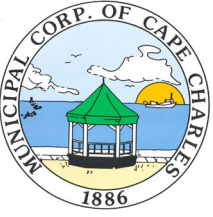




TOWN COUNCIL
Special Meeting
June 3, 2021
Cape Charles Civic Center
6:30 PM

1. Call to Order
 - A. Roll Call
 - B. Establish quorum
2. Public Comments re: Agenda Items Only (3 minutes)
3. Special Meeting Order of Business:
 - *A. Cape Charles Zoning Ordinance Amendments
 - i. Article II – Definitions
 - ii. Article VIII – Historic District Overlay
 - *B. Code 42-3 – Adoption of State Law
4. Town Manager Comments
5. Mayor & Council Comments (5 minutes)
6. Adjournment

 TOWN OF CAPE CHARLES	AGENDA TITLE: Code 42.3 – Adoption of State Law		AGENDA DATE: June 3, 2021
	SUBJECT/PROPOSAL/REQUEST: Adopt Ordinance 20210603C To Adopt Amendments to the Code of Virginia §46.2 and Title 16.1, Chapter 11, Article 9 (§16.1-278 Et Seq.) and Title 18.2, Chapter 7, Article 2 (§18.2-266 Et Seq.), If Any, For Incorporation into the Cape Charles Town Code Chapter 42-Motor Vehicles and Traffic		ITEM NUMBER: 3B
	ATTACHMENTS: Ordinance 20210603C		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Libby Hume, Town Clerk	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

Each year a new ordinance must be passed accepting any and all amendments to the provisions and requirements set by Code of Virginia in matters of regulation of motor vehicles and traffic in the Town of Cape Charles and any penalties for traffic violations.

DISCUSSION:

From time to time, the Code of Virginia is amended to either delete or add new safety tactics to protect those traveling the highways, streets and roads. Changes to penalties and violations are also made. In order to have the authority to enforce these new laws, an amendment to the Town Code must be made that adopts any changes.

RECOMMENDATION:

Staff requests adoption of Ordinance 20210603C To Adopt Amendments to the Code of Virginia §46.2 and Title 16.1, Chapter 11, Article 9 (§16.1-278 Et Seq.) and Title 18.2, Chapter 7, Article 2 (§18.2-266 Et Seq.), If Any, For Incorporation into the Cape Charles Town Code Chapter 42-Motor Vehicles and Traffic by roll call vote.

ORDINANCE NO: 20210603C

**AN ORDINANCE TO ADOPT
AMENDMENTS TO THE CODE OF VIRGINIA §46.2 AND
TITLE 16.1, CHAPTER 11, ARTICLE 9 (§16.1-278 ET SEQ.) AND TITLE 18.2,
CHAPTER 7, ARTICLE 2 (§ 18.2-266 ET SEQ.), IF ANY, FOR INCORPORATION
INTO THE CAPE CHARLES TOWN CODE
CHAPTER 42-MOTOR VEHICLES AND TRAFFIC**

WHEREAS, it is necessary to follow the guide set by the Code of Virginia to protect the safety and welfare of residents and guests of the Town of Cape Charles; and

WHEREAS, from time to time, the Code of Virginia is amended to protect those traveling the highways, streets and roads of the Commonwealth; and

WHEREAS, in order to have the authority to enforce these new laws, the Town Council of the Town of Cape Charles must adopt any and all amendments made by the Commonwealth of Virginia; now

THEREFORE, BE IT ORDAINED: That pursuant to the authority of the Code of Virginia, 1950, as amended, § 46.2-1313, all of the provisions and requirements of the laws of the Commonwealth contained in Code of Virginia, Title 46.2 and Code of Virginia, Article 9 (§ 16.1-278 et seq.) of Chapter 11 of Title 16.1, and of Article 2 (§ 18.2-266 et seq.) of Chapter 7 of Title 18.2 into ordinances as in force and effect on the date of the adoption of this Code, and as amended in the future, except those provisions and requirements the violation of which constitutes a felony, and except those provisions and requirements which, by their very nature, can have no application to or within the town, are hereby adopted and incorporated in this chapter by reference and made applicable within the Town. References to "highways of the state" contained in such provisions and requirements hereby adopted shall be deemed to refer to the streets, highways and other public ways within the Town. Such provisions and requirements are hereby adopted, *mutadis mutandis*, and made a part of this chapter as fully as though set forth at length herein. It shall be unlawful for any person within the Town to violate or fail, neglect or refuse to comply with any provision or requirement 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 the Code of Virginia. This ordinance will take effect July 1, 2021.

Adopted by the Town Council of Cape Charles on June 3, 2021.

Mayor William Dize

ATTEST:

Town Clerk