

HB 68 Parks and Recreational Facilities Act, Local; created.

Patron - Robert G. Marshall (all patrons) notes

Summary as introduced:

Local Parks and Recreational Facilities Act. Requires the Department of Conservation and Recreation to undertake a comprehensive assessment of the adequacy of public parks and recreational facilities provided by each Virginia locality. The bill sets forth factors that the Department must consider and requires that the locality cooperate during the assessment process. If the Department determines that a locality's parks or recreational facilities are inadequate or will be inadequate within five years, then the locality will have one year to develop a plan for curing such inadequacy. If the Department determines that such plan will not achieve adequacy, then it shall impose a parks and recreation residential impact fee upon the builder of each new residential unit in the locality, until such time as the parks and recreational facilities are adequate. The Department shall base such fee on the pro-rata impact of each additional residential unit on (i) existing parks and recreational facilities, and on (ii) the costs of improving or developing new parks or recreational facilities. The Department shall hold all collected fees on behalf of the locality in an interest-bearing escrow account, and shall make distributions for the development of new or improvement of existing parks and recreational facilities. The Board of Conservation and Recreation is authorized to promulgate regulations for the implementation of the Act.

Status:

01/14/04 House: Presented & ordered printed, prefiled 12/11/03 043108396

01/14/04 House: [Referred to Committee on Agr., Chesapeake & Natural Res.](#)

HB 100 Water and sewer connections; suspension.

Patron - Mark L. Cole (all patrons)

Summary as introduced:

Suspension of water and sewer connections. Provides that a locality or a water and waste authority may suspend connections to its water and sewer systems during periods when mandatory water conservation measures have been imposed by the locality or by the Commonwealth in the area of the proposed connection.

Status:

01/14/04 House: Presented & ordered printed, prefiled 12/17/03 047411272

01/14/04 House: [Referred to Committee on Counties, Cities and Towns](#)

01/16/04 House: [Assigned to C. C. T. sub-committee: 2](#)

HB 158 Nudist camps for juveniles; prohibited.

Patron - John S. Reid (all patrons) notes

Summary as introduced:

Nudist camps for juveniles. Provides that the Board of Health shall not issue a license to the owner or lessee of any hotel, summer camp, or campground in this Commonwealth

that maintains or conducts as any part of its activities a nudist camp for juveniles. A "nudist camp for juveniles" is defined to be a hotel, summer camp or campground that is attended by nude juveniles whose parents or legal guardians are not in attendance.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/05/04 040726488

01/14/04 House: [Referred to Committee on General Laws](#)

01/19/04 House: [Assigned to General Laws sub-committee: 3](#)

HB 188 Highway construction allocation; distribution of funds.

[Patron - Richard H. Black \(all patrons\)](#)

Summary as introduced:

Primary system highway construction allocation. Provides that funds for construction projects in the primary highway system will be distributed among the nine highway construction districts on the basis of vehicle miles traveled per lane-mile.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/06/04 046510236

01/14/04 House: [Referred to Committee on Transportation](#)

HB 335 Zoning ordinances; to promote quality water resources.

[Patron - Albert C. Pollard, Jr. \(all patrons\)](#) [notes](#)

Summary as introduced:

Zoning; water resources. Provides that the general purpose of promoting the health, safety or general welfare of the public shall explicitly include the authority, through zoning, subdivision, site plan and building permit actions, to regulate, restrict, permit, prohibit and determine the uses of land based upon the present availability of drinking water resources and upon objective measures of future water resource availability.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/12/04 041940468

01/14/04 House: [Referred to Committee on Counties, Cities and Towns](#)

01/16/04 House: [Assigned to C. C. T. sub-committee: 2](#)

HB 417 Zoning maps; indexing content.

[Patron - L. Scott Lingamfelter \(all patrons\)](#)

Summary as introduced:

Ready access to proffer cash payments and expenditures reports. Requires the local Conditional Zoning Index to provide ready access to all proffered cash payments and expenditures disclosure reports prepared by the local governing body for the Commission on Local Government. The bill also requires the local zoning administrator to update the Conditional Zoning Index annually and no later than November 30 of each year.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/13/04 043116380

01/14/04 House: [Referred to Committee on Counties, Cities and Towns](#)

01/16/04 House: Assigned to C. C. T. sub-committee: 2

HB 482 Residential development; imposition of impact fees.

