



# Albemarle County

## Legislation Details (With Text)

**File #:** 21-372      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Public Hearing

**File created:** 7/13/2021      **In control:** Board of Supervisors

**On agenda:** 8/4/2021      **Final action:**

**Title:** Ordinance to Amend County Code Chapter 9, Motor Vehicles and Traffic. To receive public comment on its intent to adopt an ordinance to amend County Code Chapter 9, Motor Vehicles and Traffic, by reorganizing and rewriting the chapter, removing a requirement that a vehicle must have created a traffic hazard before police may order the vehicle removed, removing parking regulations for the University of Virginia, the Piedmont Virginia Community College, and the Charlottesville-Albemarle Airport (current Article II), removing the vehicle license provisions (current Article IV, which are relocated to County Code Chapter 15, Taxation), and removing regulations pertaining to traffic light signal monitoring systems (current Article VII). The subject matter of proposed Chapter 9 is composed of: Article 1, State Laws Incorporated by Reference, Parking , Abandoned and Unattended Vehicles, Penalties; Article 2, Snow Routes; Article 3, Inoperable Vehicles; Article 4, Speed Limits; Article 5 Video-Monitoring System; Article 6, Bicycles, Electric Power-Assisted Bicycles, Motorized Skateboards Or Scooters, And Mopeds; and Article 7, Permit Program For Dockless Mobility Devices For Hire.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Att.A - Proposed Ordinance

Date	Ver.	Action By	Action	Result
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**AGENDA DATE:** 8/4/2021

**TITLE:**

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

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

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Richardson, Walker, Kamptner, Farley, Bessette, Lantz, Stoddard, Jamerson

**PRESENTER (S):** Greg Kamptner

**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 community members 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 changes:

- 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 parking regulations for the University of Virginia, the Piedmont Virginia Community College, and the Charlottesville-Albemarle Airport, which have their own parking rules.
- Removes the vehicle license provisions and relocates them to County Code Chapter 15, Taxation. An ordinance to amend County Code Chapter 15 because those provisions pertain to a tax.
- Removes regulations pertaining to traffic light signal monitoring systems because the County no longer uses such a system and the current regulations are outdated. Virginia Code § 46.2-113 enables localities to set the maximum fine for violations for which the penalty is not otherwise provided at \$250.00. Proposed County Code § 9-117 would increase the maximum fine for these violations from \$100.00 to \$250.00.

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

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

**RECOMMENDATION:**

Staff recommends that, after the public hearing, the Board adopt the attached proposed ordinance (Attachment A).

**ATTACHMENTS:**

A - Proposed Ordinance