

Virginia Maintenance Code Updates

One previous limitation of the VMC was that it did not apply to structures built before the 1973 adoption of the Uniform Statewide Building Code (USBC). Effective July 1, properties built prior to 1973 are now subject to non-construction related regulations, meaning it is now subject to regulations relating to peeling paint and other non-construction maintenance regulations.

Costs and Options for VMC

Approaches by localities in Virginia range widely. Some localities have partially adopted only the VMC's exterior or interior regulations (such as for overcrowding or hoarding). Approaches also range from full-proactive, locality-wide, to proactive only in certain neighborhoods or only in the urban area. Still other localities are not proactive and instead are responsive to complaints (see Attachment C.) Some localities, such as Spotsylvania, have found the staff resources required for full VMC adoption to be too significant and later contracted to partial-VMC adoption to focus the program on addressing overcrowding. Though a menu of VMC options may be available, all would necessitate additional staff resources. If the VMC were adopted, there may be an economy of resources by using the same staff for zoning and property maintenance enforcement. Adoption of the VMC requires appointing a Property Maintenance Code (PMC) Official. Staff recommends that the PMC Official be different than the Building Official or the Zoning Administrator, to allocate the necessary resources and to best focus on property maintenance.

Partial and/or Phased Adoption. This approach would:

- Be responsive to complaints Countywide and proactive in 1-2 new neighborhoods per year, based on criteria to be discussed later, such as calls for service (DSS and ACPD) and/or the quality of structures, as determined by the Assessor's office.
- Prioritize VMC enforcement relating to either the exterior of structures or public health and safety (see Attachment D). This approach could entail adopting Chapters 1 and 2, and as staff develops experience and understanding of this code, the Board could at any time chose to adopt the entire VMC.
- Provide funding to assist low-income residents in addressing violations.
- Continue to provide funding cleaning-up, securing, and/or demolishing structures in violation.

Under this phased approach, staff estimates a need for 1 PMC Official, 2 Property Maintenance (PM) Inspectors, 1 Administrative Zoning Tech, and 0.5 Assistant County Attorney. Staff estimates an initial first year cost of \$500,077 and an ongoing cost of \$390,928. Start-up costs include vehicles, computers, phones, and other one-time purchases (see Att. E - Program Costs).

Full VMC Adoption with Proactive Enforcement. Alternatively, if the Board adopted the full VMC with a proactive countywide program, the costs would be substantially higher, requiring 1 PMC Official, 5 PM Inspectors, 1 Administrative Zoning Tech and 1 Assistant County Attorney, with an estimated initial start-up cost of \$888,000 and an ongoing cost of \$679,372.

Potential Unintended Adverse Impacts. Community Development staff met with staff from the Offices of Equity and Inclusion (OEI) to view this issue and potential solutions through an equity lens. Though the six blight complaints from the past year are too small of a sample for final conclusions, the majority of blighted properties to date have been constrained-income, housing-burdened households. In addition, many blighted properties are located within communities of color. Further study will be necessary to obtain more data and develop potential mitigation options.

Additional Funding Needs for Adoption of VMC. In order to support low-income residents that may be in violation of the VMC to become compliant, staff would work with the existing housing partners, seek grant

opportunities, and the creation of recurring funding to support residents that need assistance to come into compliance. Staff recommends such funding be available to households making 80% AMI or lower, and begin with \$50,000.