

The Town of
**Leesburg,
Virginia**

PRESENTED: October 26, 2021

ORDINANCE NO. 2021-0024

ADOPTED: October 26, 2021

AN ORDINANCE: AMENDING TOWN CODE

CHAPTER 22 (NUISANCES), SECTION 22-11 (EXCESSIVE VEGETATION;
OVERGROWTH)

CHAPTER 28 (SOLID WASTE), ARTICLE II (COLLECTION AND DISPOSAL),
SECTIONS: 28-22 (VIOLATIONS); 28-23 (DEFINITIONS); 28-24 (CONTAINER
REQUIREMENTS FOR RESIDENCES); 28-25 (CONTAINERS AND STORAGE AREAS
FOR COMMERCIAL ESTABLISHMENTS); 28-26 (TOWN COLLECTION
GENERALLY); 28-27 (REQUIREMENTS FOR COLLECTION VEHICLES); 28-28
(PREPARATION OF BRUSH FOR COLLECTION); 28-29 (COLLECTION SCHEDULE);
28-30 (SPECIAL COLLECTIONS FOR LARGE ITEMS); 28-32 (POINTS OF
COLLECTION); 28-33 (PLACEMENT FOR COLLECTION; REMOVAL OF
CONTAINERS AFTER COLLECTION); 28-35. (TAGGING AND REMOVAL OF
DEFECTIVE CONTAINERS); AND 28-38 (DUMPING TRASH, ETC., ON HIGHWAY,
RIGHT-OF-WAY OR PRIVATE PROPERTY)

CHAPTER 30 (STREETS, SIDEWALKS AND OTHER PUBLIC PLACES),
ARTICLE III (UNIFORM REAL PROPERTY NUMBERING SYSTEM), SECTIONS 30-
63 (SYSTEM ESTABLISHED, OFFICIAL NUMBERS AND RECORDS); 30-64
(COMPLIANCE WITH ARTICLE); 30-65 (BASE POINT AND QUADRANTS
ESTABLISHED); 30-66 (NUMBERING SYSTEM); AND 30-67 (NUMBER SURVEY,
ASSIGNMENT OF NUMBERS)

CHAPTER 32 (TRAFFIC AND VEHICLES), ARTICLE I (IN GENERAL),
SECTION 32-12 (GENERAL PENALTY)

CHAPTER 32 (TRAFFIC AND VEHICLES), ARTICLE II (ADMINISTRATION
AND ENFORCEMENT), DIVISION 2 (VIOLATIONS), SECTION 32-63 (GENERAL
PENALTY FOR CHAPTER VIOLATIONS)

CHAPTER 32 (TRAFFIC AND VEHICLES), ARTICLE IV (OPERATION OF
VEHICLES GENERALLY), SECTIONS 32-118 (RESERVED); AND 32-135 (RESERVED)

CHAPTER 32 (TRAFFIC AND VEHICLES), ARTICLE V (STOPPING,
STANDING AND PARKING), SECTIONS 32-141 (PARKING PROHIBITED IN
SPECIFIC PLACES; SETTLEMENT OF PARKING VIOLATIONS); 32-143 (PARKING
CERTAIN VEHICLES ON TOWN STREETS PROHIBITED)

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WHEREAS, the Leesburg Town Council has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, the Leesburg Town Council wishes to address changes to the State Code, address issues identified by staff, conform the Town Code to current Town operations, clarify, or correct inconsistencies and errors, and address concerns from the community; and

WHEREAS, all prior ordinances and resolutions in conflict herewith are repealed; and

WHEREAS, based upon the foregoing, the Leesburg Town Council has determined that it is necessary, advisable and in the best interests of the Town of Leesburg and its residents to amend its Town Code as set forth below.

THEREFORE, ORDAINED, by the Council of the Town of Leesburg in Virginia as follows:

SECTION I. That Chapter 22 (Nuisances), Section 22-11 (Excessive vegetation; overgrowth), subsection (b) of the Town Code of Leesburg, Virginia, is hereby amended to read as follows:

Sec. 22-11. Excessive vegetation; overgrowth.

* * *

(b) Upon notice from the town, a property owner shall within five days cut or trim grass, weeds, unsafe trees, and other foreign growth on such property or any part thereof to a height no greater than 12 inches. In the event the property owner fails to comply with said notice, the town through its agents or employees may elect to cut or trim the grass, weeds, remove or trim unsafe trees to render it safe, and foreign growth, in which event the cost or expenses thereof shall be chargeable to and paid by the owners of such property and may be collected as taxes are collected. **The town shall not be required to provide more than one written notice per growing season to the owner of record of the subject property.**

SECTION II. That Chapter 28 (Solid waste), Article II (Collection and disposal), Sections: 28-22 (Violations); 28-23 (Definitions); 28-24 (Container requirements for residences);

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28-25 (Containers and storage areas for commercial establishments); 28-26 (Town collection generally); 28-27 (Requirements for collection vehicles); 28-28 (Preparation of brush for collection); 28-29 (Collection schedule); 28-30 (Special collections for large items); 28-32 (Points of collection); 28-33 (Placement for collection; removal of containers after collection); 28-35 (Tagging and removal of defective containers); and 28-38 (Dumping trash, etc., on highway, right-of-way or private property), of the Town Code of Leesburg, Virginia is hereby amended to read as follows:

ARTICLE II. COLLECTION AND DISPOSAL¹

¹State law reference(s)—Authority to require property owners to remove garbage and refuse and to operate a garbage and refuse collection and disposal service, Code of Virginia, §§ 15.2-901, ~~15.2-907~~15.2-927, 15.2-928, 15.2-937.

Sec. 28-22. Violations.

Except as otherwise provided, **when a violation of this article is found to exist, any person who violates any provision of this article the owner, lessee, occupant, or person in control of the premises** shall be subject to the following penalties:

- (1) *Civil penalty:*
 - a. First violation, or violations arising from the same set of operative facts — a civil penalty not to exceed \$50.00.
 - b. Subsequent violations not arising from the same set of operative facts within 12 months of the first violation — a civil penalty not to exceed \$200.00.
 - c. Each business day during which the same violation is found to have existed shall constitute a separate offense.
 - d. In no event shall a series of specific violations arising from the same set of operative facts result in civil penalties that exceed a total of \$3,000.00 in a 12-month period.
 - e. Every charge with which the owner of any such property shall have been assessed and which remains unpaid shall constitute a lien against such property ranking on a parity with liens for unpaid local real estate taxes and enforceable in the same manner as provided in Code of Virginia §§ 58.1-3940 et seq., and 58.1-3965 et seq.

- (2) *Criminal penalty.*
 - a. Violations shall be a class 3 misdemeanor in the event three civil penalties have been previously imposed on the same defendant for the same or similar violation, not arising from the same set of operative facts within a 24-month period.
 - b. A class 3 misdemeanor is punishable by a fine of not more than \$500.00.

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- c. Any subsequent violation classified as a criminal offense, outlined in subsection (1), above, shall preclude the imposition of a civil penalty for the same violation.

Except where prohibited by law, if a violation exists in a common area, where a specific owner, lessee, occupant, or responsible person cannot be determined, the violation and applicable fee shall be assessed against the homeowners association, condominium owners association, or property owners association, if any.

Sec. 28-23. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

* * *

Brush means tree trimmings, bushes, twigs, or branches with a minimum length of four feet, a maximum length of eight feet and a minimum diameter of one inch and a maximum diameter of six inches.

Commercial establishment shall include all nonresidential uses.

Garbage means wastes resulting from the handling, preparation, cooking, storage, sale of and consumption of food and food products.

* * *

Recyclable material means those commodities which, having served their original purpose, have physical or chemical properties that allow them to be transformed into new products, and collected on a schedule as designated by the town. Such materials shall include, but are not limited to the following: newspaper/magazines/catalogs, junk mail, telephone books, mixed paper, corrugated cardboard, paperboard, ~~No-Number 1 through No-Number 7~~ plastics, aluminum and bi-metal cans, all colored glass bottles and jars and acceptable yard waste. (See *Yard Waste* definition for requirements and restrictions.)

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Sec. 28-24. Container requirements for residences ~~residences~~ **curbside collection**.

- (a) *Container specification.* Refuse and garbage ~~from residences~~ **for curbside collection** shall be stored **in toters supplied by the Town, or** in containers approved by the town manager, equipped with handles and tight-fitting covers. Non-recyclable refuse **that does not fit in the refuse or garbage container** may also be placed in **no more than ten (10)** plastic bags **and put next to the trash toter**. Residents who do not use secured containers will be responsible for the cleanup of any debris generated due to the lack of adequate containment.
- (b) *Weight and capacity limits.* Approved containers required by this section shall have a maximum gross weight of 50 pounds, when placed for collection. Plastic bags, when placed **next to toters** for collection, shall not be filled to such a weight that they will break or allow spillage during the collection process, and shall be tightly secured at the top.

Sec. 28-25. Containers and storage areas **requirements** for commercial establishments, **apartments, and condominiums**.

