

ADOPTED

JUN 9 1998

ORDINANCE NO. 66A-41

**BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA**

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 13, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL, SECTION 13-7, ADOPTION OF STATE LAW; ARTICLE II, DRIVING AUTOMOBILES, ETC., WHILE INTOXICATED OR UNDER THE INFLUENCE OF ANY DRUG, SECTION 13-28, ADOPTION OF STATE LAW, GENERALLY; AND ARTICLE IV, VEHICLE DECALS, SECTION 13-53, DECAL REQUIRED.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 13, Motor Vehicles and Traffic, is hereby amended and reordained by amending Section 13-7, Adoption of state law; Section 13-28, Adoption of state law, generally; and Section 13-53, Decal required.

Chapter 13. Motor Vehicles and Traffic

Article I. In General

Sec. 13-7. 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, ~~1997~~ 1998, 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 -Authority to adopt state law on the subject, Code of Va., § 46.2-1313.

**Article II. Driving Automobiles, Etc., While Intoxicated
or Under the Influence of any Drug**

Sec. 13-28 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 1, 1997 ~~1998~~, 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 - Authority to adopt state law on the subject, Code of Va. § 46.2-1313.

Article IV. Vehicle Decals*

Sec. 13-53. Decal required.

(a) Every person owning a motor vehicle, trailer or semitrailer normally garaged, stored or parked in the county shall 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 nondomiciled 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 30 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 a county motor vehicle decal 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 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 30 days from the date of purchase to procure a county motor vehicle decal.


(d) It shall be unlawful for any owner or operator of a motor vehicle, trailer, semitrailer, or motorcycle who is required by law by another locality to obtain and display on the owner's or operator's motor vehicle, trailer, semitrailer, or motorcycle a valid decal issued by such locality to drive or park such motor vehicle, trailer, semitrailer, or motorcycle on any highway in the county unless a current decal from such other locality is displayed thereon. This subsection shall only be applicable if such other locality is a party to a compact with the county pursuant to § 46.2-752(K), Code of Virginia, as amended, for the regional enforcement of licensing requirements.

*State law reference - Authority of county to license motor vehicles, etc., and provisions relating thereto, Code of Va., §§ 46.2-752, and 46.2-755.

This Ordinance shall become effective on July 1, 1998.

ATTEST:


Sanford B. Wanner
Clerk to the Board



Jack D. Edwards
Chairman, Board of Supervisors

SUPERVISOR	VOTE
SISK	AYE
MCGLENNON	AYE
BRADSHAW	AYE
NERVITT	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of June, 1998.