
Sec. 2-312. Special events; definitions.

As used in this article, the following terms are defined as follows:

Alcoholic beverages. Providing or selling alcoholic beverages when a license is required by the Virginia Alcoholic Beverage Control Act (Virginia Code § 4.1-100-4.1-517, as amended), including but not limited to banquet, tasting, mixed beverage special events, or club events licenses.

City-scale public special event. Any announced gathering held outdoors on city property, including but not limited to festivals, marathons, bicycle races, concerts, parades, public performances, block parties, and processions, whenever any of the following criteria ("City-scale public special event criteria") are met:

- (1) Attendance is expected to exceed 250 people at any one point in time;
- (2) Public street or other public right-of-way closure will be required;
- (3) Live entertainment, mobile vendors, or alcoholic beverages will be provided; or
- (4) Admission will be charged.

City-scale public special events shall not include:

- (1) Normal and customary use of city owned or leased outdoor recreational facilities, including but not limited to city operated golf courses and Hampton BMX, regardless of whether the city-scale public special event criteria are met, unless the event requires closure of a public street or other public right-of-way, or use of additional city staff.
- (2) Rentals of city parks, including park shelters, but only if none of the city-scale public special event criteria are met.

City-scale private special event. Any announced gathering held outdoors, not on city property, including but not limited to weddings, reunions, and birthday parties, whenever any of the following criteria ("City-scale private special event criteria") are met:

- (1) Attendance is expected to exceed 250 people at any one point in time;
- (2) Public street or other public right-of-way closure will be required;
- (3) Mobile vendors will be provided; or
- (4) Admission will be charged.

City-scale private special events shall not include, regardless of whether the city-scale private special event criteria are met:

- (1) Customary and regularly scheduled public school, private school, or college/university activities taking place on the school or college/university's property, unless the event requires closure of a public street or other public right-of-way, or use of additional city staff.
- (2) Normal and customary events taking place at open-air venues permitted by the city zoning ordinance when the event will not exceed the capacity permitted by the certificate of occupancy.

Live entertainment. Any artistic, musical or theatrical performance, including but not limited to, karaoke, open-microphone, live vocal or instrumental music, recorded music with a disc jockey (DJ), play, stand-up comedy, dance act, magic, poetry reading, reenactment, cabaret, or any combination thereof, performed by one (1) or more persons, whether or not they are compensated for the performance or admission is charged.

Mobile vendors. The sale or exchange of any item, including, but not limited to, any and all goods, wares, flowers, prepared or unprepared food or any other product, by any person from any temporary structure,

including, but not limited to, any table or stand, or from any motor vehicle, trailer, cart, dray, wagon, pushcart or any hand or pedal-propelled vehicle.

Neighborhood-scale public special event. Any announced gathering held outdoors on city property where all of the following criteria are met:

- (1) Attendance is not expected to exceed 250 people total;
- (2) No mobile vendors or alcoholic beverages will be provided;
- (3) Admission will not be charged;
- (4) No public streets or other public rights-of-way are required to be closed; and
- (5) The event will be held on city property identified on the neighborhood-scale public special event map.

City property. Public streets, sidewalks, and other public rights-of-way, places, or properties owned by the City of Hampton, Virginia.

Special event. One of three types of announced gatherings of people, including city-scale public special events, city-scale private special events, and neighborhood-scale public special events, as well as any other event deemed by the special event coordinator, after consultation with the appropriate divisions of the department of public safety and the city manager, to affect public safety, health, or welfare by its potential impacts on the general public or surrounding properties.

Special event coordinator. The city manager of the City of Hampton or her designee.

(Ord. No. 15-0026 , 10-28-15)

Chapter 6 BICYCLES; MOTORIZED SKATEBOARDS AND SCOOTERS, ETC.¹

ARTICLE I. IN GENERAL

Sec. 6-1. Definitions.

All definitions of words or phrases contained in the Code of Virginia § 46.2-100 shall apply to such words and phrases when used in this chapter, unless clearly indicated to the contrary.

(Ord. No. 1436, 11-15-06; Ord. No. 18-0002 , 2-28-18; Ord. No. 21-0007 , 7-14-21)

Sec. 6-2. Parent or guardian not to permit violation of chapter by child or ward.

