

MEMORANDUM

DATE: June 26, 2001
TO: The Board of Supervisors
FROM: Leo P. Rogers, Deputy County Attorney
SUBJECT: Ordinance for Driving While Intoxicated (D.W.I.) and Traffic Enforcement

The attached Ordinance incorporates by reference into the James City County Code, the amendments made by the 2001 General Assembly to the D.W.I. and traffic laws. County police are charging traffic offenders under the County Code which must be amended to reflect the State's changes to the applicable D.W.I. and traffic laws. To continue this procedure, it is necessary that the Ordinance be amended.

In addition, the proposed Ordinance adds Section 13-29 which allows the County to recover from a person convicted of a DWI offense, reasonable expenses incurred by the County police, fire, rescue, and emergency medical services in responding to any accident or incident. Reasonable expenses are defined as a flat fee of \$100 or a minute-by-minute accounting of actual costs incurred. Section 13-29 also permits a volunteer rescue squad to recover reasonable expenses for responding to such an accident or incident.

Staff recommends adoption of the attached Ordinance.

Leo P. Rogers

CONCUR:

Frank M. Morton, III

LPR/gb
DWIord.mem

Attachment