

SEP 12 1988

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 11, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, ARTICLE III, STOPPING, STANDING AND PARKING, SECTION 11-40.1. PARKING SPACES RESERVED FOR HANDICAPPED; SUMMONS FOR UNAUTHORIZED USE; PENALTY; AND SECTION 11-40.5. UNCONTESTED PAYMENT OF PARKING CITATION PENALTIES; CERTIFICATION OF CONTEST OF CITATION.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 11, Motor Vehicles and Traffic, is hereby amended and reordained effective December 1, 1988, by amending Section 11-40.1. Parking spaces reserved for handicapped; summons for unauthorized use; penalty; and Section 11-40.5. Uncontested payment of parking citation penalties; certification of contest of citation.

## Chapter 11. Motor Vehicles and Traffic

## Article III. Stopping, Standing and Parking

Section 11-40.1. Parking spaces reserved for handicapped; summons for unauthorized use; penalty.

(a) It shall be unlawful for any operator of a motor vehicle to park in a parking space identified by an above-grade sign as reserved for the handicapped except:

1. A person possessing a special handicapped vehicle parking permit issued by the Commissioner of Motor Vehicles pursuant to Section 46.1-254.2 of the Code of Virginia or a person transporting by passenger car, van or pickup truck the holder of any such permit, which permit shall be displayed in the window of the vehicle transporting the holder of the permit in order to permit the vehicle to park lawfully in a parking space reserved for the handicapped;

2. A handicapped person driving a motor vehicle displaying state license plates designated for handicapped persons or a state decal issued to handicapped persons and issued pursuant to Section 46.1-104.1 of the Code of Virginia, or a person transporting a handicapped person in a motor vehicle displaying such license plates or decals; or
3. A disabled veteran driving a motor vehicle displaying special license plates issued pursuant to Section 46.1-149.1 of the Code of Virginia or a person transporting a disabled veteran in a motor vehicle displaying such special license plates.

(b) Any police officer of James City County may issue a summons charging a person parking in violation of subsection (a) of this Section, or, if such person is not known, then the registered owner of the motor vehicle parked in violation of paragraph (a).

(c) Violation of the provisions of paragraph (a) of this section shall be a traffic infraction punishable by a fine of not more than one hundred dollars (\$100.00).

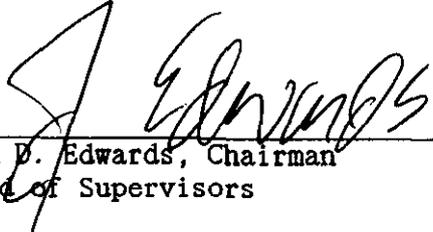
(d) The owner or duly authorized agent of a private parking space, or an agent of a public authority having control of a public space, which space is properly designated and marked for handicapped parking, shall have authority to have any vehicle not displaying handicapped parking permits or plates as described in paragraph (a) removed and stored. Possession may be regained by payment to the person who removed the vehicle of all reasonable costs for the removal and storage. The vehicle owner may contest the removal in the manner provided by Section 46.1-254 (E) of the Code of Virginia. (Ord. No. 66A-9, 5-10-82; Ord. No. 66A-11, 8-8-83)

Section 11-40.5. Uncontested payment of parking citation penalties; certification of contest of citation.

(a) Every person receiving a citation from a law-enforcement officer that he has violated a provision of the County Code regulating parking may waive his right to appear and be tried for the offense set forth in the citation. Such waiver shall be effective upon voluntary payment of ten dollars (\$10.00) to the county treasurer's office, within five (5) days after receipt of the citation, or upon voluntarily placing ten dollars (\$10.00) in a reply mail envelope and mailing it to the county treasurer's office, so that it is postmarked within forty-eight (48) hours after receipt of the citation; provided, however, that any citation for a violation of Section 11-40.1 shall require a voluntary payment of fifty dollars (\$50) to effectuate the aforesaid waiver. Such person shall not thereafter be required to appear before the general district court for trial upon the charge set forth in the citation.

(b) All uncontested parking citations paid under this section shall be accounted for by the county treasurer. All contested parking citations shall be certified in writing, upon an appropriate form, to the general district court by the county treasurer.

(c) Whenever a reply mail envelope is used for transmitting cash, check, draft or money order by mail to the county treasurer's office pursuant to the provisions of this section, the responsibility for receipt of the cash, check, draft or money order by the treasurer shall be that of the registered owner of the vehicle on which the citation was placed. (Ord. No. 66A-19, 7-7-86)



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Jack B. Edwards, Chairman  
Board of Supervisors

ATTEST:



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David B. Norman  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
NORMENT	AYE
TAYLOR	AYE
MAHONE	AYE
DEPUE	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia,  
this 12th day of September, 1988.

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