Patron - [Mark L. Cole \(all patrons\)](#) [notes](#)

Summary as introduced:

Impact fees for residential development. Allows localities to adopt an ordinance providing for payment of impact fees for residential development. The impact fee shall be in an amount representing the proportional total or partial cost of capital improvements reasonably related to the transportation, education, and public safety needs for public facilities generated by the additional residential development. However, in no event shall the impact exceed five percent of the sale price of the property, or five percent of the assessed value if the property is not being sold, or \$10,000, whichever is less. No impact fee shall be assessed unless the capital improvements related to the additional development have been included in the locality's capital improvement program. All impact fees collected shall be used by the locality for the purpose of completing capital improvements specified in the ordinance.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/13/04 041957272

01/14/04 House: [Referred to Committee on Counties, Cities and Towns](#)

01/16/04 House: Assigned to C. C. T. sub-committee: 2

HB 496 Floodways or floodplains; unlawful to obstruct or contaminate.

Patron - [Terry G. Kilgore \(all patrons\)](#)

Summary as introduced:

Obstructing or contaminating state waters. Includes floodways and 100-year floodplains in the prohibition of obstructing or contaminating state waters. This bill also expands venue to include similar courts in contiguous localities and allows the court to award costs, including the costs of expert testimony, and reasonable attorney's fees up to \$25,000, to the prevailing party authorized to bring the action.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/13/04 046957372

01/14/04 House: [Referred to Committee on Agr., Chesapeake & Natural Res.](#)

HB 523 Trailer dealers; definition of trailer not to include modular buildings.

Patron - [Clarke N. Hogan \(all patrons\)](#) [notes](#)

Summary as introduced:

Department of Motor Vehicles; trailer dealers; definitions. Clarifies that the term "trailer" does not include a "modular building," which is defined as single and multifamily houses, apartment units, commercial buildings, and permanent additions thereof, comprised of one or more sections that are intended to become real property, primarily constructed at a location other than the permanent site, built to comply with the Virginia Industrialized Building Safety Law (§ 36-70 et seq.).

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/13/04 042727324

01/14/04 House: [Referred to Committee on Transportation](#)

HB 552 Bicycles, mopeds, etc.; restrictions on use on roadways.

Patron - Frank D. Hargrove, Sr. (all patrons)

Summary as introduced:

Bicycles and pedestrians. Prohibits riding of bicycles, etc, two or more abreast on highway roadways; makes other technical, editorial, and "housekeeping" changes.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/13/04 046706124

01/14/04 House: [Referred to Committee on Transportation](#)

HB 714 Zoning ordinances; notice for rezoning in areas adjacent to military installations.

Patron - G. Glenn Oder (all patrons) notes

Summary as introduced:

Zoning adjacent to military installations. Provides that every locality in whose jurisdiction a military base, military installation or military airport exists shall by ordinance provide that for any proposed rezoning that is within 3,000 feet of such base, installation or airport, the planning department shall give notice of such proposed rezoning to the commander of the base, installation or airport. The notice shall be given at least 30 days prior to the planning commission hearing and shall request that the commander submit written comments or recommendations to the planning commission regarding the suitability of the zoning proposal in view of its proximity to the base, installation or airport. The planning commission and governing body shall consider, but not be bound by, the comments or recommendations of the commander.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/13/04 047243100

01/14/04 House: [Referred to Committee on Counties, Cities and Towns](#)

01/16/04 House: [Assigned to C. C. T. sub-committee: 2](#)

HB 715 Subdivision ordinances; provisions relating to cable television oper. & pub. serv. corporations.
Patron - G. Glenn Oder (all patrons)

Summary as introduced:

Provisions of a subdivision ordinance. Clarifies provisions related to conveyance of easements to franchised cable television operators and public service corporations.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/13/04 049463408

01/14/04 House: Referred to Committee on Counties, Cities and Towns

01/16/04 House: Assigned to C. C. T. sub-committee: 2

HB 729 Subdivision ordinances; provisions to allow locality to determine adequate public facilities.
Patron - Robert G. Marshall (all patrons)

Summary as introduced:

Adequate public facilities; residential development deferral and impact fees; local bonds for infrastructure. Allows high-growth localities to adopt provisions in subdivision ordinances for the deferral of approval subdivision plats or site plans when existing schools, roads, public safety, sewer or water facilities are inadequate to support a proposed development. Infrastructure shall be deemed inadequate if, at the time of the submission of a plat or plan, or preliminary plat or plan where preliminary plats or plans are required, the cost to the locality of providing infrastructure necessary to serve the development proposed in such plat or plan at build out would exceed \$100,000. In order to defer approval of a plat or plan, a locality must have in force, or promptly initiate and diligently pursue the adoption, for the area in which the plat or plan is proposed, a capital improvement plan that provides that adequate infrastructure shall be available to serve the development shown in such proposed plat or plan within no more than 10 years of the date of submission of such plat or plan, provided that the plat or plan at the time of submission otherwise meets the requirements of the local ordinance for approval. The capital improvement plan shall be funded on at least an annual basis in an amount necessary to provide sufficient funds to ensure that those elements of infrastructure that were deemed inadequate for purposes of such deferral will be adequate at the end of such 10-year period. "High-growth locality" means any locality that has grown in population by more than one percent for at least three of the previous five years.

The bill authorizes the governing body of any high-growth locality to, through the use of bonds, finance the cost of new infrastructure or improvements to existing infrastructure determined or inadequate pursuant to a local ordinance authorized by this bill, provided that the locality shall have obtained a voluntary and binding commitment from the applicant to pay an impact fee equivalent to the annual principal and interest and for the period required to retire such bonds. The locality may secure such commitment in any reasonable manner that it deems necessary to insure the revenues necessary to retire such bond.

Finally, the bill adds to the general zoning statues the authority to adopt local ordinances related to the timing of development when public facilities are not deemed adequate by the local governing body.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/13/04 043128396

01/14/04 House: [Referred to Committee on Counties, Cities and Towns](#)

01/16/04 House: [Assigned to C. C. T. sub-committee: 2](#)

HB 819 Zoning ordinances; notice of amendment.

Patron - [Thelma Drake \(all patrons\)](#)

Summary as introduced:

Notice of zoning amendment. Provides that when a proposed amendment of the zoning ordinance involves a change to the applicable zoning ordinance text regulations that decreases the allowed dwelling unit density of 25 or fewer parcels of land, written notice shall be given by the local planning commission, or its representative, at least five days before the hearing to the owner or owners, their agent or the occupant, of each parcel involved.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/14/04 046529296

01/14/04 House: [Referred to Committee on Counties, Cities and Towns](#)

01/16/04 House: [Assigned to C. C. T. sub-committee: 2](#)

HB 820 Condemnation proceedings; rezoning of property.

Patron - [Thelma Drake \(all patrons\)](#)

Summary as introduced:

Rezoning of property that is subject to condemnation proceedings. Provides that once condemnation proceedings have been initiated by a locality, a locality shall not rezone the subject property without the consent of the property owner. If the subject property has been the object of a downzoning, without the consent of the property owner, within the five years previous to the initiation of the condemnation proceeding, the value of the subject property, for purposes of determining just compensation, shall be based on the previous zoning designation.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/14/04 044469296

01/14/04 House: [Referred to Committee on Counties, Cities and Towns](#)

01/16/04 House: [Assigned to C. C. T. sub-committee: 2](#)

HB 883 Conservation easements; holders to have principal office in State.

Patron - [Kenneth R. Plum \(all patrons\)](#)

Summary as introduced:

Conservation easements. Reduces the minimum number of years required for a holder of a conservation easement to have a principal office in the Commonwealth from five to three years.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/14/04 046594260

01/14/04 House: [Referred to Committee on Agr., Chesapeake & Natural Res.](#)

HB 893 Subdivision ordinances; provisions to allow locality to determine adeq. public facilities.