Any parent of any child or guardian of any ward who authorizes or knowingly permits such child or ward to violate any provision of this chapter shall be guilty of a Class 4 misdemeanor.

(Ord. No. 676, 12-10-80; Code 1964, § 25.1-274; Ord. No. 1436, 11-15-06)

Cross reference(s)—Penalty for Class 4 misdemeanor, § 1-11.

¹Ord. No. 21-0007 , adopted July 14, 2021, changed the title of Chapter 6 from "Bicycles" to "Bicycles; Motorized Skateboards and Scooters, etc."

Sec. 6-3. Removing, altering, etc., serial number.

It shall be unlawful and a Class 1 misdemeanor for any person to willfully or maliciously remove, destroy, mutilate or alter any bicycle serial number.

(Ord. No. 676, 12-10-80; Code 1964, § 25.1-270; Ord. No. 1436, 11-15-06)

Cross reference(s)—Penalty for Class 1 misdemeanor, § 1-11.

Sec. 6-4. Adoption of state law.

Pursuant to the authority of § 46.2-1313 of the Code of Virginia, all of the provisions and requirements of the laws of the state contained in Title 46.2 of the Code of Virginia which pertain to use, operation, ownership or storage of bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, mopeds, toy vehicles, motor-driven cycles or motorized skateboards or scooters, except those provisions and requirements the violation of which constitutes a felony, and except those provisions and requirements which, by their very nature, cannot have application to or within the city, are hereby adopted and incorporated in this chapter by reference and made applicable within the city. Reference to "highways of the state" contained in such provisions and requirements hereby adopted shall be deemed to refer to streets, highways and other public ways within the city. Such provisions and requirements are hereby adopted and made part of this chapter as if fully set forth herein, and it shall be unlawful for any person within the city to violate or fail, neglect or refuse to comply with any provision of Title 46.2 of the Code of Virginia, which is adopted by this section; provided, that in no event shall the penalty imposed for the violation of any provisions or requirement hereby adopted exceed the penalty imposed for a similar offense under Title 46.2 of the Code of Virginia.

(Ord. No. 676, 12-10-80; Code 1964, § 25.1-271; Ord. No. 1436, 11-15-06; Ord. No. 18-0002 , 2-28-18; Ord. No. 21-0007 , 7-14-21)

Cross reference(s)—Penalty for Class 1 misdemeanor, § 1-11.

Sec. 6-5. Reserved.

Editor's note(s)—Ord. No. 18-0002 , adopted February 28, 2018, repealed § 6-5, which pertained to dealers' report of sales and purchases, and derived from Ord. No. 676, adopted Dec. 10, 1980; Code 1964, § 25.1-272; and Ord. No. 1436, adopted Nov. 15, 2006.

Secs. 6-6—6-15. Reserved.

ARTICLE II. EQUIPMENT AND OPERATING RULES²

Sec. 6-16. Violations of article generally.

Unless otherwise specifically provided, a violation of any provision of this article shall constitute a traffic infraction punishable by a fine of not more than one hundred dollars (\$100.00).

²Cross reference(s)—Motor vehicles and traffic, Ch. 21.

(Ord. No. 676, 12-10-80; Code 1964, § 25.1-27; Ord. No. 1436, 11-15-06)

Cross reference(s)—Traffic infractions treated as misdemeanors for arrest purposes, § 21-7; procedure in traffic infraction cases, § 21-8.

Sec. 6-17, 6-18. Reserved.

Editor's note(s)—Ord. No. 18-0002 , adopted February 28, 2018, repealed § 6-17, which pertained to impoundment of bicycle involved in violation of article, and derived from Ord. No. 676, adopted Dec. 10, 1980; Code 1964, § 25.1-273; and Ord. No. 1436, adopted Nov. 15, 2006.

Ord. No. 21-0007 , adopted July 14, 2021, repealed § 6-18, which pertained to lamps and reflectors, and derived from Ord. No. 676, adopted December 10, 1980; Code 1964, § 25.1-281; and Ord. No. 1436, adopted November 15, 2006.

