

ORDINANCE
DRIVING WHILE INTOXICATED AND MOTOR VEHICLE ORDINANCE
CARROLL COUNTY, VIRGINIA
ORDINANCE NO. 2004-4

ARTICLE I – Title and Jurisdiction

- 1.1 Title . This ordinance shall hereinafter be known as, and may be cited as the “Motor Vehicle Ordinance of Carroll County, Virginia.”
- 1.2 Jurisdiction . The provisions of this ordinance shall apply to Carroll County, Virginia, excluding the incorporated municipalities.

ARTICLE II – Adoption of State Laws

- 2.1 Pursuant to the provision of Section 46.2–1313 of the Code of Virginia, as amended, all of the provisions and requirements of the laws of the state contained in Title 46.2 of the Code of Virginia, as now or hereafter amended, except those provisions and requirements which by their very nature can have no application to or within the county, and except those provisions and requirements, the violation of which constitutes a felony, are hereby adopted and incorporated by reference, made a part of this ordinance, and made applicable within the county as though fully set forth herein. References therein to “highways of the state” shall be deemed to refer to streets, highways and other public ways within the county. Such provisions and requirements are hereby adopted mutatis mutandis and made a part of this chapter as fully as though set forth at length herein, and it shall be unlawful for any person within the county to violate or fail, neglect or refuse to comply with any provisions of Title 46.2 of the Code of Virginia, as amended, which is adopted by this ordinance, 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 Title 46.2 of the Code of Virginia. If there shall be any inconsistency between this chapter and Title 46.2 of the Code of Virginia, the provisions of this chapter shall take precedence.

ARTICLE III – Legal Status Provisions

- 3.1 Certified Copies of Ordinances. Certified copies of this ordinance and all amendments thereto shall be filed in the offices of the County Administrator and the Clerk of the Circuit Court of Carroll County, Virginia.
- 3.2 Validity. Should any article, section, subsection, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of this ordinance as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.

- 3.3 Conflicting Ordinances. All other ordinances or portions of ordinances in conflict with this ordinance are hereby repealed to the extent of their conflict.
- 3.4 Effective Date. This ordinance was duly considered following a required public hearing held on the 24th day of June, 2004, and was adopted by the Board of Supervisors of Carroll County, Virginia, at its regular meeting on the 14th day of July, 2004, the members voting:

<u>NAME</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSENT</u>
Glenna Myers, Chairman			
L.J. Jones, Vice-Chairman			
Sharon Nichols			
Joseph H. Early, III			
Brian E. Spencer			
W. Jeff Evans			

This ordinance shall be effective on and after 12:00 a.m. on the 14th day of July, 2004.

I certify that this is a true and correct copy taken from the July 14, 2004 minutes of the Carroll County Board of Supervisors.

Ronald L. Newman, Clerk