

ADOPTED

JUN 17 1991

ORDINANCE NO. 66A-29

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, BY AMENDING ARTICLE I, IN GENERAL, SECTION 11-7, ADOPTION OF STATE LAW; ARTICLE II. DRIVING AUTOMOBILES, ETC., WHILE INTOXICATED OR UNDER THE INFLUENCE OF ANY DRUG, SECTION 11-28. ADOPTION OF STATE LAW, GENERALLY.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that effective July 1, 1991, Chapter 11, Motor Vehicles and Traffic, is hereby amended and reordained by amending Section 11-7, Adoption of State law; and Section 11-28. Adoption of state law, generally.

Chapter 11. Motor Vehicles and Traffic

Article I. In General

Section 11-7. Adoption of state law.

Pursuant to the authority of Section 46.2-1313 of the Code of Virginia, as amended, all of the provisions and requirements of the laws of the state contained in Title 46.2 of the Code of Virginia, as amended, and in force on July 1, 1990 1991, except those provisions and requirements the violation

of which constitutes a felony and those provisions and requirements which by their very nature can have no application to or within the county, are hereby adopted and incorporated in this chapter by reference and made applicable within the county. References to "highways of the state" contained in such provisions and requirements hereby adopted shall be deemed to refer to the highways and other public ways within the county. For law enforcement purposes only, all private roads and private streets located within any residential development containing 100 or more lots shall be designated highways as defined by Section 46.2-100 of the Code of Virginia, as amended. Such provisions and requirements are hereby adopted, mutatis mutandis, and made a part of this chapter as fully as though set forth at length herein, and it shall be unlawful for any person, within the county, to violate or fail, neglect or refuse to comply with any provision of Title 46.2 of the Code of Virginia which is adopted by this section; provided, that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under Title 46.2 of the Code of Virginia.

State law references - General authority of County to prohibit operation of vehicles while under the influence of alcohol or drugs, Code of Va., Section 15.1-132; authority to adopt state law on the subject, Code of Va., Section 46.2-1313.


ARTICLE II. Driving Automobiles, etc., While Intoxicated
or Under the Influence of Any Drug

Section 11-28. Adoption of state law, generally.


Article 2 (Section 18.2-266 et seq.) of Chapter 7 of Title 18.2, Code of Virginia, as amended and in force July 1, ~~1990~~ 1991, is hereby adopted and made a part of this chapter as fully as though set out at length herein. It shall be unlawful for any person within the county to violate or fail, neglect or refuse to comply with any section of the Code of Virginia as adopted by this Section.

State law references - General authority of county to prohibit operation of vehicles while under the influence of alcohol or drugs, Code of Va., 15.1-132; authority to adopt state law on the subject, Code of Va. § 46.2-1313.

The effective date of this Ordinance shall be July 1, 1991.


Thomas K. Norment, Jr.
Chairman, Board of Supervisors

ATTEST:


Sanford B. Wanner
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia,
this 17th day of June, 1991.