Sec. 6-19. Brake.

Every bicycle, electric power-assisted bicycle, motorized skateboard or scooter, and moped, when operated on a highway, shall be equipped with a brake that will enable the operator to make the braked wheels skid on dry, level, clean pavement. Every electric personal assistive mobility device, when operated on a highway, shall be equipped with a system that, when activated or engaged, will enable the operator to bring the device to a controlled stop.

(Ord. No. 676, 12-10-80; Code 1964, §§ 25.1-166, 25.1-283; Ord. No. 1436, 11-15-06; Ord. No. 21-0007 , 7-14-21)

State law reference(s)—Similar provisions, Code of Virginia, § 46.2-1066; authority to regulate motorized skateboards or scooters, Code of Virginia § 46.2-1315.

Secs. 6-20—6-22. Reserved.

Editor's note(s)—Ord. No. 18-0002 , adopted February 28, 2018, repealed §§ 6-20—6-22, which pertained to bell or other warning device; use of permanent seat; and carrying passengers, and derived from Ord. No. 676, adopted Dec. 10, 1980; Code 1964, §§ 25.1-282; 25.1-278; and 25.1-279; and Ord. No. 1436, adopted Nov. 15, 2006.

Sec. 6-23. Applicability of traffic regulations to riders.

- (a) Every person riding a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, moped, motorized skateboard or scooter, or an animal or driving an animal on a street or highway shall be subject to the provisions of Code of Virginia, § 46.2-800 et seq. or Chapter 21 of this Code and shall have all of the rights and duties applicable to the driver of a vehicle, unless the context of the provision clearly indicates otherwise.
- (b) The provisions of subsections A and C of Virginia Code, § 46.2-920, applicable to operation of emergency vehicles under emergency conditions, shall also apply, mutatis mutandis, to bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, mopeds, and motorized skateboards or scooters operated under similar emergency conditions by law-enforcement officers.
- (c) Every person riding a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, moped, motorized skateboards or scooters, or an animal on a street or highway shall ride in the same direction as all other traffic.

(Ord. No. 676, 12-10-80; Code 1964, § 25.1-15; Ord. No. 1436, 11-15-06; Ord. No. 18-0002 , 2-28-18; Ord. No. 21-0007 , 7-14-21)

State law reference(s)—Similar provisions, Code of Virginia, § 46.2-800.

Sec. 6-24. Compliance with traffic-control devices.

Any person operating a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, moped, or motorized skateboard or scooter, shall obey the instructions of official traffic-control signals, signs and other devices applicable to vehicles, unless otherwise directed by a police officer. Whenever authorized signs are erected indicating that no right, left or U-turn is permitted, no person operating a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, moped, or motorized skateboard or scooter, shall disobey the direction of any such sign, except where such person dismounts from the device to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

(Ord. No. 676, 12-10-80; Code 1964, § 25.1-280; Ord. No. 1436, 11-15-06; Ord. No. 21-0007 , 7-14-21)

Secs. 6-25, 6-26. Reserved.

Ord. No. 21-0007 , adopted July 14, 2021, repealed §§ 6-25 and 6-26, which pertained to riding of bicycles, mopeds, electric personal assistive mobility devices or electric power-assisted bicycles close to the right-hand edge of roadways and riding two or more abreast, and derived from Ord. No. 676, adopted December 10, 1980; Code 1964, § 25.1-276; and Ord. No. 1436, adopted November 15, 2006.

Sec. 6-27. Rider not to attach himself or bicycle to vehicle on roadway.

No person riding on any bicycle, electric personal assistive mobility device, electric power-assisted bicycle, moped, roller skates, skateboards, toys, or other devices on wheels or runners, shall attach the same or himself to any vehicle on a roadway.

(Ord. No. 676, 12-10-80; Code 1964, § 25.1-140; Ord. No. 1436, 11-15-06)

State law reference(s)—Similar provisions, Code of Virginia, § 46.2-932.

Sec. 6-28. Reserved.

Editor's note(s)—Ord. No. 18-0002 , adopted February 28, 2018, repealed § 6-28, which pertained to required use of bicycle paths, and derived from Ord. No. 1436, adopted Nov. 15, 2006; and Ord. No. 16-0008 , adopted April 13, 2016.

Sec. 6-29. Riding on sidewalks within public rights-of-way.

- (a) Whenever any person shall ride a bicycle, electric personal assistive mobility device, motorized skateboard or scooter, motor-driven cycle, or electric power-assisted bicycle on the sidewalk within public rights-of-way, whether paved or unpaved, such person shall yield the right-of-way to any pedestrian, shall give an audible signal before overtaking and passing any pedestrian, and shall ride in single file. Permissive use of a sidewalk within public rights-of-way does not apply where there is a usable bike path.
- (b) No person except a police officer while on patrol shall ride a bicycle, electric personal assistive mobility device, motorized skateboard or scooter, motor-driven cycle, or electric power-assisted bicycle, upon any sidewalk within public rights-of-way, whether paved or unpaved, in (i) any area where the main

entrance/exit to a building directly opens onto a sidewalk within public rights-of-way (e.g., certain areas of Phoebus and Downtown), or (ii) any area actively being used for a special public event, or (iii) any area where signage prohibiting the activity is conspicuously posted.

- (c) A violation of any provision of this section shall be punishable by a civil penalty of not more than fifty dollars (\$50.00).

(Ord. No. 676, 12-10-80; Code 1964, § 25.1-93, 25.1-276; Ord. No. 1270, 2-9-00; Ord. No. 1436, 11-15-06; Ord. No. 18-0002, 2-28-18; Ord. No. 21-0007, 7-14-21)

State law reference(s)—Authority to prohibit riding certain devices on sidewalks, Code of Virginia, § 46.2-904.

Sec. 6-30. Reserved.

Ord. No. 21-0007, adopted July 14, 2021, repealed § 6-30, which pertained to the manner of parking bicycles, and derived from Ord. No. 676, adopted December 10, 1980; Code 1964, § 25.1-277; and Ord. No. 1436, adopted November 15, 2006.

Sec. 6-31. Exclusion for police bicycle division.

This chapter shall not apply to the operation of bicycles by law enforcement officers in the performance of their duties using bicycles issued by the Hampton Police Division.

(Ord. No. 1212, 5-27-98; Ord. No. 1436, 11-15-06)

Sec. 6-32. Helmets.

- (a) Every person 14 years of age or younger shall wear a protective helmet that at least meets the Consumer Product Safety Commission standard whenever riding or being carried on a bicycle, an electric personal assistive mobility device, a toy vehicle, a motorized skateboard or scooter, or an electric power-assisted bicycle on any highway as defined in Code of Virginia, § 46.2-100, sidewalk, or public bicycle path.
- (b) Violation of this section shall be punishable by a fine to twenty-five dollars (\$25.00). However, such fine shall be suspended (i) for first-time violators and (ii) for any violator who, subsequent to the violation but prior to imposition of the fine, purchases a helmet of the type required by this section.
- (c) Pursuant to section 46.2-906.1 of the Code of Virginia, 1950, as amended, violation of this section shall not constitute negligence, or assumption of risk, be considered in mitigation of damages of whatever nature, be admissible in evidence, or be the subject of comment by counsel in any action for the recovery of damages arising out of the operation of any bicycle, electric personal assistive mobility device, or electric power-assisted bicycle, nor shall anything in this section change any existing law, rule, or procedure pertaining to any civil action.

(Ord. No. 1253, 7-14-99; Ord. No. 1436, 11-15-06; Ord. No. 21-0007, 7-14-21)

State law reference(s)—Authority for above section, Code of Virginia, § 46.2-906.1; authority to regulate motorized skateboards or scooters, Code of Virginia § 46.2-1315.

ARTICLE IV. OPERATION OF VEHICLES—GENERALLY³

Sec. 21-101. Use of broken wheels.

It shall be unlawful for any person to operate, or cause or suffer to be operated, upon any public street or highway of this city any motor vehicle having a wheel so broken or in such a state of disrepair as to cause injury to the pavement of such street or highway.

(Ord. No. 983, 11-14-90)

State law reference(s)—Tire cleats, chains and studs, Code of Virginia, § 46.2-1044.

Sec. 21-102. Tail gates.

- (a) It shall be unlawful for the operator of any truck, trailer or other vehicle equipped with a tail gate to lower or open the tail gate thereon, or to suffer or permit such tail gate to be lowered or opened, except during the time the vehicle is being loaded or unloaded, and except during the time the load on the vehicle necessitates a lowered or opened tail gate as a support for the load. It shall be the duty of the operator of any such vehicle to see that the tail gate of such vehicle is kept closed or raised, except during the time hereinbefore specified.
- (b) Any person who shall violate the provisions of this section shall be guilty of a traffic infraction and shall be punished by a fine of not less than five dollars (\$5.00) nor more than twenty dollars (\$20.00) for each offense.

(Ord. No. 983, 11-14-90)

Sec. 21-103. Through streets—Designated.

Those streets and parts of streets described below are hereby declared to be through streets for the purpose of this chapter:

	Name of Street	Portions Thereof
(1)	Aberdeen Road	From Pembroke Avenue to Todds Lane
(2)	Andrews Boulevard	From Mercury Boulevard to Old Buckroe Road
(3)	Armistead Avenue	From Settlers Landing Road to Wythe Creek Road
(4)	Back River Road	From Thornette Street to Bassett Street
(5)	Beach Road	From Bloxom's Corner to Grand View
(6)	Bell Street	From Shell Road to Pembroke Avenue
(7)	Big Bethel Road	From Briarfield Road to York county line
(8)	Briarfield Road	From Queen Street to Newport News city line
(9)	Charlton Drive	From Mercury Boulevard to Towler Drive

³Cross reference(s)—Regulations governing bicycle riders, § 6-16 et seq.

State law reference(s)—Vehicle operation generally, Code of Virginia, § 46.2-800 et seq.

(10)	Chesapeake Avenue	From LaSalle Avenue to Newport News city line
(11)	Clemwood Parkway	From Fox Hill Road to Little Back River Road
(12)	Coliseum Drive	From Pine Chapel Road to Marcella Road
(13)	County Street	From Interstate 64 to Willard Avenue
(14)	Cunningham Drive	From Lakeshore Drive to Mercury Boulevard
(15)	East Queen Street	From the Queen Street Bridge to Tyler Street
(16)	Farmington Boulevard	From Todds Lane to Estate Drive
(17)	Fox Hill Road	From Mercury Boulevard to Bloxom's Corner
(18)	"G" Street	From Pembroke Avenue to Mimosa Crescent
(19)	Grimes Road	From Pembroke Avenue to Smithman Circle
(20)	Hampton Roads Avenue	From Chesapeake Avenue to Shell Road
(21)	Harris Creek Road	From Fox Hill Road to dead end
(22)	Ivy Home Road	From Victoria Boulevard to dead end
(23)	Kecoughtan Road	From Settlers Landing Road to Newport News city line
(24)	LaSalle Avenue	From Chesapeake Avenue to Langley Air Force Base
(25)	Little Back River Road	From Roland Drive to Harris Creek Road
(26)	Mallory Street	From National Avenue to Richmond Drive
(27)	Mercury Boulevard	From Fort Monroe gate to Newport News city line
(28)	Northampton Drive	From Todds Lane to Churchill Drive
(29)	North King Street	From Lincoln Street to Langley Air Force Base
(30)	Old Buckroe Road	From Woodland Road to Fox Hill Road
(31)	Orcutt Avenue	From Todds Lane to Newport News city line
(32)	Pembroke Avenue	From First Street to Newport News city line
(33)	Pine Chapel Road	From Armistead Avenue to Queen Street
(34)	Powhatan Parkway	From Briarfield Road to Harbor Drive
(35)	Rip Rap Road	From Spring Street to King Street
(36)	Salters Creek Road	From Powhatan Parkway to Queen Street
(37)	Saunders Road	From Big Bethel Road to Newport News city line
(38)	Shell Road	From Thornette Street to Newport News city line
(39)	Tide Mill Lane	From Armistead Avenue to LaSalle Avenue
(40)	Todds Lane	From Mercury Boulevard to Newport News city line
(41)	Tyler Street	From Gatewood Drive to Interstate 64
(42)	Victoria	From Bridge Street to Newport News city line Boulevard
(43)	Weaver Road	From Queen Street to Newport News city line
(44)	West Queen Street	From Armistead Avenue to Mercury Boulevard
(45)	Whealton Road	From Mercury Boulevard to Todds Lane
(46)	Willow Oaks Boulevard	From Fox Hill Road to Little Back River Road
(47)	Winchester Drive	From Todds Lane to Headrow Terrace
(48)	Woodland Road	From County Street to Fox Hill Road

