

**Town of Leesburg**  
**Residential Occupancy Ordinances**  
**Standards for Residential Units**  
*(avoiding overcrowding and excessive occupancy)*

***Why does the Town of Leesburg regulate the number of people living in your home?***

As the population grows, the demand for housing increases and many people search for affordable housing options. During the past several years, the Town has received an increasing number of complaints from its citizens regarding overcrowding in single-family dwellings. In its worst state, overcrowding results in a threat to public safety and the welfare of the occupants of the homes, as well as the neighborhoods.

***How is the number of people who can live in a dwelling determined?***

The Town has adopted a Zoning Ordinance along with Loudoun County having adopted the Virginia Uniform Statewide Building Code/International Property Maintenance Code, each of which regulates who and how many people may occupy a dwelling. Generally, limitations are based on the size of the dwelling, the size and number of bedrooms, the relationship of residents and fire safety standards. Non-compliance with any portion of these requirements constitutes a violation of occupancy requirements.

The Loudoun County Department of Building and Development administers the Virginia Uniform Statewide Building Code/International Property Maintenance Code for the Town of Leesburg. This is one of the services that the County provides for and on behalf of the residents of Leesburg.

**1. Occupancy Limitations Relative to the Size of the Dwelling:**

Minimum Area Requirements: The town/county limits the number of adult occupants in a dwelling based upon the size of certain rooms in the dwelling.

The following table illustrates these limitations:

<b>SPACE</b>	<b>MINIMUM AREA IN SQUARE FEET</b>		
	<b>1-2 occupants</b>	<b>3-5 occupants</b>	<b>6 or more occupants</b>
Living Room	no requirements	120	150
Dining Room	no requirements	80	100
Kitchen	50	50	60

**2. Occupancy Limitations Applied to Bedrooms:**

<b>Bedroom Size (square feet)</b>	<b>Maximum Number of Occupants per Room*</b>
70	1
100	2
150	3
200	4

***\*Number of Occupants includes adults and children***

Bedrooms must contain at least 70 square feet of floor area for the 1<sup>st</sup> occupant; 100 square feet of floor area for the 2<sup>nd</sup> occupant, plus an additional 50 square feet per individual if occupied by more than 2 people.

Bedrooms must not be the only access to other bedrooms or habitable space and must not provide the only exit from other habitable space.

Every bedroom must have access to a bathroom without having to pass through another bedroom.

Kitchens and other non-habitable space must not be used for sleeping purposes.

Bedrooms must provide light, ventilation, room area, ceiling height and room width in conformity with the code and must be in conformity with fire safety requirements. *(Please refer to 4. Fire Safety Requirements Applied to Bedrooms.)*

### **3. Relationships of Occupants:**

The Town of Leesburg Zoning Ordinance permits a single-family dwelling to be occupied by a family as defined below:

Family: A group of people living and cooking together as a single housekeeping body in a dwelling unit consisting of:

- a. one or more persons
- b. no more than 4 unrelated persons;
- c. any group identified in Section 15.2-2291 of the Code of Virginia, 1950 as amended, shall not be considered a family.

\*Persons who are related include husbands, wives, parents, children, grandparents, grandchildren, brothers, sisters, aunts, uncles, cousins, nephews, nieces (including step or half relations) as demonstrated by official public records such as government-issues identification, birth or marriage certificates; or by affidavits.

### **4. Fire Safety Requirements Applied to Bedrooms:**

Two means of exit must be available from a bedroom, with one being a door or window leading directly to the exterior.

The window sill must be a maximum height of 44 inches from the floor.

An exit must not lead through another sleeping area or a bathroom.

### ***Other Important Information:***

Alterations to a residence such as finishing basements, decks, porches and other additions require the owner to obtain a Zoning Permit from the 2<sup>nd</sup> floor service counter in Town Hall at 25 West Market Street (703-771-2772), as well as a Building Permit from the Loudoun County Department of Building and Development (703-777-0220).

Should you wish to report an alleged zoning violation related to the issues discussed in this guide, an Excessive Occupancy Complaint Form is required for investigation. The form is also available at our 2<sup>nd</sup> floor service counter or on the Town website [www.leesburgva.gov](http://www.leesburgva.gov) (select Departments & Services, then Planning & Zoning, and the document is located on the Forms & Related Links webpage). Completed forms can be faxed to 703-771-2724.

Please do not hesitate to contact the Leesburg Zoning Office at 703-771-2765 should you have questions or concerns regarding the information contained in this brochure.

The Town of Leesburg applies occupancy limitation requirements to all residents regardless of race, colour, religion, creed, national origin, gender or age.

The information contained in this brochure is for general guidance on matters of interest only and should not be construed as legal advice.