

ADOPTED

SEP 10 2024

ORDINANCE NO. 131A-13

**Board of Supervisors
James City County, VA**

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 10, GARBAGE AND REFUSE, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL, SECTION 10-7, PENALTY.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 10, Garbage and Refuse, is hereby amended and reordained by amending Article I, In General, Section 10-7, Penalty.

Chapter 10. Garbage and Refuse

Article I. Penalty

Sec. 10-7. Penalty.

Violations of this chapter shall be subject to a civil penalty, not to exceed \$50 for the first violation, or violations arising from the same set of operative facts. The civil penalty for subsequent violations not arising from the same set of operative facts within 12 months of the first violation shall not exceed \$200. Each business day during which the same violation is found to have existed shall constitute a separate offense. In no event shall a series of specified violations arising from the same set of operative facts result in civil penalties that exceed a total of \$3,000 in a 12-month period or, in the case of property that is zoned or utilized for industrial or commercial purposes, \$6,000 in a 12-month period. Civil penalties shall be in lieu of criminal penalties and shall preclude prosecution of such violation as a misdemeanor. In the event three civil penalties have previously been imposed on the same defendant for the same or similar violation, not arising from the same set of operative facts, within a 24-month period, such violations shall be a Class 3 misdemeanor. The classification of such subsequent violations as criminal offenses shall preclude the imposition of civil penalties for the same violation. For the purposes of this section, a business day shall constitute Monday through Friday of each week, except for holidays as shown on the calendar adopted by the board of supervisors each year.

Ruth M. Larson
Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

Teresa J. Saeed
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
NULL	<input checked="" type="checkbox"/>	___	___	___
HIPPLE	<input checked="" type="checkbox"/>	___	___	___
MCGLENNON	<input checked="" type="checkbox"/>	___	___	___
ICENHOUR	<input checked="" type="checkbox"/>	___	___	___
LARSON	<input checked="" type="checkbox"/>	___	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of September, 2024.

Sec10-7GrbRefs-ord