

JUN 15 1992

ORDINANCE NO. 66A-30

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, 1992, 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, 1991 1992, 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, ~~1991~~ 1992, 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.

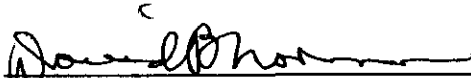
State law references - General authority of county to prohibit operation of vehicles while under the influence of alcohol or drugs, Code of Va., 15.1-132; authority to adopt state law on the subject, Code of Va. § 46.2-1313.

*The effective date of this Ordinance shall be July 1, 1992.*



Jack B. Edwards  
Chairman, Board of Supervisors

ATTEST:



David B. Norman  
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia,  
this 15th day of June, 1992.

PUBLIC HEARING NOTICE

The Board of Supervisors of James City County, Virginia, will conduct public hearings on Monday, June 15, 1992 at 1:00 P.M. in the County Government Center Board Room, 101-C Mounts Bay Road, James City County, Virginia, to consider the following:

- ✓ 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; to adopt by reference the State Code provisions amended by the General Assembly which become law on July 1, 1992.

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 1, GENERAL PROVISIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING SECTION 1-13, COURTHOUSE FEE; to authorize imposition of certain fees after July 1, 1992.

All interested persons are invited to attend the hearings. The ordinances are on file in the County Attorney's office and may be viewed during normal office hours at the County Government Center, 101-C Mounts Bay Road, James City County, Virginia.

DAVID B. NORMAN  
COUNTY ADMINISTRATOR

To be aired live on Cable TV Channel 36 Government Information Channel.

DAILY PRESS - LEGAL - June 1 and June 8, 1992

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MEMORANDUM

DATE: June 15, 1992  
TO: The Board of Supervisors  
FROM: Leo P. Rogers, Assistant County Attorney  
SUBJECT: Ordinance for Driving While Intoxicated (D.W.I.) and Traffic Enforcement


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The attached Ordinance incorporates by reference into the James City County Code the amendments made by the General Assembly to the D.W.I. and traffic laws which become effective July 1, 1992. Other Code revisions necessitated by General Assembly action will be coming to the Board in July and August for public hearings. However, because the County police are now charging traffic offenders under the County Code, the applicable D.W.I. and traffic laws must be in effect July 1. To accomplish this, it is necessary that the Ordinance be adopted at this time.

I recommend adoption of the Ordinance.

  
Leo P. Rogers

CONCUR:

  
Frank M. Morton, III

LPR/bkh  
0515u

Attachment