INTRODUCED: September 17, 2015

## AN ORDINANCE No. 2015-208-228

To amend City Code § 38-152, concerning unlawful accumulation, for the purpose of making it unlawful to permit the accumulation of certain furniture manufactured primarily for indoor use on any property or on any alley, sidewalk, public right-of-way, grass strips, or street abutting such property.

Patron – Mr. Agelasto

Approved as to form and legality by the City Attorney

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#### PUBLIC HEARING: SEPT 28 2015 AT 6 P.M.

#### THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That section 38-152 of the Code of the City of Richmond be and is hereby **amended** and reordained as follows:

# Sec. 38-152. Unlawful accumulation.

It shall be unlawful for any person who owns or occupies property within the city to permit the accumulation of trash, garbage, refuse, litter, junk, demolition materials, upholstered furniture manufactured primarily for indoor use located on the exterior of a fully-enclosed structure including unenclosed porches, or other offensive, unwholesome, unsightly, unsanitary

AYES:	9	NOES:	0	ABSTAIN:	
ADOPTED:	DEC 14 2015	REJECTED:		STRICKEN:	

or unhealthy substances on such property or on any alley, sidewalk, public right-of-way, grass strips, or street abutting such property.

§ 2. This ordinance shall be in force and effect upon adoption.



# Richmond City Council The Voice of the People Richmond, Virginia

Office of the Council Chief of Staff

# Ordinance/Resolution Request

ТО	Allen Jackson, Richmond City Attorney Richmond Office of the City Attorney				
THROUGH	Lou Brown Ali Council Chief of Staff				
FROM	William E. Echelberger, Jr, Council Budget Analyst				
COPY	Mr. Parker C. Agelasto, 5th District Representative Haskell Brown, Deputy City Attorney Vincent Jones, Council Deputy Chief of Staff Vincent Jones, 5th District Council Liaison				
DATE	September 2, 2015  RECIETY				
PAGE/s	1 of 2 SEP 0 2 20%				
TITLE	Outdoor use of Interior Furniture  OFFICE OF CITY ATTORNEY				
This is a reque	st for the drafting of an Ordinance 🛛 Resolution 🗌				
DECUECTING (	COUNTRIES AND A STATE OF THE ST				

# REQUESTING COUNCILMEMBER/PATRON

Mr. Parker C. Agelasto, 5th District Representative

# SUGGESTED STANDING COMMITTEE

Land Use and Transportation

# ORDINANCE/RESOLUTION SUMMARY

- The Patron requests an ordinance to amend §38-154.1. Unlawful nuisances, of the Richmond City Code, to add a new item to the list set out under subsection a that shall address the outdoor storage of furniture not designed and manufactured primarily for exterior use.
  - Use or storage of upholstered furniture, including matrasses, manufactured primarily for indoor use shall be prohibited on any front or side yard visible from any public place, sidewalk, or road.
  - Use or storage of upholstered furniture, including matrasses, manufactured primarily for indoor use shall be prohibited on any front or side porch.
  - Enforcement and penalty provisions shall be the same as for other items listed under §38-154.1. – Unlawful nuisances. These are set out in §§38-155, 156, and 157.

#### **BACKGROUND**

# **Summary:**

- Numerous localities prohibit the use or storage of furniture not designed or intended for exterior use on the exterior of properties. Examples include, but are not limited to:
  - Colonial Heights, Virginia.

o Emporia, Virginia.					
<ul> <li>Henrico, Virginia (Zoning Cod</li> </ul>	Henrico, Virginia (Zoning Code).				
<ul> <li>Such use can lead to rapid deterioration, thereby creating a public nuisance. In addition, such items may become fire hazards. (See attached flyer from the City of Charlottesville.)</li> </ul>					
Fiscal Impact:					
enforcement. Under existing c	no fiscal impact, since the City already engages in code code provisions, violations are assessed the actual cost of istralive fee in the event corrective action by the City is				
FISCAL IMPACT STATEMENT					
Fiscal Impact	Yes No 🛛				
Budget Amendment Required	Yes 🗌 No 🛛				
Estimated Cost or Revenue Impact	24				
The proposed resolution has no fisco	al impact.				
enforcement.	ed, since the City already engages in code n revenue generated by enforcement activity, however ated at this time.				

Attachment/s

Yes 🗌 No 🛛

Pichmond City Council Ordinance/Resolution Request Form/updated 10.5.2012 /srs