Patron - Mark D. Sickles (all patrons)

Summary as introduced:

Adequate public facilities. Allows any locality to adopt provisions in its subdivision ordinance for deferring the approval of subdivision plats or site plans when it determines that existing schools, roads, public safety, sewer or water facilities are inadequate to support the proposed development. Such deferrals cannot extend beyond 12 years, and applicants are entitled to approval of subdivision plats during the deferral period at the lowest density permitted in the locality for any zoning district. The bill specifies that any appraisal of property subject to a deferral under the bill shall reflect the effect of such deferral on the fair market value of the property. A locality may also consider the adequacy of public facilities in the preparation of its zoning ordinance. Also, the purposes of zoning ordinances are amended to include protection against undue rate of development in relation to existing or available public facilities.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/14/04 046436510

01/14/04 House: [Referred to Committee on Counties, Cities and Towns](#)

01/16/04 House: [Assigned to C. C. T. sub-committee: 2](#)

HB 941 Signs welcoming travelers to localities; regulation.

Patron - Albert C. Pollard, Jr. (all patrons)

Summary as introduced:

Signs. Allows local governing bodies to put up "welcome" signs within highway rights-of-way or within sight of highway rights-of-way to welcome travelers. These signs may include statements or phrases such as "birthplace of _____", "site of the _____," or "home of the _____."

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/14/04 042308468

01/14/04 House: [Referred to Committee on Transportation](#)

01/19/04 House: [Assigned to Tra. sub-committee: 1](#)

HB 955 Animal feeding operations; penalty for violation.
Patron - William K. Barlow (all patrons)

Summary as introduced:

Confined animal feeding operations. Clarifies that any civil penalty imposed for violating a confined animal feeding operation permit shall not exceed \$2,500 for any confined animal feeding operation that is covered by a Virginia Pollution Abatement permit.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/14/04 045470118

01/14/04 House: Referred to Committee on Agr., Chesapeake & Natural Res.

HB 966 Local governing bodies; additions and modification to a locality's official map.
Patron - William K. Barlow (all patrons)

Summary as introduced:

Additions and modification to a locality's official map. Allows local governing bodies to make additions or modifications to the official map without submitting a report to the planning commission and without holding a public hearing if such additions or modifications have already been approved in the locality's capital improvement program and subject to a public hearing.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/14/04 046541224

01/14/04 House: Referred to Committee on Counties, Cities and Towns

01/16/04 House: Assigned to C. C. T. sub-committee: 2

HB 1011 Transportation construction and maintenance; revises allocation system.
Patron - Thomas Davis Rust (all patrons)

Summary as introduced:

Transportation construction and maintenance. Revises Virginia's transportation construction and maintenance allocation system in accordance with recommendations made by the Joint Legislative Audit and Review Commission to the 2002 Session of the General Assembly.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/14/04 042300492

01/14/04 House: Referred to Committee on Transportation

HB 1020 Timber cutting; damages recoverable for encroachment.
Patron - James H. Dillard, II (all patrons)

Summary as introduced:

Damages recoverable for encroachment in timber cutting. Allows a person whose timber is cut without permission to pursue damages based upon a rebuttable presumption that the timber cutter is fully liable for double damages unless he provides written notice of his intent to cut timber upon land clearly marked and claimed as his at least 10 days prior to beginning operations, without objection from the adjacent landowner.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/14/04 045907292

01/14/04 House: [Referred to Committee on General Laws](#)

01/19/04 House: [Assigned to General Laws sub-committee: 1](#)

HB 1021 Timbering; notification of activities.

