



## Legislation Text

---

**File #:** RES. 2019-R071, **Version:** 1

---

To request that the General Assembly of Virginia enact legislation to exempt the City from the requirements of Va. Code §§ 15.2-1812, 15.2-1812.1, and 18.2-137, and from § 17.02 of the City Charter so that the City Council may determine the disposition of memorials and monuments located on public property owned by the City as it deems appropriate and to the extent otherwise permitted by law.

WHEREAS, section 15.2-1812 of the Code of Virginia (1950), as amended, limits the power of localities or any other persons to disturb or interfere with monuments or memorials in Virginia for wars or conflicts; and

WHEREAS, section 15.2-1812.1 of the Code of Virginia (1950), as amended, imposes civil liability on any party that violates or encroaches upon a monument, marker, or memorial for war veterans as designated in sections 15.2-1812 and 18.2-137 of the Code of Virginia (1950), as amended; and

WHEREAS, section 18.2-137 of the Code of Virginia (1950), as amended, imposes criminal liability on any person who unlawfully breaks down, destroys, defaces, damages, or removes any monument or memorial for war veterans described in section 15.2-1812 of the Code of Virginia (1950), as amended; and

WHEREAS, section 17.05 of the Charter of the City of Richmond (2010), as amended, requires the City to preserve historical landmarks such as these five statues on Monument Avenue in place as part of the City's Master Plan; and

WHEREAS, the City Council believes that it is in the best interests of the City of Richmond that the General Assembly of Virginia enact legislation, notwithstanding any law, general or special, to the contrary, to exempt the City from certain preservation requirements, including but not limited to, sections 15.2-1812, 15.2-1812.1, and 18.2-137 of the Code of Virginia (1950), as amended, and from section 17.05 of the Charter of the City of Richmond (2019), as amended, so that the City Council may determine the disposition of memorials

and monuments located on public property owned by the City as it deems appropriate and to the extent otherwise permitted by law;

NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:

That the City Council hereby requests that the General Assembly of Virginia enact legislation, notwithstanding any law, general or special, to the contrary, to exempt the City from certain preservation requirements, including but not limited to, sections 15.2-1812, 15.2-1812.1, and 18.2-137 of the Code of Virginia (1950), as amended, and from section 17.05 of the Charter of the City of Richmond (2019), as amended, so that the City Council may determine the disposition of memorials and monuments located on public property owned by the City as it deems appropriate and to the extent otherwise permitted by law.