPAS & HOT TUB ENCLOSURES: Private pools, spas, and hot tubs must be completely surrounded by a fence or barrier at least 48 inches high, with self-closing and self-latching gates and doors. Pools must be kept clean and sanitary.

INTERIOR OF STRUCTURE

INTERIOR SURFACES: All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling paint, cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.

STAIRS & RAILINGS: All interior stairs and railings shall be maintained in sound condition and good repair.

HANDRAILS & GUARDS: Every handrail and guardrail shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

ACCUMULATION OF RUBBISH & GARBAGE: The interior of every structure shall be free from an accumulation of rubbish or garbage.

INFESTATIONS: All structures shall be kept free from insect and rat infestation.

HABITABLE SPACES -- VENTILATION: Every habitable space shall have at least one openable window of the proper dimensions.

REQUIRED FACILITIES: Every dwelling unit shall contain its own plumbing facilities consisting of a water closet and lavatory, bathtub or shower and kitchen sink that are in proper operating condition.

PLUMBING FIXTURES: All plumbing fixtures shall be maintained in a safe, sanitary and sound condition.

GENERAL -- WATER SYSTEMS: Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot/tempered and cold running water.

WATER HEATING FACILITIES: Shall be installed in an approved manner and properly maintained. Facilities shall be capable of heating water at a temperature of not less than 110 degrees F. (43 degrees C.).

COOKING & HEATING EQUIPMENT: All cooking and heating equipment, components and accessories in every heating, cooking and water-heating device shall be maintained free from leaks and obstructions.

INSTALLATION: All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

ELECTRICAL FACILITIES -- RECEPTACLES: Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Laundry areas shall contain at least one grounded type receptacle. Every bathroom shall contain at least one receptacle.

SMOKE DETECTORS: All residential occupancies shall be provided with operational smoke detectors in locations required when the structure was built.

CITY PROPERTY MAINTENANCE ORDINANCES

Property maintenance ordinances are enforced citywide and apply to undeveloped and developed private properties. The time allowed for correcting most property maintenance violations is seven days. Failure to comply may result in the correction of violations by the city's contractor, with all costs charged to the owner, or in legal action with possible fines of up to \$2,500. Vacant, accessible properties can be referred to the city's contractor for abatement. Occupied or inaccessible properties are usually addressed through legal action. Inoperable vehicles are towed if accessible.

COMMON PROPERTY MAINTENANCE VIOLATIONS

- Overgrown weeds or grass on vacant or developed lots (including easements behind townhouses)
- Open storage of junk
- Accumulations of litter and trash
- Tree hazards (dead, diseased, etc.)
- Inoperable vehicles on private property
- Waste Management violations involving storage or disposal of refuse
- Illegal dumping
- Public nuisances (stagnant pools)

CITY CODE REQUIREMENTS

The following property maintenance ordinances are not complete or intended to be all inclusive. Other code requirements may apply to a particular property.

SEC. 23-50 (a) TRASH, GARBAGE, REFUSE, LITTER: Any accumulation on land or premises, except for what is properly stored for weekly pickup, constitutes a violation.

SEC. 23-50 (b) OVERGROWTH OF GRASS & WEEDS: Growth in excess of 10 inches constitutes a violation.

MAINTENANCE REQUIREMENTS

FOR EXISTING DWELLINGS, BUILDINGS & PROPERTIES



CODE ENFORCEMENT

2424 COURTHOUSE DRIVE, BLDG. 18A
VIRGINIA BEACH, VA 23456
(757) 385-4421
HOUSENP@VBGOV.COM
WWW.VBGOV.COM/HOUSING

PENALTIES

1. An owner who fails to obtain a Certificate of Compliance inspection shall be subject to the penalties described in Section 16-11. Upon conviction, the owner shall be guilty of a misdemeanor punishable by a fine of not more than \$2,500.
2. The failure of an owner to affect compliance within the period of time specified in a Notice of Violation issued for a Temporary Certificate of Compliance or a Rejection Certificate shall be subject to the penalties described in Section 16-11. Upon conviction the owner shall be guilty of a misdemeanor punishable by a fine of not more than \$2,500. Each day that the violation continues shall be deemed a separate offense.

MULTI-FAMILY DEVELOPMENTS

Owners of multi-family complexes who are seeking an exemption are required to have a sampling of the total dwelling units inspected as follows:

- Ten percent of units (up to 100 units) with a minimum of two units inspected.
- Two additional units must be inspected for every 100 units thereafter (or portion thereof).

A four-year exemption is issued if no violations of the Virginia Maintenance Code are found. The complex can only be charged for a maximum of 10 units during an exemption inspection regardless of the number of units that are inspected.

