

ORDINANCE NO. 16-9(1)

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 9, MOTOR VEHICLES AND TRAFFIC, ARTICLE IV, COUNTY VEHICLE LICENSES, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 9, Motor Vehicles and Traffic, Article IV, County Vehicle Licenses, of the Code of the County of Albemarle, Virginia, is hereby amended and reordained as follows:

By Amending:

Sec. 9-401 Violations.
Sec. 9-404 License tax--Amounts.
Sec. 9-405 License tax--Prorating.
Sec. 9-406 License tax--Refunds.

CHAPTER 9. MOTOR VEHICLES AND TRAFFIC

ARTICLE IV. COUNTY VEHICLE LICENSES

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Sec. 9-401 Violations.

A. It shall be unlawful for any owner or operator of a motor vehicle, trailer, or semitrailer to fail to obtain a valid local license, as required by this article. Law enforcement officers may issue summonses or warrants for violations. A violation of this article shall constitute a class 4 misdemeanor.

B. In addition to any penalty authorized under this chapter, a penalty of \$250 shall be imposed upon the resident owner of any motor vehicle that, following the end of the owner's first 30 days of residency in the Commonwealth, is required to be registered in Virginia but has not been so registered. This penalty shall be imposed upon the resident owner annually for as long as the motor vehicle remains unregistered in Virginia. This penalty shall be assessed and collected by administrative process, executed by the director of finance or his designee.

(Ord. of 8-8-90; Ord. of 6-9-93; Code 1988, § 12-21.1; Ord. 98-A(1), 8-5-98; Ord. 05-9(2), 12-7-05, effective 1-1-06; Ord. 08-9(1), 12-3-08)

State law reference – Va. Code § 46.2-752(G).

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Sec. 9-404 License tax--Amounts.

A. On all motor vehicles, except as otherwise specifically provided in this article, there shall be an annual license tax based on gross vehicle weight. The license tax shall be ~~thirty-eight dollars and fifty cents (\$38.50)~~ forty dollars and seventy-five cents (\$40.75) for vehicles with gross vehicle weights of four thousand (4,000) pounds or less and ~~forty-three dollars and fifty cents (\$43.50)~~ forty-five dollars and seventy-five cents (\$45.75) for gross weights in excess of four thousand (4,000) pounds. Gross maximum loaded weight shall be substituted for gross vehicle weight for motor vehicles not designed and used primarily for the transportation of passengers.

B. On every motorcycle there shall be an annual license tax of ~~twenty-six dollars and fifty cents (\$26.50)~~ twenty-eight dollars and seventy-five cents (\$28.75).

C. On every trailer or semitrailer not designed and used for transportation of passengers, there shall be an annual license tax as follows:

<u>Gross Weight</u>	<u>Annual Tax</u>
0 - 1,500 lbs.	\$19.50 <u>\$18.00</u>
1,501 lbs. and above	\$30.00 <u>\$28.50</u>

D. In the case of a combination of a tractor-trailer or semitrailer, each vehicle constituting a part of such combination shall be taxed as a separate vehicle.

E. On every motor vehicle, trailer or semitrailer upon which well-drilling machinery is attached or other "specialized mobile equipment" as defined in Virginia Code § 46.2-700(B), there shall be an annual license tax of sixteen dollars and fifty cents (\$16.50).

F. Except as provided in section 9-403(B), the license tax prescribed herein shall be due and payable on or before June 5 of each year, and shall be included and separately stated on the personal property tax bill.

(Code 1967, § 12-93; 1-18-73; 6-7-89; Code 1988, § 12-25; Ord. 98-A(1), 8-5-98; Ord. 99-9(1), 11-10-99; Ord. 02-9(1), 11-6-02; Ord. 05-9(2), 12-7-05, effective 1-1-06; Ord. 07-9(2), 12-5-07, effective 1-1-08)

State law reference--Va. Code §§ 46.2-694(A), 46.2-694.1, 46.2-752, 46.2-1168.

Sec. 9-405 License tax--Prorating.

~~For new registrations only, the~~ The license tax prescribed by this article shall be prorated monthly commencing with the month in which such license tax first becomes due and payable. ~~Renewals, timely or otherwise, of previously registered vehicles, trailers or semitrailers shall not be prorated.~~ The license tax shall be collected from and include that month on the basis of one-twelfth of the annual license tax through each month remaining in the current license year. ~~The prorated license tax shall be rounded to the nearest dollar. In no case, shall the amount of license tax collected be less than two dollars (\$2.00).~~

(Code 1967, § 12-94; 4-21-76; 6-7-89; Ord. of 3-20-91; Code 1988, § 12-26; Ord. 98-A(1), 8-5-98; Ord. 05-9(2), 12-7-05, effective 1-1-06)

State law reference – Va. Code § 46.2-752(A).

Sec. 9-406 License tax--Refunds.

Any person who has paid a license tax under this article who disposes of the vehicle, trailer or semitrailer for which the tax was paid and does not purchase another vehicle, trailer or semitrailer may request a prorated refund of the license tax paid. The director of finance shall refund to the applicant one-twelfth (1/12) of the annual license tax for each full month remaining in the current license year. ~~The refund shall be rounded to the nearest dollar. an amount of less than two dollars (\$2.00) shall not be refunded nor applied to any other fee, tax or amount due the County of Albemarle.~~

(Code 1967, § 12-95; 4-21-76; 6-7-89; Ord. of 2-14-90; Ord. No. 96-12(1), 12-11-96; Code 1988, § 12-27; Ord. 98-A(1), 8-5-98; Ord. 05-9(2), 12-7-05, effective 1-1-06; Ord. 08-9(1), 12-3-08)

State law reference – Va. Code § 46.2-752(A).

I, Travis O. Morris, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of _____ to _____, as recorded below, at a regular meeting held on _____.

Senior Deputy Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Dill	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Mr. Randolph	_____	_____
Mr. Sheffield	_____	_____