

ADOPTED

AUG 7 1995

ORDINANCE NO. 66A-37

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 IV. VEHICLE DECALS, BY AMENDING SECTION 11-53, DECAL REQUIRED; SECTION 11-56, DECAL FEES; SECTION 11-64, DUPLICATE OR SUBSTITUTE DECALS; SECTION 11-65, TRANSFER OF DECAL TO ANOTHER VEHICLE; BY DELETING SECTION 11-57, PRORATION OF DECAL FEE; AND BY ADDING NEW SECTION 11-57, MOTOR VEHICLE RETURNS.

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 by amending Section 11-53, Decal required; Section 11-56, Decal procurement; Section 11-64, Duplicate or substitute decals; Section 11-65, Transfer of decal to another vehicle; by deleting Section 11-57, Proration of decal fee; and by adding new Section 11-57, Motor vehicle returns.

#### Chapter 11. Motor Vehicles and Traffic

#### Article IV. Vehicle Decals

Section 11-53. Decal required.

(a) Every person owning a motor vehicle, trailer or semitrailer normally garaged, stored or parked in the county shall ~~pay a license fee by procuring~~ *procure* an annual county motor vehicle decal.

In the event it cannot be determined where such motor vehicle, trailer or semitrailer is normally garaged, stored or parked, the situs for the motor vehicle decal or license requirement shall be the domicile of the owner of such motor vehicle. For the purposes of this article, "motor vehicle, trailer and semitrailer" shall be defined in accordance with Section 46.2-100 of the Code of Virginia.

- (b) The following shall be the duty of persons taking residence in *the* county:
- (1) A nonresident or non-domiciled owner of a motor vehicle, trailer or semitrailer shall, upon taking residence or becoming domiciled in the county, procure a county motor vehicle decal within thirty days.
  - (2) Owners moving to the county from elsewhere in the state where a local decal or license was required, who at the time of moving to the county had obtained a local decal or license from that jurisdiction for the current year, shall obtain a current county motor vehicle decal and display it in accordance with the provisions of this article. Upon proof of purchase of a current motor vehicle decal or license from such other jurisdiction, the office of the county treasurer shall provide those newly moving into the county, *upon payment of \$5.00*, with ~~the one-time courtesy~~ of a county motor vehicle decal ~~free of charge~~ for that decal year. Upon expiration of the aforesaid local decal or license from another jurisdiction, and in all successive years in which the owner remains a resident of or domiciled in James City County, unless otherwise excepted, a current county motor vehicle decal shall be ~~obtained~~ *procured* for each decal year in accordance with the provisions of this article.

(c) Every purchaser of a new or used motor vehicle, trailer or semitrailer which will be normally garaged, stored or parked in the county shall have thirty days from the date of purchase to procure a county motor vehicle decal.

State law reference - Authority of county to license motor vehicles, etc., and provisions relating thereto, Code of Va., §§ 46.1-65, 46.1-66.

Section 11-56. Decal ~~fees~~ *procurement*.

On ~~and after or before~~ February fifteenth of each year the owner of each motor vehicle, trailer or semitrailer required by this chapter to procure an annual county motor vehicle decal ~~shall make application to the county commission of the revenue for a decal, and shall pay to~~ *shall procure such decal from the county treasurer.* ~~an annual decal fee in accordance with the following schedule:~~

- (a) ~~Passenger motor vehicles (except motorcycles), and trucks-Fifteen dollars (\$15.00):~~
- (b) ~~Trailers or semitrailer, excluding mobile homes-Six dollars fifty cents (\$6.50):~~
- (c) ~~Motorcycles-Ten dollars (\$10.00):~~

~~Section 11-57. Proration of decal fee.~~

~~One-half of the annual county motor vehicle decal fee prescribed by this article shall be collected whenever a county motor vehicle decal is issued during the period beginning on the first day of September but on or before the thirtieth day of November in the decal year; and one-quarter of such fee shall be collected whenever any such decal is issued after the first day of December in the decal year.~~

*Section 11-57. Motor vehicle returns.*

*(a) Notwithstanding the filing requirement set out in this Article, the most recent personal property tax return filed prior to January 1, 1996, or any return filed thereafter shall be the basis for the assessment of a motor vehicle in all subsequent years in which the commissioner of the revenue has not been informed of a change in the address or name of the motor vehicle owner or of a change in the situs or ownership of the vehicle.*

*(b) Motor vehicle owners shall file a new personal property tax return on or before February 15 of any tax year for which there is:*

- (1) A change in the name or address of the person or persons owning the vehicle;*
- (2) A change in the situs of the vehicle; or*

(3) *Any other change affecting the personal property tax assessment of a vehicle for which a tax return was previously filed.*

(c) *All motor vehicle owners shall file a personal property tax return with the commissioner of the revenue whenever a personal property tax return has not been previously filed with the county.*

*State law reference - Code of Va. Section 58.1-3518.1.*

Section 11-64. Duplicate or substitute decals.

(a) In the event that any county motor vehicle decal issued under the provisions of this article is lost or mutilated or becomes illegible, the owner shall make immediate application for and obtain a duplicate or substitute decal by furnishing information of such fact satisfactory to the county treasurer and upon payment of two dollars (\$2 \$5.00). ~~A person, having once applied for and received a duplicate or substitute county motor vehicle decal, shall not be entitled to apply again for and receive a duplicate or substitute county motor vehicle decal during the license year for which the original motor vehicle decal was issued, but shall re-apply under section 11-59 and pay the full fee required under section 11-56 or section 11-57.~~

(b) Any person exempted under section 11-54 from payment of the decal fee imposed by this article who needs a duplicate or substitute decal, as provided in this section, shall be furnished such duplicate or substitute decal without charge.

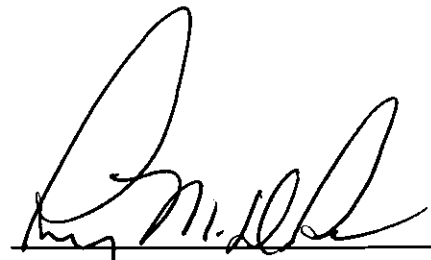
Section 11-65. Transfer of decal to another vehicle.

(a) Any owner who sells or transfers a motor vehicle, trailer or semitrailer currently issued a decal under the provisions of this article may have the county motor vehicle decal and the registration number thereon assigned to another vehicle of like design and titled in such owner's name, upon application to the county commissioner of the revenue on forms providing for the name and address of the applicant and a description of the motor vehicle for which such decal has been issued, as well as a description of the motor vehicle for which such decal is to be transferred. Such application shall be accompanied by a fee of ~~two dollars (\$2~~ \$5.00); provided, that if the decal was issued under section 11-54, there shall be no charge for such transfer.

(b) For the purposes of this section, "like design" shall mean that the original vehicle issued a decal and the one to which the county motor vehicle decal is transferred either are both motorcycles or are both any other type of motor vehicles, trailers or semitrailers as defined by state law.

(c) No person shall display a county motor vehicle decal on a motor vehicle, trailer or semitrailer other than that decal issued for that vehicle, unless a transfer has been made under the circumstances covered by and as provided in this section.


This Ordinance shall be effective January 1, 1996.



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Perry M. DePue, Chairman  
Board of Supervisors

ATTEST:



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David B. Norman  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
SISK	AYE
EDWARDS	AYE
MAGOON	AYE
TAYLOR	AYE
DEPUE	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 7th day of August, 1995.