HOW TO ISSUE COMPLAINTS

Code Enforcement utilizes an anonymous complaint system and does not relinquish the names and contact information of complainants. Complainants are not required to leave their name or contact information unless a response to complaints is requested. Complaints may be submitted via:

- Phone at (757) 385-4421
- Email at HouseNP@vbgov.com
- Website at www.vbgov.com/housing



The Virginia Beach Department of Housing & Neighborhood Preservation does business in accordance with the federal fair housing law and Section 504 program accessibility requirements. The department complies with the Fair Housing Act and provides reasonable accommodations and modifications to persons with disabilities. Virginia Beach Housing & Neighborhood Preservation does not discriminate on the bases of race, color, religion, sex, disability, familial status, national origin, sexual orientation or gender identity, in admission or access to its programs.

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SEC. 23-50-1 TREES; DEAD, DISEASED, ETC.: Trees on private property that are deemed hazardous must be removed or properly trimmed without delay.

GRAFFITI ABATEMENT PROGRAM

The program allows authorized agents to remove graffiti on *private property, which is visible from the public right-of-way*, by power washing or painting over defacements at *no cost to the property owner*.

CERTIFICATE OF COMPLIANCE RENTAL INSPECTION PROGRAM

In response to the need to ensure the continued quality of the city's rental housing, the Virginia Beach City Council instituted a requirement for a Certificate of Compliance (CC) inspection for certain rental dwellings. Section 16-12.1 of the City Code requires a satisfactory CC inspection for any rental dwelling or dwelling unit that is located in a census tract block group designated by the City Council as a Rental Inspection District. A map and list of the rental inspection districts are available at www.vbgov.com/housing, and at our office. It is the responsibility of the owner of rental dwellings to request that a CC inspection be conducted.

PROCEDURE FOR OBTAINING A CERTIFICATE OF COMPLIANCE RENTAL INSPECTION

CC inspections may be requested by calling Code Enforcement at (757) 385-4421. Requests must include the address of the dwelling, the owner's name, the name of the person meeting the inspector at the site and a contact phone number. An inspection shall be scheduled within 2 working days of the request. A fee of \$50 is required for the initial inspection including one reinspection if needed. An additional fee of \$50 will be required for each additional re-inspection. Payment can be made at the Code Enforcement office, mailed or given to the inspector prior to the inspection. Only checks or money orders are accepted.

TIME LIMITS

1. If the initial Certificate of Compliance inspection reveals no code violations, a Certificate of Compliance is issued with a 4 year exemption from the rental ordinance.
2. A Temporary Certificate of Compliance may be issued where there are no apparent health or safety hazards to an occupant. Occupancy of a dwelling is permitted for a time period necessary to correct the code violations (normally no more than 30 days).
3. A rejection certificate and an unsafe notice are issued if health and/or safety issues are noted. A timeframe of two to seven days is given for compliance.

SEC. 31-28 POINTS OF COLLECTION: Receptacles are to be placed on curb line by 7 a.m. on collection day, no earlier than 5 p.m. the preceding day, and removed from the street and stored behind the front plane of the building after collections on the same day.

SEC. 23-48 OPEN STORAGE OF JUNK: Rusted, deteriorated, dilapidated machinery, equipment, material, etc., is prohibited from being stored outside.

SEC. 16-40 INOPERABLE VEHICLES ON PRIVATE PROPERTY:

The following conditions constitute a violation:

- Vehicle that is not in operating condition.
- Vehicle partially or totally disassembled by removal of essential parts required for operation.
- Vehicle has neither valid license plates nor a valid inspection decal displayed. Placing a cover over an inoperable vehicle for which a notice of violation has been issued is prohibited.

SEC. 16-41.1 PARKING OF COMMERCIAL VEHICLES:

Parking of a commercial vehicle in residential or apartment zoning districts is prohibited except that:

- One commercial vehicle of one ton or less in carrying capacity, under seven feet in height and less than 20 feet in length may be parked on any lot where there is a main building owned or occupied by a resident of the premises.
- Commercial vehicles during the normal conduct of business or in the delivery or provision of service to a residential area are allowed.
- Parking of a semitrailer for commercial or industrial storage on a bona fide construction site.

SEC. 16-41.2 PARKING & STORAGE OF RECREATIONAL

EQUIPMENT: Recreational equipment such as trailers, boats, motor homes, off road vehicles, etc., can be stored in a residential area under the following limitations:

- Equipment shall be parked or stored on any lot within a building or behind every plan of a structure that is substantially parallel to and facing the public right-of-way.
- On through lots, such equipment may also be parked or stored on the portion of the lot that is clearly and physically the rear of the lot provided that it is substantially screened from the public right-of-way with a six-foot solid fence or equivalent vegetation or landscaping.
- On corner lots, such equipment may also be parked or stored on the portion of the lot that is clearly and physically the rear of the lot and behind the plane of the house parallel and closest to the public right-of-way.
- Such equipment may be parked in a driveway for a period not to exceed 24 hours for loading and unloading purposes only.
- Such equipment may be parked in a public street for a period not to exceed three hours.
- No such equipment shall be used for living, sleeping, or housekeeping purposes except in locations lawfully established for such use.