- (a) ~~Each~~ **All commercial establishments, and residences ineligible for curbside collection under section 28-26,** shall be equipped with adequate refuse containers or storage areas. All containers, except those for storage of bulky refuse, shall be vermin-proof and waterproof, of noncorrosive material and equipped with tight lids which shall be kept closed at all times, except when filling or emptying the container. Such containers and storage areas shall be emptied regularly and cleaned sufficiently often to keep them free of obnoxious odors and vermin. **The town reserves the right to establish and/or approve the size of all such containers.**
- (b) Trash dumpsters and other waste/recycling containers **storage areas** serving multifamily or nonresidential are regulated and enforced under the Town of Leesburg Zoning Ordinance.
- (c) ~~Container specifications.~~ Refuse and garbage from curbside commercial ~~properties who receive collection through the Town of Leesburg shall be~~ stored in containers approved by the town manager, equipped with handles and tight fitting covers. Non-recyclable refuse may also be placed ~~in plastic bags. Businesses who do not use secured containers will be responsible for the cleanup of any debris generated due to the lack of adequate containment.~~
- (d) ~~Weight and capacity limits.~~ Approved containers required by this section for ~~curbside commercial properties who receive collection through the Town of Leesburg shall have a maximum gross weight of 50 pounds, when placed for collection. Plastic bags, when placed for collection, shall not be filled to~~

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~~such a weight that they will break or allow spillage during the collection process, and shall be tightly secured at the top~~

Sec. 28-26. Town collection generally.

(a) ~~All refuse and garbage placed, in accordance with section 28-33(a), shall be collected by the town collector if prepared for collection as required by this article. Commercial and condominium garbage and refuse containerized collection service shall be provided by the town collector under the following conditions:~~ **All refuse, garbage, recycling, brush, and seasonal collections (yard waste, bulk leaves, Christmas trees) eligible for collection in accordance with this article shall be collected by the town, or town collector, if prepared and placed for collection as required by this article and by such administrative rules and regulations as are adopted by the town manager pursuant to section 28-21 hereof.**

(b) Curbside and containerized collection provided by the town.

(1) Residences shall be eligible for curbside collection of refuse, garbage, and recycling except as follows:

(a) Apartments are not eligible for town collection; and

(1b) The town shall provide containerized collection for Where residential condominiums ~~includewhere~~ **limited public frontage which makes curbside collection impractical. Condominiums must comply with the container and storage requirements of section 28-25. The town reserves the right to establish and/or approve the frequency and number of containerized collections provided by the town for all condominiums the town shall require the town collector to collect garbage and refuse from containers furnished by the town collectors. The town shall pay the full applicable container service price set out in the then current contract between the town and the town collector.**

(2) The town reserves the right to establish and/or approve the container size, frequency and number of collections for all business and condominium usage provided by the town.

(c) Collection provided by others.

(1) Commercial establishments that do not receive curbside collection services provided by the town, or that do not meet requirements for collection provided by the town, shall be responsible for securing the services of a private waste collector.

(2) Apartments shall be responsible for securing the services of a private waste collector.

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(3) Owners must comply with the container and storage requirements of section 28-25, and all other applicable requirements of this article.

(4) Private waste collectors adhere to all federal, state and local regulations for such service.

(b) The town manager or some other officer designated by him shall have charge of the collection of garbage and refuse within the town.

Sec. 28-27. Requirements for collection vehicles.

* * *

(b) Collection activity shall be consistent with the town's noise ordinance contained in this Code, **unless otherwise permitted in writing by the town manager or his designee.**

Sec. 28-28. Preparation of brush for collection **Brush Collection.**

(a) **Schedule.** Brush will be collected on a schedule as set forth by the town manager or his designee. The schedule for collection will be posted on the town's website and promoted through social media accounts maintained by the town. ~~Brush must be placed parallel to the street with the cut ends facing in one direction.~~

(b) **Eligibility.** Brush placed out for collection must have originated from the **residential** property where it is located. The town will not collect brush that is brought in from other locations. **Commercial establishments, condominiums, and apartments are not eligible for brush collection.**

~~(c) Brush must be no less than four feet long and no more than eight feet long; the diameter may not exceed six inches. Brush less than four feet long cannot safely be fed into the chipper attachment and cannot be collected.~~

~~(d) Brush may not be mixed with yard waste, pet waste or other debris. Mixed material will be tagged and left at the curb.~~

~~(e) The total amount of brush that will be collected from any residence in one stop is the equivalent of a pickup truck bed (four feet × four feet × eight feet) sized space. All pieces must meet the size specifications listed above. If the volume of the pile exceeds this amount, the pile will be tagged and no material will be collected.~~

(c) Preparation.