Patron - James H. Dillard, II (all patrons)

Summary as introduced:

Notification of timbering activities. Requires an operator of a commercial silvicultural activity to provide 10 days' advance notice to the State Forester of his intention to begin harvesting and the date on which such activity will begin. The operator's notification to the State Forester is to include a legal description of the property on which the tract is located, including the property tax parcel identification number and plat showing the boundaries of the tract on the parcel, as well as the location of any adjacent properties and their tax parcel identification numbers. The bill also gives the State Forester the authority to issue a summons for violations of the notification provisions.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/14/04 043830292

01/14/04 House: [Referred to Committee on Agr., Chesapeake & Natural Res.](#)

HB 1045 Agricultural Enterprise Zone Act; created.

Patron - Christopher B. Saxman (all patrons)

Summary as introduced:

Agricultural Enterprise Zone Act. Allows the Governor to establish agricultural enterprise zones upon application by localities with established agricultural or forestal districts, or purchase of development rights programs. "Qualified farm businesses" located in such zones may apply to the Department of Agriculture and Consumer Services for certain state business tax credits and sales tax exemptions. "Qualified farm businesses" are businesses establishing agricultural or forestal operations and making a net investment of at least \$250,000 and creating at least 5 new full-time jobs, or such operations already established if they have increased the number of full-time employees by at least 10 percent over the preceding 2 years.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/14/04 041301496

01/14/04 House: [Referred to Committee on Agr., Chesapeake & Natural Res.](#)

HB 1311 Subdivision ordinances; provision for family subdivision of property.

Patron - Joe T. May (all patrons)

Summary as introduced:

Family subdivisions of property; limited liability companies. Permits a limited liability company that owns property and whose membership consists entirely of members of an immediate family to divide the property among members of the limited liability company.

Status:

01/20/04 House: Presented & ordered printed 047370400

01/20/04 House: Committee Referral Pending

SB 88 Trailer dealers; certain exempt from zonig regulations in Fairfax Co.

Patron - Janet D. Howell (all patrons)

Summary as introduced:

Trailer dealers. Exempts trailer dealers whose principal place of business is located in Fairfax County and who sell trailers primarily through a searchable database on an Internet website from requirements that they satisfy all local zoning requirements and that they have sufficient display space for at least 10 trailers.

Status:

01/14/04 Senate: Presented & ordered printed, prefiled 01/05/04 042209744

01/14/04 Senate: Referred to Committee on Transportation

SB 252 Bicycles, mopeds, etc.; restrictions on use on roadways.

Patron - R. Creigh Deeds (all patrons)

Summary as introduced:

Operation of bicycles and similar vehicles. Requires that the driver of any "motor vehicle" (rather than the driver of any "vehicle") when overtaking and passing another "vehicle" (rather than another "motor vehicle") pass at least two feet to the left of the overtaken vehicle; allows operators of bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, or mopeds to signal right turns by extending the right hand and arm in a horizontal position straight from and level with the shoulder beyond the right side of the bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped, and to signal slowing down or stopping by extending the right arm downward; allows persons riding bicycles, electric personal assistive mobility devices, or electric power-assisted bicycles on highways to ride two abreast, provided they do not impede traffic and provided that they do not use more than a single lane; repeals authority for local governments to require by ordinance that persons riding bicycles and electric power-assisted bicycles use paths provided for their use and not the

roadway; requires that bicycle helmets at least meet the Consumer Product Safety Committee standard, rather than the standards of the American National Standards Institute or the Snell Memorial Foundation; requires that persons using bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, mopeds, roller skates, skateboards, or toys on any highway for transportation purposes shall keep as near as safely practicable to the far right side or edge of the right traffic lane, so that they will be proceeding in the same direction as other traffic; requires red taillights on bicycles, electric power-assisted bicycles, and mopeds when they are used between sunset and sunrise, and revises the standards for headlights used on bicycles, electric power-assisted bicycles, and mopeds.

Status:

01/14/04 Senate: Presented & ordered printed, prefiled 01/14/04 048176724

[01/14/04 Senate: Referred to Committee on Transportation](#)

SB 351 Subdivision ordinances; provisions to allow locality to determine adeq. water supply sources.

