



CITY OF POQUOSON

Office of the City Manager

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November 12, 2015

Mr. Robert A. Crum
Executive Director
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, VA 23320

Dear Mr. Crum:

This is to notify you that the Poquoson City Council, at its November 6, 2015 meeting, unanimously voted to endorse the City of Hampton's 2016 legislative request that the State Code be amended to add a section entitled Flood Prevention in No Wake Zones.

This amendment, a copy of which is attached, if adopted would make it unlawful for any person in the Commonwealth to operate a motor vehicle or a boat on a flooded street, highway, alley or parking lot, whether publicly or privately owned, in such a manner as to increase the level of floodwaters to a level which causes or could be reasonably expected to cause damage to vehicles, adjacent real property or improvements located on adjacent real property. An exemption for governmental vehicles while on official business is included in the amendment and a class 4 misdemeanor penalty for any person failing to comply with this provision.

We have sent a formal request to both of our State Legislators asking that they present and support this amendment in the upcoming 2016 General Assembly Session. In addition, we have notified and actively sought support for this important legislation from the other localities included in the Hampton Roads Planning District Commission. We welcome any assistance you can offer in support of this important issue.

Sincerely,

J. Randall Wheeler
Poquoson City Manager

JRW:vhd

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Legislative Language:

§46.2-800.3. Flood Prevention in No Wake Zones

(a) No wake on flooded street.

It shall be unlawful for any person to operate a motor vehicle or a boat on a flooded street, highway, alley, or parking lot, whether publicly or privately owned, in such manner as to increase the level of floodwaters to a level which causes, or could be reasonably expected to cause, damage to other vehicles, adjacent real property, or improvements located on adjacent real property.

(b) Exemption.

Operation of vehicles utilized by government agencies and rescue craft while on official business shall be exempt from the provisions of this section.

(c) Any person who shall fail to comply with the provisions of this section shall be guilty of a class 4 misdemeanor.

Sincerely,

Randall Wilcox
Portsmouth City Manager

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