

AN ORDINANCE TO AMEND ARTICLE III, CITY VEHICLE LICENSE, OF CHAPTER 14, LICENSES, OF THE CODE OF THE CITY OF MANASSAS PARK, VIRGINIA, TO INCREASE PENALTIES FOR VIOLATING ARTICLE, TO ALLOW FOR A PERMANENT VEHICLE DECAL, TO ADD AND CLARIFY REQUIREMENTS FOR ISSUANCE OF A DECAL AND TO CLARIFY PROVISIONS FOR EXEMPTIONS FROM PAYING VEHICLE LICENSE FEE, PURSUANT TO SECTION 46.2-752 AND SECTION 46.2-755 OF THE CODE OF VIRGINIA

WHEREAS, Section 46.2-752 of the Code of Virginia authorizes the City of Manassas Park to impose vehicle license fees on motor vehicles, trailers and semi-trailers normally garaged, stored or parked in the city; and

WHEREAS, Sections 46.2-752 and 46.2-755 of the Code of Virginia authorize the City of Manassas Park to exempt certain owners of motor vehicles, trailers and semi-trailers from the payment of the city's vehicle license fees.

NOW THEREFORE BE IT ORDAINED by the Governing Body of the City of Manassas Park that:

1. Article III, City Vehicle License, of Chapter 14, Licenses, of the Code of the City of Manassas Park, Virginia, is hereby amended to read as follows:

“ARTICLE III. CITY VEHICLE LICENSE

Sec. 14-115. License required.

(a) Every person owning, leasing or operating a vehicle normally garaged, stored or parked in the city shall procure an annual city vehicle license. For purposes of this article, the term “vehicle” shall include, but not be limited to, automobiles, trucks, motorcycles, trailers and semitrailers.

The situs for the imposition of licensing fees under this section shall be the jurisdiction in which such motor vehicle, trailer or semi-trailer is normally garaged, stored or parked. In the event it cannot be determined where such vehicle is normally garaged, stored or parked, the situs shall be the domicile of the owner of such vehicle. In the event the owner of the motor vehicle is a full-time student attending an institution of higher education, the situs shall be the domicile of such student, provided the student has presented sufficient evidence that he or she has paid a personal property tax on the motor vehicle in his or her domicile.

Each vehicle normally garaged, stored or parked in the city shall display a vehicle decal in accordance with the provisions of section 14-123 of this article.

(b) Duty of person taking residence in city:

(1) A nonresident or non-domiciled owner, lessee or operator of a vehicle shall procure a city vehicle license and display a city vehicle decal on the vehicle within thirty (30) days of taking residence or becoming domiciled in the city.

Deleted: Sec. 14-114. Violations of article¶
Any person violating any of the provisions of this article shall be guilty of a traffic infraction and, upon conviction, shall be punished by a fine not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00), except as may be otherwise provided.¶

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automobiles and trucks, such fee shall be twenty-five dollars (\$25.00). On every motorcycle, such fee shall be ten dollars (\$10.00). On every trailer, semitrailer or vehicle of like design, such fee shall be eight dollars (\$8.00).

Sec. 14-120. Proration of fee; refunds.

- (a) If any vehicle having situs in the city during any portion of the license year loses situs in the city during the same license year, the applicable license fee shall not be prorated and refunded.
- (b) Any owner, lessee or operator may surrender the vehicle license receipt and unused decal to the treasurer or his designee and request a refund of the fee paid for any vehicle license upon satisfactory proof by such person that the vehicle license fee was paid in error.

Sec. 14-121. Provision of a vehicle decal for certain military personnel.

