

NOV 16 1983

**BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA****ORDINANCE NO. 66A-12**

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 11, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE III, STOPPING, STANDING AND PARKING, BY AMENDING SECTION 11-49.1, REMOVAL OR IMMOBILIZATION OF MOTOR VEHICLES AGAINST WHICH THERE ARE OUTSTANDING PARKING VIOLATIONS, AND BY OMITTING SECTION 11-49.2, TEMPORARY REMOVAL AND DISPOSITION OF VEHICLES INVOLVED IN ACCIDENTS.

BE IT ORDAINED by the Board of Supervisors of the County of James City that Chapter 11, Motor Vehicles and Traffic, of the Code of the County of James City, Article III, Stopping, Standing and Parking, is hereby amended and reordained by amending Section 11-49.1, Removal or immobilization of motor vehicles against which there are outstanding parking violations, and by omitting Section 11-49.2, Temporary removal and disposition of vehicles involved in accidents.


Section 11-49.1. Removal or immobilization of motor vehicles against which there are outstanding parking violations.

- (a) Any motor vehicle found parked upon the public streets or highways or public grounds against which there are three (3) or more outstanding unpaid or otherwise unsettled parking violation notices may be removed or conveyed to a place designated by the chief of police for the temporary storage of such vehicles, or such vehicles may be immobilized in such manner as to prevent its removal or operation except by authorized officers or members of the police department. Such a removal, conveyance or immobilization shall be by, or under, the direction of an officer or member of the police department.
- (b) It shall be the duty of the officer or member of the police department removing or immobilizing such motor vehicle or under whose direction such vehicle is removed or immobilized, to inform as soon as practicable, the owner of the removed or immobilized vehicle of the nature and circumstances of the prior unsettled parking violation notices, for which or on account of which, such vehicle was removed or immobilized. In any case involving immobilization of a vehicle pursuant to this section, there shall be placed in such vehicle, in a conspicuous manner, a notice warning that such vehicle has been immobilized and that any attempt to move such vehicle might result in damage thereto.
- (c) The owner of an immobilized vehicle or any duly authorized person shall be allowed twenty-four (24) hours from the time of immobilization to repossess or secure the release of the vehicle. Failure to repossess or secure the release of the vehicle within this time period shall result in the removal of such vehicle to a storage area for safekeeping under the direction of a member or officer of the police department.
- (d) The owner of such removal or immobilized motor vehicle, or any duly authorized person, shall be permitted to repossess or secure the release of the vehicle by payment of outstanding parking violation notices for which the vehicle was removed or immobilized and by payment of all reasonable costs incidental to the immobilization, removal and storage of the vehicle, and the efforts to locate the owner of the vehicle. Should such owner fail or refuse to pay such fines and costs, or should the identity or whereabouts of such owner be unknown or unascertainable, such vehicle may be disposed of in accordance with subsection (a) of section 11-47.



Perry M. DePue, Chairman
Board of Supervisors

ATTEST:


James B. Oliver, Jr.
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
DePUE	AYE
FRINK	AYE
EDWARDS	AYE
MAHONE	AYE
TAYLOR	AYE

Adopted by the Board of Supervisors, James City County Virginia, this 16th of November, 1983.

FMM/bkh
/FMM6