

**AN ORDINANCE TO AMEND SECTION 503 OF ARTICLE V OF APPENDIX A
OF THE CODE OF THE TOWN OF LURAY, VIRGINIA**

WHEREAS, the Town of Luray, Virginia (the “Town”), has previously adopted safety regulations applicable to corner lots to preserve visibility at intersections which are codified in Section 503 of Article V of Appendix A of the Town Code; and

WHEREAS, the Town wishes to amend Section 503 to include safety regulations for all walls, fences, and hedges which run parallel to a public right-of-way in order to preserve visibility for motorists and pedestrians.

NOW, THEREFORE, be it ordained by the Council of the Town of Luray, Virginia, as follows:

1. Section 503 of Article V of Appendix A of the Code of the Town of Luray, Virginia, shall be amended and restated as follows:

503. - Visibility at intersections and public rights-of-way.

(a) ~~Except for street signs, utility poles, or traffic signs, no tree, shrub, bush or other thing, or any part thereof, shall be placed or allowed to remain on any corner lot in such a manner as to impede vision between a height of two and one-half and ten feet above the centerline grades of the intersecting streets in the area bound by the street centerlines of such intersecting streets and a line joining the street centerlines at a distance of 50 feet from the point of intersection.~~

~~(b) General rule. All walls, fences, and hedges parallel to a public right-of-way must be approved by permit as provided in this subsection.~~

~~(1) Permit issuance. Upon application of a landowner, the zoning administrator will determine whether a proposed wall, fence or hedge would (i) unreasonably impair sightlines for motorists or pedestrians using a public right-of-way or (ii) unreasonably endanger public safety by obstructing the building from public view. In the absence of such risk or impairment, the zoning administrator shall issue the permit. The zoning administrator shall consult with the Chief of Police in making determinations under this subsection.~~

~~(2) General permits. The zoning administrator may issue general permits for certain classes of walls, fences and hedges, such as those which are four feet or less in height, to eliminate the need for an application under subsection (1).~~

~~(3) Pre-existing violations. Any wall, fence or hedge installed prior to MONTH XX, 2018, is not a violation of this section and shall continue to be governed by pre-existing law.~~

~~(b) Violations. The town may remove Any violation of this section shall be subject to the enforcement remedies and penalties set forth in Chapter 42 of the Town Code. the tree, shrub, bush or other thing, or any part thereof, whenever such person, after the expiration of five days next following receipt of notice, has failed to do so. The~~

~~cost of any removal shall be chargeable to such person and shall be added to their tax bill.~~

~~(e) — Violations of this section shall be a Class 4 misdemeanor.~~

____ (Ord. No. 2005-11-11, § 1, 11-14-2005, Amended by Ord. of XX-XX-2018, § 1)

2. This Ordinance will take effect immediately.

Adopted: Month XX, 2018

Mayor

CERTIFICATE

I certify that I am the Clerk of the Town of Luray, Virginia, and that the foregoing is a true copy of an Ordinance adopted by the Council of the Town of Luray, Virginia, on Month XX, 2018, upon the following vote:

NAME	AYE	NAY	ABSTAIN	ABSENT
Mayor Presgraves ¹				
Ronald “Ron” Vickers				
Jerry Dofflemyer				
Jerry Schiro				
Leroy Lancaster				
Joey Sours				
Leah Pence				

Date: Month XX, 2018

[SEAL]

ATTEST: _____
Clerk, Town Council of
Town of Luray, Virginia

¹ Votes only in the event of a tie.