- (a) Every person on active duty in the military service, absent from his or her state of residence or domicile solely by reason of compliance with military or naval orders, who is the sole owner of a vehicle normally garaged, stored or parked in the city or on a United States military reservation within the boundaries of the city whose vehicle is licensed and registered, shall be provided by the office of the treasurer with a free courtesy vehicle decal.
- (b) A free courtesy vehicle decal shall not be denied for a vehicle jointly owned by a military service member and his/her spouse if (i) the military service member would otherwise qualify for a free courtesy vehicle decal pursuant to subsection (a) above, and (ii) the service member's spouse both have the same domicile in a state other than Virginia.
- (c) The free courtesy vehicle decal shall be displayed in accordance with the provisions of section 14-123 of this article.

Sec. 14-122. Payment of personal property taxes and fines prerequisite to licensing.

- (a) No vehicle shall be licensed in the city until the applicant has produced satisfactory evidence that all personal property taxes on the vehicle to be licensed have been paid and satisfactory evidence that any delinquent vehicle personal property taxes owing have been paid which have been properly assessed against the applicant by the city.
- (b) No vehicle shall be licensed in the city unless all fines owed to the city by the owner of the vehicle for violation of the city's ordinances governing parking of vehicles have been paid. The provisions of this subsection shall not apply to vehicles owned by firms or companies in the business of renting motor vehicles.

Sec. 14-123. Payment of license fee; issuance and display of vehicle decal generally.

- (a) A vehicle decal shall be furnished by the treasurer for each vehicle on which the vehicle license fee prescribed in this article has been paid. Such vehicle decal shall be displayed on the windshield of each automobile and truck to the right of the state inspection sticker. The vehicle decal shall be displayed on each trailer, semitrailer or

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(e) Any material change with respect to financial eligibility for relief and ownership of the motor vehicle or other applicable factors, which shall occur during the year for which the application under this section is filed, and which would operate to preclude qualifying for relief if applicable at the time of application hereunder, shall nullify any exemption for the current license year and the license year immediately following.

Deleted: (e) Upon presentation of the certificate referred to in subsection (d) above to the treasurer, a city motor vehicle decal shall be issued, without cost.¶
(f)

Sec. 14-126. Same--To volunteer rescue squad and fire department members.

One (1) vehicle owned or leased by a person who resides in the city and who is an active member of a volunteer rescue squad or volunteer fire department shall be exempt from the vehicle license fee prescribed in this article. To obtain this exemption, the volunteer must, no later than January 31 of each year, furnish the commissioner of the revenue with a certification by the chief or head of the volunteer organization that the volunteer is a member who regularly responds to calls or regularly performs other duties for the rescue squad or fire department. A vehicle decal shall be issued for such vehicle at no cost.

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Sec. 14-127. Replacement of destroyed vehicle decals; transfer and exchange of vehicle decals.

(a) If a vehicle decal has been destroyed a replacement vehicle decal shall be issued by the city treasurer upon proof that (i) the requirements of section 14-122 of this article have been met, (ii) the vehicle license fee for the subject vehicle has been paid for the current year, and (iii) the vehicle decal was destroyed. For purposes of this subsection, proof that a vehicle has been damaged beyond repair and declared "totaled" by the vehicle owner's insurance company shall be sufficient to show that the vehicle license has been destroyed. The fee for such reissue shall be three dollars (\$3.00) for one reissuance each vehicle license year; for each subsequent reissuance within the vehicle license year the full vehicle license fee shall be paid.

(b) A vehicle decal issued pursuant to this article may be transferred from one (1) vehicle to another vehicle owned by the same person by scraping the decal off the windshield and returning it to the city treasurer; provided, however, that the requirements of section 14-122 of this article have first been met. The fee for the transfer of a vehicle decal from one (1) automobile to another shall be one dollar (\$1.00).

Sec. 14-128. Removal of decal upon sale of vehicle.

The seller of a vehicle shall remove the city vehicle decal therefrom prior to selling the vehicle.

Sec. 14-129. Disposition of revenue.

All revenue derived from the vehicle license fee imposed by this article shall be deposited in the general fund of the city."

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2. All sections of the Code of the City of Manassas Park, Virginia that are inconsistent with and/or in conflict with this Ordinance are hereby repealed.
3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion