

ORDINANCE NO. 66A-34

DEC 19 1994

**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; AND 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 January 1, 1995, 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~~ *January* 1, ~~1993~~ 1995, 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. 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 reference - 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.

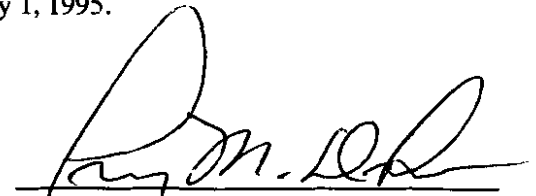
**ARTICLE II. Driving Automobiles, etc., While Intoxicated
or Under the Influence of Any Drug**

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

Article 9 (Section 16.1-278 et seq.) of Chapter 11 of Title 16.1 and Article 2 (Section 18.2-266 et seq.) of Chapter 7 of Title 18.2, Code of Virginia, as amended and in force ~~July January 1, 1993~~ 1995, 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 reference - 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 January 1, 1995.



Perry M. DePue
Chairman, Board of Supervisors

ATTEST:



David B. Norman
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 19th day of December, 1994.