

Virginia Maintenance Code Guidance Document

Overview

In accordance with Town Code Chapter 4, Buildings and Structures (Section 4.3) the Town of Culpeper has adopted the Virginia Maintenance Code to provide the Town with the tools needed to deal with not only unsafe structures and structures unfit for human habitation but also those tools needed to reduce blight and maintain property values. The Town wishes to enforce the Maintenance Code in a measured way which concentrates focus and efforts on education and the most serious violations while providing our citizens a reasonable amount of time to remedy a violation. To this end, the following Guidance Document has been developed to guide staff in the enforcement of the adopted maintenance code to insure a fair and measured approach is taken.

Requirements for Maintenance Code Official

The Town's Maintenance Code Official(s) shall be certified by the Commonwealth of Virginia's Board of Housing and Community Development. Code Officials are required to complete mandatory continuing education every 2 years in order to maintain certifications.

Enforcement

Upon receipt of a complaint or a condition found during an inspection in violation of the code, the Code Official will abide by the following process:

- A. A site determination will be made by the Code Official as to the extent of building maintenance required, if any. Inspections will be specific to each site.
- B. If the Code Official determines that the maintenance is minor and not a danger to the health, safety, and welfare of the occupants (as defined in Chapter 2 of the Virginia Maintenance Code), they may elect to issue a courtesy letter informing the applicant of the item(s) to be addressed. The code official will also provide educational information regarding the importance of proper maintenance of common building elements.
- C. Once a courtesy letter is issued, the Code Official will periodically monitor the progress of the required improvements to ensure that all of the identified violations are addressed within a reasonable time frame. If the identified violation is not corrected within a reasonable time frame, the Code Official may issue a violation notice dependent on the severity of the violation.
- D. If the Code Official determines the maintenance code violation is dangerous to the health, safety and welfare of the occupants (as defined in Chapter 2 of the Virginia Maintenance Code) a "violation notice" will be issued.
 - a. All violations are to be remedied prior to the one year anniversary of the issuance of a violation notice. Prosecutions under Virginia State Code 36-106, concerning maintenance of existing buildings, require commencement of legal proceedings to begin within one year of a violation notice being issued.

- E. The Code Official shall consult and seek approval of the Director of Planning and Community Development as well as the Town Manager prior to issuing a violation notice. In the case where a life safety issue is identified and the Code Official believes the immediate issuance of a violation notice is required, the Code Official may issue the violation notice and notify the Director of Planning and Community Development and Town Manager after the issuance of the violation notice.