



# Albemarle County

## Legislation Text

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**File #:** 21-159, **Version:** 1

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**AGENDA DATE:** 7/7/2021

**TITLE:**

Ordinance to Amend County Code Chapter 9, Motor Vehicles and Traffic

**SUBJECT/PROPOSAL/REQUEST:** Schedule a public hearing to consider the adoption of an ordinance to amend County Code Chapter 9, Motor Vehicles and Traffic

**ITEM TYPE:** Consent Action Item

**STAFF CONTACT(S):** Richardson, Walker, Kamptner, Farley, Bessette, Lance, Stoddard, Jameson

**PRESENTER (S):** N/A

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** The Board has directed the County Attorney's Office to conduct a comprehensive review and recodification of the County Code. Chapter 9 of the County Code regulates the operation, parking, and licensing/permitting of motor vehicles, bicycles, electric power-assisted bicycles, motorized skateboards or scooters, and mopeds.

**STRATEGIC PLAN: Mission** To enhance the well-being and quality of life for all citizens through the provision of the highest level of public service consistent with the prudent use of public funds.

**DISCUSSION:** The process of recodifying the County Code includes making formatting, style, organizational, and substantive changes. These changes are being addressed at the chapter level before the Board considers adopting a complete, recodified County Code.

The attached proposed ordinance includes the following substantive change:

- Removes a requirement that a vehicle must not only impede the use of highways, but must also have created a traffic hazard - creating an additional, unclear requirement - before police may order the vehicle removed.
- Removes the vehicle license provisions and relocates them to County Code Chapter 15, Taxation. An ordinance to amend County Code Chapter 15 to add those provisions is also being presented to the Board for its consideration on July 7, 2021.

In addition, staff has included stylistic revisions and eliminated archaic or redundant language to make the chapter easier to read.

Finally, Virginia Code § 46.2-113 enables localities to increase the fine for certain violations to \$250.00. Staff evaluated whether to increase the County's current \$100.00 fine, and makes no recommendation whether the fine should be increased, so the attached proposed ordinance does not include an increase to the \$100.00

fine (in County Code § 9-117).

**BUDGET IMPACT:** There is no expected budget impact.

**RECOMMENDATION:**

Staff recommends that the Board schedule a public hearing to consider adoption of the attached proposed ordinance (Attachment A) at a future Board meeting.

**ATTACHMENTS:**

A - Proposed Ordinance