

ADOPTED

JUL 7 1986

ORDINANCE NO. 66A-19

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 11-40.2, PARKING IN THE STATE SECONDARY SYSTEM OF HIGHWAYS; SECTION 11-40.3, PARKING IN FIRE LANES; SECTION 11-40.4, PARKING WITHOUT A VALID LICENSE DECAL; SECTION 11-40.5, UNCONTESTED PAYMENT OF PARKING CITATION PENALTIES; CERTIFICATION OF CONTEST OF CITATION; AND SECTION 11-40.6, PROCEDURE FOR DELINQUENT PARKING CITATIONS.

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 October 1, 1986 by adding Section 11-40.2, Parking in the state secondary system of highways; Section 11-40.3, Parking in fire lanes; Section 11-40.4; Parking without a valid license decal; Section 11-40.5, Uncontested payment of parking citation penalties; certification of contest of citation; and Section 11-40.6, Procedure for delinquent parking citations.

Article III. Stopping, Standing and Parking

Section 11-40.2. Parking in the state secondary system of highways.

(a) No person shall park a vehicle on any highway which is part of the state secondary system of highways within James City County which has been designated and marked a no parking zone. Any violation of this section shall constitute a traffic infraction punishable by a fine of not more than one hundred dollars (\$100.00).

(b) The prohibition set forth in this section shall have no application when a vehicle is parked or stopped in compliance with the order of a law enforcement officer or a traffic control device, or in case of vehicular breakdown, or in an emergency which renders it necessary.

Section 11-40.3. Parking in fire lanes.

It shall be unlawful for any person to park a vehicle in a designated fire lane. Any violation of this section shall constitute a traffic infraction punishable by a fine of not more than one hundred dollars (\$100.00).

Section 11-40.4. Parking without a valid license decal.

It shall be unlawful for any owner of a vehicle required to have a decal to park his or her vehicle (including motorcycles, motorbikes and minibikes), trailer, or semitrailer on any highway which is part of the state secondary system of highways within James City County without having obtained a valid license decal which is displayed on such vehicle (including motorcycles, motorbikes and minibikes), trailer, or semitrailer. Any violation of this section shall constitute a traffic infraction punishable by a fine of not more than one hundred dollars (\$100.00).

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. 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. The contest, by any person, of a parking citation 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.

Section 11-40.6. Procedure for delinquent parking citations.

(a) The treasurer shall cause a complaint, summons, or warrant to be issued for delinquent parking citations.

(b) Notwithstanding the provisions of subsection (a) above, before any complaint, summons, or warrant shall issue for the prosecution of a violation of this Code or other ordinance of the county regulating parking, the violator

shall have been first notified, by registered mail at his last known address or at the address shown for such violator on the records of the state division of motor vehicles, that he may pay the fine provided by law for such violation, within five (5) days of receipt of such notice. The notice to the violator required by the provisions of this section shall be contained in an envelope bearing the words "Law Enforcement Notice" stamped or printed on the face thereof in type at least one-half inch in height. If the violator fails to pay such fine within the required time, the officer issuing such summons shall be notified.



William F. Brown, Chairman
Board of Supervisors

ATTEST:



James B. Oliver, Jr.
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia,
this 7th day of July, 1986.

0159U

| <u>SUPERVISOR</u> | <u>VOTE</u> |
|-------------------|-------------|
| BROWN | AYE |
| DEPUE | AYE |
| MAHONE | AYE |
| TAYLOR | AYE |
| Edwards | Absent |