[Patron - R. Edward Houck \(all patrons\)](#)

Summary as introduced:

Local water supply facilities. Authorizes localities to include in their subdivision ordinances provisions allowing the locality to determine whether there are adequate water sources and drinking water distribution infrastructure to deliver sufficient and safe water for human consumption to meet the demand required by a new subdivision. Before it adopts such an ordinance, the locality must identify in its comprehensive plan, and in the local regional water plan required by the state, the (i) adequacy of public water supply facilities that will be used in making such a determination, (ii) the areas where such subdivisions may be located, and (iii) existing water supply and infrastructure needs in the potential growth area. If the locality determines that adequate water supply or related water facilities do not exist, it must provide a timeframe of when such supply or facilities will be adequate to meet the water demand. The determination of what constitutes an adequate water supply is based on the demand projections developed as part of the adopted local or regional water supply plan.

Status:

01/14/04 Senate: Presented & ordered printed, prefiled 01/14/04 043847740

[01/14/04 Senate: Referred to Committee on Local Government](#)

SB 482 Agricultural Enterprise Zone Act; created.

[Patron - Mark D. Obenshain \(all patrons\)](#)

Summary as introduced:

Agricultural Enterprise Zone Act. Allows the Governor to establish agricultural enterprise zones upon application by localities with established agricultural or forestal districts, or purchase of development rights programs. "Qualified farm businesses" located in such zones may apply to the Department of Agriculture and Consumer

Services for certain state business tax credits and sales tax exemptions. "Qualified farm businesses" are businesses establishing agricultural or forestal operations and making a net investment of at least \$250,000 and creating at least 5 new full-time jobs, or such operations already established if they have increased the number of full-time employees by at least 10 percent over the preceding 2 years.

Status:

01/14/04 Senate: Presented & ordered printed, prefiled 01/14/04 047248782

[01/14/04 Senate: Referred to Committee on Agriculture, Conservation & Nat.](#)

SB 529 Inoperable motor vehicles; definitions.

Patron - Emmett W. Hanger, Jr. (all patrons)

Summary as introduced:

Inoperable motor vehicles. Gives localities greater flexibility in defining "inoperable motor vehicles."

Status:

01/14/04 Senate: Presented & ordered printed, prefiled 01/14/04 049516268

[01/14/04 Senate: Referred to Committee on Local Government](#)

SB 580 Zoning ordinances; provisions for rezoning.

Patron - Patricia S. Ticer (all patrons)

Summary as introduced:

Permitted provisions in certain zoning ordinances. Allows localities whose entire geographic area is wholly or partially within an area designated as nonattainment for ozone to include provisions for (i) the reduction of approved uses, density, floor area ratio, or intensity applicable to specific property for which there has been no substantial construction activity performed in good faith pursuant to an approved permit with the preceding three years where the governing body has determined that existing transportation facilities and services, and those facilities for which construction contracts have been executed, are inadequate to meet the level of service specified for transportation in the adopted comprehensive plan and are projected to be inadequate should the property fully develop with the next three years in accordance with existing zoning regulations applicable to it and (ii) the adoption of transportation infrastructure overlay districts to allow, either as a matter of right under applicable zoning regulations or with the approval of a special exception, special use permit, or rezoning application, the transfer of some or all specified development rights from property located outside the boundaries of a transportation infrastructure overlay district to property located within such overlay district. Where adopted, transportation infrastructure overlay districts shall be established to encourage development in areas of the locality where mass transit and other existing or planned transportation facilities or services are projected to best meet the levels of service specified for transportation in the comprehensive plan.

Status:

01/16/04 House: Presented & ordered printed 046920828

01/16/04 Senate: Referred to Committee on Local Government

HB 679 Billboards or advertising signs; removal of those that are abandoned.

Patron - Melanie L. Rapp (all patrons)

Summary as introduced:

Removal of nonconforming abandoned signs. Allows localities to remove abandoned nonconforming signs if the property owner or agent of the property owner cannot be located with reasonable diligence, or if the sign has not been removed within 30 days of notification of nonconformance. The property owner shall be liable for removal and disposal costs, which until paid shall constitute a lien on all real estate owned by such property owner in the locality. Localities may waive such liens to facilitate the sale of the property, and may record a notice of lien in local land records. Under existing law, a sign is considered abandoned if the business for which it was erected has not been in operation for at least two years.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/13/04 049445480

01/14/04 House: Referred to Committee on Counties, Cities and Towns

01/16/04 House: Assigned to C. C. T. sub-committee: 2

HB 752 Public facilities impact fees; applicable in all localities.