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- (1) Brush must be no less than four feet long and no more than eight feet long; the diameter may not exceed six inches. Brush less than four feet long cannot safely be fed into the chipper attachment and cannot be collected.**
- (2) Brush may not be mixed with yard waste, pet waste or other debris. Mixed material will be tagged and left at the curb.**
- (3) The total amount of brush that will be collected from any residence in one stop is the equivalent of a pickup truck bed (four feet × four feet × eight feet) sized space. All pieces must meet the size specifications listed above. If the volume of the pile exceeds this amount, the pile will be tagged and no material will be collected.**
- (d) Placement. Brush must be placed loose, parallel to the street with the cut ends facing in one direction.**

Sec. 28-29. Collection schedule.

(a) *Residential.*

* * *

- (3) Bulk household material will be collected by the town upon request from residential and commercial establishments receiving curbside collection, business properties on a schedule as set forth by the town manager or his designee. Requests must be received by 12:00 p.m., on Wednesday for same-week pickup submitted to the town's collector to be scheduled for collection. Items shall not be placed at the curb until the evening before the confirmed date for collection.**

* * *

(b) *Curbside commercial.*

* * *

- (3) Bulk pickups will be collected by the town collectors on a schedule as set forth by the town manager or his designee. Requests must be received by 12:00 p.m., on Wednesday to be scheduled for same-week**

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~~pickup~~ **submitted to the town's collector for scheduling. Items shall not be placed at the curb until the evening prior to the confirmed collection date.**

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(c) *Seasonal collections.*

- (1) Bulk leaves will be collected by the town collectors from all curbside residential properties beginning the third week of October and ending the last week of December, annually. Leaves must be raked to the curb line by ~~Monday~~ **Sunday** on the week that they are collected. The schedule for pickup will be determined by the town and advertised in local newspapers and will also be posted on the town's website and social media accounts. Bulk leaf collection only applies to curbside residential pickup locations; ~~businesses~~ **commercial establishments, condominiums, and apartments** are not eligible for curbside leaf collection.
- (2) Christmas trees will be collected by the town collectors from all curbside residential and commercial properties the second and third weeks of January on the recycling day. Christmas trees placed at the curb line must have all lights, decorations and twine/wires removed and may not be placed in plastic Christmas tree bags.
- ~~(3) Extra collection of yard waste will be made from residential properties on refuse collection days on a schedule as set forth by the town manager or his designee. This schedule will be posted on the town's website and social media accounts.~~

Sec. 28-30. Special collections for large items.

Collection of large items (see definition of bulk pickup in section 28-23) excluding any items listed under section 28-35, will be collected from residential and curbside commercial properties on a schedule as set forth by the town manager or his designee. Requests must be received by 12:00 p.m., on ~~Wednesday for same-week collection~~ **submitted to the Town collector for scheduling. Items shall not be placed at the curb until the evening prior to the confirmed collection date.**

* Special EPA rules apply for any appliance containing Freon. Before items can be collected, the Freon must be removed by a certified technician who will then place a sticker on the appliance stating that it is Freon free. This

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applies to all items containing coolants. The requirement cannot be waived, regardless of whether the unit is or is not in working condition.

A maximum volume of four feet × four feet × eight feet will be collected per bulk pickup. If the volume of material exceeds this amount, the excess items will be tagged and left at the curb. Excess material must be removed from the curb within 24 hours of being tagged. Material left at the curb after 24 hours from receipt of the notice may be subject to fines as described in section 28-22.

Sec. 28-32. Points of collection.

- (a) All refuse and garbage to be collected by the town collectors shall be placed out-of-doors immediately behind the curbline (in case no curbline is present, at least three feet away from the edge of the pavement) at a location easily accessible to the collector. At no time will any refuse or garbage or its containers be placed on pavement used for vehicular traffic, **not including the parking areas**, or on the sidewalk or on any other portion of a street where it will impede vehicular **through traffic** or pedestrian traffic. All refuse and garbage from the same property shall be placed at the same point of collection. For single-family detached homes, all refuse and garbage shall be placed either in front of the home or along the side property boundary of home.

* * *

Sec. 28-33. Placement for collection; removal of containers after collection.

- (a) All garbage, refuse and recycling shall be placed at the point of collection by 6:00 a.m. of the day of collection, but not before 4:00 p.m. of the day prior to collection.
- (b) Garbage, refuse and recycling containers shall not be placed, left or stored upon any sidewalk, street, alley or public place, except where specifically permitted by this article, and shall be removed from the curbline within 12 hours after collection. All containers must be stored behind the front line of the building.
- (c) **Curbside Commercial collection: garbage, refuse and recycling containers shall not be placed, left or stored upon any sidewalk, street, alley or public place, except where specifically permitted by this article, and shall be removed by 11:00 a.m. on the day of collection.**

Sec. 28-35. Tagging and removal of defective containers.

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Defective garbage and refuse containers can be collected by the town collectors as a special collection upon request. Requests for pickup of defective containers must be made by 12:00 p.m., on Wednesday of each collection week submitted to the town's collector to be scheduled for collection.

Containers to be collected should be tagged with a note marked "TRASH".

Defective containers that have been provided by the town shall be reported to the town's collector for a scheduled repair or replacement.

Sec. 28-38. Dumping trash, etc., on highway, right-of-way or private property.

- (a) It shall be unlawful for any person to dump or otherwise dispose of trash, garbage, refuse, litter, a companion animal for the purpose of disposal, or other unsightly matter on a public property, including a public highway, right-of-way, or property adjacent to such highway or right-of-way, or on private property without the written consent of the owner thereof or his agent.
- (b) Any person convicted of a violation of this section is guilty of a misdemeanor punishable by confinement in jail for not more than 12 months and a fine of not less than ~~\$250~~**500.00** or more than \$2,500.00, either or both. In lieu of the imposition of confinement in jail, the court may order the defendant to perform a mandatory minimum of ten hours of community service in litter abatement activities.
- (c) The provisions of this section shall not apply to the lawful disposal of such matter in landfills.

State law reference(s)—**Dumping trash, penalty, Code of Virginia § 33.2-802;**
Litter control, Code of Virginia, § 10.1-1414 et seq.

SECTION III. That Chapter 30 (Streets, sidewalks and other public places), Article III (Uniform real property numbering system), Sections 30-63 (System established, official numbers and records); 30-64 (Compliance with article); 30-65 (Base point and quadrants established); 30-66 (Numbering system); and 30-67 (Number survey, assignment of numbers) of the Town Code of Leesburg, Virginia is hereby amended to read as follows:

Sec. 30-63. System established, official numbers and records.

- (a) A uniform system for numbering houses and principal **buildingsstructures** in the town is established. All houses and principal **buildingsstructures** shall be numbered in accordance with the provisions of this article.

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- (b) The official numbers of houses and principal ~~buildings~~**structures** within the town are shown on maps and records kept by the director of planning and zoning.
- (c) **The purpose and intent of this article is to:**
 - (1) **facilitate the provision of adequate public safety services;**
 - (2) **avoid difficulty for public safety agencies and the general public in locating properties and structures; and**
 - (3) **provide a uniform system of addressing for all properties and structures, consistent with applicable sections of the Codified Ordinances of Loudoun County, Virginia, Chapter 1026 (Addressing of Premises).**

Sec. 30-64. Compliance with article.

- ~~(a) All principal houses and buildings~~**structures** within the town shall, ~~upon the effective date of the ordinance from which this article is derived,~~ be identified by reference to the uniform numbering system adopted in this article and shown on the official numbering system map.
- (b) No zoning permit shall be issued for any addressable structure or unit until such time as the owner has procured an official address for such structure from the director of planning and zoning, or designee, in accordance with this article.**

Sec. 30-65. ~~Base point and quadrants established~~**Numbering system.**

- (a) Base point and quadrants.** A base point **for numbering structures and street blocks** is established at the center of the intersection of King and Market Streets and the center line of each street shall constitute a baseline which divides the town into quadrants designated northwest (NW), northeast (NE), southwest (SW) and southeast (SE).
 - (1) Market Street from the base point westerly is designated West Market Street and from the base point easterly is designated East Market Street.
 - (2) King Street from the base point northerly is designated North King Street and from the base point southerly is designated South King Street.
 - (3) All streets within the quadrant formed by West Market Street and North King Street shall have a suffix of northwest (NW); all streets within the quadrant formed by East Market Street and North King Street shall have a suffix of northeast (NE); all streets within the quadrant formed by South King Street and West Market Street shall have a suffix of

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southwest (SW) and all streets within the quadrant formed by South King Street and East Market Street shall have a suffix of southeast (SE).

(b) Definitions.

- (1) Premise address means a primary or, where applicable, primary and secondary address assigned to a property.**
- (2) Primary address means the street address number assigned to an individual primary structure.**
- (3) Secondary address means the address assigned to a suite, apartment, or other similar subordinate interior subdivision of a building if used with a primary address. For example, an apartment number or suite number is a secondary address.**
- (4) Primary entrance means, in the case of single-family residential structures, the front door. For all other structures, it means the main doorway used for access to the structure, as shown on the address plat.**
- (5) Secondary entrance means a doorway to an individual unit in a multi-unit building. In this instance, a unit means apartment, suite, or other similar subordinate interior subdivision of a building.**

Sec. 30-66. Numbering system assignment.

- ~~(a) A base point for numbering buildings and street blocks is established at the center of the intersection of King and Market Streets. The numbering of buildings on each street shall begin at the base point. Buildings in the first blocks north, east, south and west of the base point shall be numbered one to 99. Gridlines, as shown on the property numbering map, indicate the point at which numbers will change to the next higher hundred. Gridlines shall generally follow street blocks. All buildings facing streets not extending through to the base line shall be assigned the same relative numbers as if the street had extended to the base line.~~
- ~~(b) All buildings on the south side of east-west streets and west side of north-south streets shall bear odd numbers, and all buildings on the north side of east-west streets and east side of north-south streets shall bear even numbers.~~
- ~~(c) Numbers shall be assigned by the town manager on the following basis. Each principal building shall bear the number assigned to the frontage on which the front entrance is located.
 - ~~(1) One number shall be assigned consecutively to each lot or entrance in commercial, industrial and residential areas that are totally developed and in residential subdivisions.~~~~

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- ~~(2) One number shall be assigned for each 20 feet of frontage along a street in commercial, industrial and town house residential areas that are partially developed.~~
- ~~(3) One number shall be assigned for each 50 feet of frontage along a street in partially developed residential areas other than town house developments.~~
- ~~(4) Buildings shall be assigned the number indicated by the 20-foot or 50-foot interval in which the main entrance of the building falls. In measuring intervals of street frontage, if the main entrance of the building falls exactly upon the line which divides a 20-foot interval from the next higher interval, either the number of the lower interval or the number of the next higher interval will be assigned to that entrance.~~
- ~~(5) Multifamily dwellings having one main entrance shall be assigned one number.~~
- ~~(6) Duplex houses having two front entrances shall have a separate number for each entrance. If both entrances fall within the same increment, the increment number shall be used for one entrance and the preceding number or next highest number shall be used for the other.~~
- ~~(7) All buildings on diagonal streets shall be numbered the same as buildings on northerly and southerly streets if the diagonal runs more from north to south, and the same rules shall apply on easterly and westerly streets if the diagonal runs more from the east to west.~~

The director of planning and zoning will assign addresses in accordance with this article, and issue approval in writing.

(a) Procedure.

- (1) Requests for addressing shall be submitted in writing to the director of planning and zoning:**
 - a. For new nonresidential construction, with the submission of the signature set of site plans.**
 - b. For new residential construction, with the submission of the signature set of record plat(s).**
 - c. For alterations to existing nonresidential structures, with the submission of a zoning permit application.**
- (2) Requests for changes in addressing shall be submitted in writing to the director of planning and zoning, and approved, prior to issuance of a zoning permit.**
- (3) All addressing requests must be accompanied by an address plat and building floorplans.**

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(b) Primary addressing.

- (1) All buildings on the south side of east-west streets and west side of north-south streets shall bear odd numbers, and all buildings on the north side of east-west streets and east side of north-south streets shall bear even numbers.**
- (2) All buildings on diagonal streets shall be numbered the same as buildings on northerly and southerly streets if the diagonal runs more from north to south, and the same rules shall apply on easterly and westerly streets if the diagonal runs more from the east to west.**
- (3) Numbers shall be assigned by the director of planning and zoning, or designee, on the following basis:**
 - a. Addressable structures shall be assigned a primary address based on the location of the main entrance and the street to which it faces.**
 - b. Single-family detached and multi-family dwellings shall be assigned one primary address.**
 - c. Each single-family attached dwelling (including duplexes) shall be assigned one primary address.**
 - d. Nonresidential structures shall be assigned one primary address based on the location of the primary entrance of the building and the street to which it faces.**
 - e. Notwithstanding subsection (b)(3)(d) above, it shall be within the discretion of the director of planning and zoning to assign primary addresses to each tenant space in the case of a multi-tenant nonresidential structure where the following conditions are met: (i) all tenant spaces are accessed from the exterior of the building; (ii) each tenant space is distinguished architecturally as a separate unit; and (iii) such addressing may conflict with the sequential order of existing primary addresses.**

(c) Secondary addressing.

- (1) Secondary addresses shall be required for:**
 - a. Multiple-dwelling residential buildings; and**
 - b. Individual tenant spaces or units within all nonresidential structures.**
- (2) Within all multi-tenant structures, one side of a central corridor shall be assigned sequential odd numbers, with the opposite side of the central corridor assigned sequential even numbers.**

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- (3) Within all multi-story multi-tenant structures, the numbering scheme shall be repeated similarly for each story of the building.**
- (4) Secondary unit numbers shall consist of three digits, whereby:**

 - a. basement units shall start with "0"; example: 010, 015, 020**
 - b. first floor units shall start with "1"; example: 100, 115, 150**
 - c. second, third, and additional numbers shall begin with "2", "3", and "4" respectively**
- (d) Temporary addressing. Temporary addresses shall be available only for construction trailer offices and for similar purposes. To obtain a temporary address, the applicant shall provide a small area map which contains the location of the temporary addressable structure, the nature of the temporary addressable structure and the vehicular path by which one can access the temporary addressable structure from the closest named travelway.**
- (e) General provisions.**

 - (1) To the extent practicable, all numbers shall be assigned in sequential order.**
 - (2) Only when there are no available numbers in sequence shall a half-number be assigned. For example, 50 ½ Main Street. Except for temporary addresses, no new number assignments shall include an alpha-numeric combination. For example 101-A Main Street.**

Sec. 30-67. Number survey, assignment of Display of numbers.

- ~~(a) A uniform number survey by the town shall be completed within six months from date of adoption of this article. Thereafter, each house and other principal building located on any street within the town shall be assigned its respective number under the uniform system provided for in this article according to the survey. When the survey is completed and each house or building assigned its respective number, the owner, occupant or agent shall place upon each house or building controlled by him the numbers assigned under this article.~~
- ~~(b) Numbers shall be placed on all existing buildings on or before the effective date of the ordinance from which this article is derived, or within 20 days after assignment of the number on new buildings as provided herein. The numbers used shall be not less than three inches in height and shall be made of durable and clearly visible material.~~
- ~~(c) Numbers shall be conspicuously placed immediately above, on or at the side of the proper door of each building so that the number can be seen plainly~~

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~~from the street, except, however, whenever any building is situated more than 50 feet from the street line numbers may be placed upon a gate post or other appropriate place so as to be easily seen from the street or sidewalk.~~

- ~~(d) Houses and other buildings constructed after the original survey shall be numbered as provided in this article.~~
- (a) **Numbers for principal addresses shall be conspicuously placed on the building façade facing the street to which the building was addressed.**
- (b) **Numbers for secondary addresses shall be conspicuously placed immediately above, on or at the side of the principal door of each unit so that the number can be plainly seen.**
- (c) **Residential structures.**
 - (1) **The developer of a new residential structure, or owner of a building creating new multi-family dwelling units, shall place upon each building the numbers assigned under this article prior to occupancy, which shall then be maintained by any subsequent owner(s) thereafter.**
 - (2) **The numbers used for residential primary addresses shall be not less than three inches in height and shall made of durable and clearly visible material.**
 - (3) **Secondary addresses posted within buildings shall not be less than three inches (3") in height, or as approved with the address plat.**
- (d) **Nonresidential Structures.**
 - (1) **The property owner, or the owner's designated agent, shall place upon each nonresidential structure the numbers assigned under this article prior to occupancy, and shall then be maintained by any subsequent owner thereafter.**
 - (2) **The numbers used for non-residential primary addresses shall be not less than six inches (6") in height, one inch (1") in width, and contrast with the background on which they are posted.**
 - (3) **Secondary addresses posted within buildings shall not be less than three inches (3") in height, or as approved with the address plat.**
 - (4) **Secondary addresses, if posted on the exterior of a building, shall be not less than six inches (6") in height, one inch (1") in width.**

SECTION IV. That Chapter 32 (Traffic and vehicles), Article I (In general), Section 32-12 (General penalty) of the Town Code of Leesburg, Virginia, is hereby amended to read as follows:

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Sec. 32-12. - General penalty.

Every person convicted of a ~~misdemeanor~~ for a violation of any of the provisions of this chapter or rule or regulation promulgated pursuant hereto, for which no other penalty is provided **either in this chapter or in State law**, shall be guilty of a ~~misdemeanor~~**traffic infraction punishable by a fine of not more than that provided for a Class 4 misdemeanor under Code of Virginia § 18.2-11 for each such offense.**

SECTION V. That Chapter 32 (Traffic and vehicles), Article II (Administration and enforcement), Division 2 (Violations), section 32-63 (General penalty for chapter violations) of the Town Code of Leesburg, Virginia, is hereby amended to read as follows:

Sec. 32-63. - General penalty for chapter violations.

Every person convicted of a ~~misdemeanor~~ for a violation of any of the provisions of this chapter or rule or regulation promulgated pursuant hereto, for which no other penalty is provided **either in this chapter or in State law**, shall be guilty of a ~~misdemeanor~~**traffic infraction punishable by a fine of not more than that provided for a Class 4 misdemeanor under Code of Virginia § 18.2-11 for each such offense.**

SECTION VI. That the Town Code of Leesburg, Virginia is hereby amended by adding a section to Chapter 32 (Traffic and vehicles), Article IV (Operation of vehicles generally), to be numbered Section 32-118 (formerly reserved), which said section reads as follows:.

Sec. 32-118. Operator to give full time and attention to driving.

No person shall operate a motor vehicle upon the highways of this Town without giving his full time and attention to the operation of the vehicle.

SECTION VII. That the Town Code of Leesburg, Virginia is hereby amended by adding a section to Chapter 32 (Traffic and vehicles), Article IV (Operation of vehicles generally), to be numbered Section 32-135 (formerly reserved), which said section reads as follows:.

Sec. 32-135. Blocking intersections or crosswalks.

No operator of a motor vehicle shall enter an intersection or a marked crosswalk unless there is sufficient space beyond such intersection or crosswalk in the direction in which such vehicle is proceeding to

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accommodate the vehicle without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed.

SECTION VIII. That Chapter 32 (Traffic and vehicles), Article V (Stopping, standing and parking), Sections 32-141 (Parking prohibited in specific places; settlement of parking violations); 32-143 (Parking certain vehicles on town streets prohibited) of the Town Code of Leesburg, Virginia, is hereby amended to read as follows:

Sec. 32-141. Parking prohibited in specific places; settlement of parking violations.

- (a) No person shall park a vehicle or permit it to stand, whether attended or unattended, except in compliance with the directions of a police officer or traffic-control device, in any of the places or in the manner described in the following provisions. The fine for a violation of this section is as follows:

* * *

**(20) Parking in front of a mailbox that the vehicle owner does not own:
\$40.00;**

**(21) Parking perpendicular to any curb whether on a roadway or dead
end cul-de-sac, where not marked as an official parking space:
\$40.00; and**

**(22) Parking more than 18 inches off the curb or edge of the street:
\$40.00.**

For purposes of this section, "*inoperable vehicle*" shall mean any motor vehicle on a public street that:

- a. Is not in operating condition;
- b. Does not display valid state license plates; or
- c. Does not display a valid state inspection decal.

* * *

Sec. 32-143. Parking certain vehicles on town streets prohibited.

- (a) No person shall park the following vehicles on any town street for more than **seventen** days:

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- (1) Watercraft;
 - (2) Boat trailers;
 - (3) Motor homes, defined as any private motor vehicle with a normal seating capacity of not more than ten persons, including the driver, designed primarily for use as living quarters for humans; and
 - (4) Camping trailers, defined as any vehicle that has collapsible sides and contains sleeping quarters but may or may not contain bathing and cooking facilities and is designed to be drawn by a motor vehicle.
- (b) No person shall park ~~in excess of four hours~~, the following vehicles on any town street where the land abutting the street is classified as a residential district under the town's zoning ordinance, **except when any commercial vehicle is: taking on or discharging passengers, loading or unloading goods, or temporarily parked during the active performance of work or service at a particular location:**
- (1) Any solid waste collection vehicle;
 - (2) Tractor truck or tractor truck/semitrailer or tractor truck/trailer combination;
 - (3) Dump truck;
 - (4) Concrete mixer truck;
 - (5) Tow truck with a registered gross weight of 12,000 pounds or more;
 - (6) Any heavy construction equipment, whether located on the street or on the truck, trailer or semitrailer;
 - (7) Any trailer or other vehicle in which food or beverages are stored or sold;
 - (8) Any trailer or semitrailer used for transporting landscaping or lawn-care equipment whether or not such trailer or semitrailer is attached to another vehicle;
 - (9) Any vehicle licensed by the Commonwealth of Virginia for use as a common or contract carrier or as a limousine;
 - (10) Any truck more than 20 feet in length, other than commercial vehicles used by a public service company or by others working on the public service company's behalf;
 - (11) Any vehicle carrying commercial freight in plain view;
 - (12) Any trailer or semitrailer, regardless of whether such trailer or semitrailer is attached to another vehicle;
 - (13) Any vehicle with three or more axles;

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- (14) Any vehicle that has a gross vehicle weight rating of 12,000 or more pounds;
 - (15) Any vehicle designed to transport 16 or more passengers including the driver;
 - (16) Any vehicle of any size that is being used in the transportation of hazardous materials, as defined in Code of Virginia § 46.2-341.4.
- (c) The provisions in subsection (b), above, shall not apply to:
- ~~(1) any commercial vehicle when taking on or discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location;~~
 - (21) utility generators located on trailers and being used to power network facilities during a loss of commercial power; or
 - (32) vehicles that are loaded with furniture and/or equipment to be unloaded within 48 hours so long as the vehicle is parked in one of the following locations: the origination of the loading/unloading or the destination of the loading/unloading.
- (d) No person shall park any vehicle upon any town street from which any merchandise is being sold, except for mobile food units as referenced and defined in Articles 9 and 18 of the town of Leesburg Zoning Ordinance.**
- ~~(e)~~ Every person convicted of a violation of this section shall be subject to a fine of \$40.00 for each offense.

SECTION IX. This ordinance shall be in effect upon its passage.

PASSED this 26th day of October, 2021.



Kelly Burk, Mayor
Town of Leesburg

ATTEST:



Clerk of Council