Patron - Joe T. May (all patrons)

Summary as introduced:

Impact fees. Expands the existing road impact fee provisions to include school improvements and extends the applicability of such provisions from Northern Virginia localities to all localities. "Impact fee" is defined as a charge or assessment imposed against new development in order to generate revenue to fund or recover the costs of public facilities necessitated by and attributable to the new development. The value of any dedication, contribution or construction from the developer for off-site road improvements and school facility improvements within the service area shall be treated as a credit against the impact fee. Also, an obsolete sunset clause is deleted.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/14/04 047443400

01/14/04 House: Referred to Committee on Counties, Cities and Towns

01/16/04 House: Assigned to C. C. T. sub-committee: 2

HB 930 Septic systems; validity of septic tank permits.

Patron - Terrie L. Suit (all patrons)

Summary as introduced:

Validity of septic tank permits. Grandfathers certain septic tanks into the Board of Health's regulatory scheme. This bill declares that whenever any septic tank is failing and repair is required to remedy such failure, the Board of Health's regulatory standards and requirements in effect at the time such septic tank was issued will be applied to determine the extent of such repairs. No new application for a septic tank permit or the installation of a new septic tank pursuant to the most recent Board regulations shall be required. Whenever any septic tank repair is grandfathered under previous regulatory standards and requirements pursuant to this provision and the property on which such repaired septic tank is located is transferred or sold, the property owner must disclose in writing to any and all potential purchasers or mortgage holders that the septic tank was not repaired in accordance with the regulations in effect at the time of the repair and may require replacement.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/14/04 044020520

01/14/04 House: [Referred to Committee on Health, Welfare and Institutions](#)

HB 988 Land use proceedings; disclosures.

Patron - Timothy D. Hugo (all patrons)

Summary as introduced:

Disclosures in land use proceedings; penalty. Amends provisions requiring certain disclosures in land use proceedings in any county with the urban county executive form of government (Fairfax County) by eliminating the current \$200 gift threshold, and then makes such disclosure requirements applicable to all localities.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/14/04 040859104

01/14/04 House: [Referred to Committee on Counties, Cities and Towns](#)

01/16/04 House: [Assigned to C. C. T. sub-committee: 1](#)

HB 1177 Stormwater management programs; reorganization.

Patron - L. Preston Bryant, Jr. (all patrons)

Summary as introduced:

Stormwater management. Consolidates Virginia's stormwater management programs within the Department of Conservation and Recreation, and transfers oversight responsibilities to the Virginia Soil and Water Conservation Board from the Board of Conservation and Recreation.

Status:

01/14/04 House: Presented & ordered printed, prefiled 01/14/04 046686100

01/14/04 House: [Referred to Committee on Agr., Chesapeake & Natural Res.](#)

SB 58 Signs; maintenance and repair of nonconforming signs by Transportation Commissioner.**Patron - [Stephen H. Martin \(all patrons\)](#)**

Summary as introduced:

Nonconforming signs. Provides that maintenance of and repairs to nonconforming signs shall be governed by Chapter 7 (Outdoor Advertising in Sight of Public Highways) of Title 33.1 (Highways) and regulations promulgated by the Commonwealth Transportation Commissioner.

Status:

01/14/04 Senate: Presented & ordered printed, prefiled 12/24/03 042292760

[01/14/04 Senate: Referred to Committee on Transportation](#)

SB 182 Freedom of Information Act; excludes certain maps in geographic information systems.**Patron - [Harry B. Blevins \(all patrons\)](#)**

*Summary as introduced:***Freedom of Information Act (FOIA); exclusions from chapter; GIS systems.**

Excludes from the mandatory disclosure requirements of FOIA maps contained in a geographic information system that are developed from a combination of high resolution technologies, including digital orthophotography, digital terrain models or related ancillary proprietary data produced by any local governing body or by the Virginia Geographic Information Network (VGIN) division of the Virginia Information Technologies Agency in accordance with § 2.2-2027. However, nothing in this subdivision shall be construed to prohibit the disclosure of base line mapping or topography, including flat-line computer drawings contained in a geographic information system from which the maps excluded by this subdivision may be developed. As to VGIN, the bill codifies existing law. The bill also contains a technical amendment.

Status:

01/14/04 Senate: Presented & ordered printed, prefiled 01/13/04 047063702

[01/14/04 Senate: Referred to Committee on General Laws](#)

SB 204 Inoperable motor vehicles; to be shielded or screened from view.**Patron - [Frederick M. Quayle \(all patrons\)](#)**

Summary as introduced:

Inoperable motor vehicles. Defines "shielded or screened from view" as not visible by someone standing at ground level from outside of the property on which the subject vehicle is located.

Status:

01/14/04 Senate: Presented & ordered printed, prefiled 01/13/04 041948800

[01/14/04 Senate: Referred to Committee on Local Government](#)

SB 228 Land use proceedings; disclosures.**Patron - Ken T. Cuccinelli, II (all patrons)**

Summary as introduced:

Disclosures in land use proceedings; penalty. Amends provisions requiring certain disclosures in land use proceedings in any county with the urban county executive form of government (Fairfax County) by eliminating the current \$200 gift threshold, and then makes such disclosure requirements applicable to all localities.

Status:

01/14/04 Senate: Presented & ordered printed, prefiled 01/13/04 040858104

[01/14/04 Senate: Referred to Committee on Local Government](#)

SB 395 Inoperable motor vehicles; civil penalties for violations.**Patron - Thomas K. Norment, Jr. (all patrons)**

Summary as introduced:

Inoperable motor vehicles; civil penalties. Replaces the current civil penalty authority for enforcement of inoperable motor vehicle ordinances with provisions that currently apply to zoning violations. The penalty for an initial summons is increased from \$50 to \$100. The maximum penalty for a series of violations arising from the same set of operative facts is increased from \$3,000 to \$5,000.

Status:

01/14/04 Senate: Presented & ordered printed, prefiled 01/14/04 047574780

[01/14/04 Senate: Referred to Committee on Local Government](#)

SB 400 Local water-saving ordinances.**Patron - Thomas K. Norment, Jr. (all patrons)**

Summary as introduced:

Local water-saving ordinances. Permits localities to restrict the nonessential use of ground water during declared water shortages or water emergencies. This authority currently applies only to the City of Virginia Beach (described by population.)

Status:

01/14/04 Senate: Presented & ordered printed, prefiled 01/14/04 047577780

[01/14/04 Senate: Referred to Committee on Local Government](#)

SB 426 Stormwater; regulation of billing charges.**Patron - Frank W. Wagner (all patrons)**

Summary as introduced:

Regulation of stormwater; billing. Allows a locality to combine the billings for

stormwater charges with billings for water or sewer charges and to establish by ordinance the order in which payments will be applied to the different charges.

Status:

01/14/04 Senate: Presented & ordered printed, prefiled 01/14/04 047760832

[01/14/04 Senate: Referred to Committee on Local Government](#)

SB 437 Inoperable motor vehicles; to be shielded or screened from view.
[Patron - Mamie Locke \(all patrons\)](#)

Summary as introduced:

Inoperable motor vehicles. Amends existing provisions that apply to various localities as described by form of government or by population bracket, and makes such provisions available to all localities. Otherwise, the substance of the section, which allows localities by ordinance to prohibit any person from keeping an inoperable vehicle on certain property, except within a fully enclosed building or structure or otherwise shielded or screened from view, is unchanged.

Status:

01/14/04 Senate: Presented & ordered printed, prefiled 01/14/04 046497750

[01/14/04 Senate: Referred to Committee on Local Government](#)