(Ord. No. 983, 11-14-90)

State law reference(s)—Authority to designate stop and yield right-of-way intersections, Code of Virginia, § 46.2-1301.

Sec. 21-104. Same—Erection of signs at intersections and duty of drivers approaching same.

- (a) Whenever any ordinance of the city designates and describes a through street, it shall be the duty of the director of public works to place and maintain a stop or yield sign on each and every street intersecting such through street or intersecting that portion thereof described and designated as such by an ordinance of the city, unless traffic at any such intersection is controlled at all times by traffic-control signals; provided, however, that at the intersection of two (2) such through streets or at the intersection of a through street and a heavy traffic street not so designated, stop or yield signs shall be erected at the approach of either of such streets as may be determined by the city manager upon the basis of the safety of the public.
- (b) The duty of the driver of a vehicle approaching any sign erected pursuant to this section shall be as prescribed in § 46.2-821 of the Code of Virginia.

(Ord. No. 983, 11-14-90)

Sec. 21-105. One-way streets.

- (a) Whenever any provision of this Code or other ordinance of the city designates any one-way street or alley, the director of public works shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.
- (b) Upon those streets and parts of streets and in those alleys designated by any provision of this code or other ordinance of the city as one-way, vehicular traffic shall move only in the indicated direction, when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.
- (c) When signs are erected giving notice thereof, vehicular traffic shall move only in the indicated direction upon the following streets and alleys or portions thereof:

	Name of Street	Portion of Street	One-Way Direction
(1)	Armstrong Drive	Between Stratford Road and Roads View Avenue	Southerly
(2)	Barksdale Road	Between Armstrong Drive and Roads View Avenue	Southerly
(3)	Burns Street	Between VanPatten Road and Stratford Road	Northerly
(4)	Clyde Street	Between Roads View Avenue and Stratford Road	Northerly
(5)	Kecoughtan Service Road	Between Armstrong Drive and Clyde Street	Easterly
(6)	Roads View Avenue	Between Armstrong Drive and Clyde Street	Easterly
(7)	Seaboard Avenue	Between Mallory Street and Second Street	Southerly
(8)	Thornette Street	Between Back River Road and England Avenue	Westerly
(9)	Van Patten Drive	Between Armstrong Drive and Clyde Street	Easterly

(Ord. No. 983, 11-14-90; Ord. No. 1060, 7-8-92; Ord. No. 08-0021, 10-22-08)

State law reference(s)—One-way roadways and highways, Code of Virginia, § 46.2-806.

Sec. 21-106. Driving over new pavement, closed street, etc.

No person shall ride or drive any animal or vehicle or walk over any newly made pavement or freshly painted marking in any highway, when a barrier or sign is in place warning persons not to drive over such pavement or marking or when a sign is in place stating that the street or any portion thereof is closed.

(Ord. No. 983, 11-14-90)

Sec. 21-107. Driving across sidewalks or gutters.

It shall be unlawful for any person to drive or back any vehicle across the sidewalk of any street, paved or unimproved, or across any gutter, except where permanent driveways have been constructed for this purpose and except when permits or authorizations for public use vehicles have been issued by the city manager for temporary use of the sidewalk for such purpose, under such conditions and regulations as he may prescribe. No such permits shall be issued for a period of more than sixty (60) days.

(Ord. No. 983, 11-14-90)

State law reference(s)—Stop required before entering highway from sidewalk, Code of Virginia, § 46.2-826.

Sec. 21-108. Authority of city manager as to speed limits.

- (a) Notwithstanding the speed limits fixed pursuant to this chapter, the city manager is expressly authorized to increase or decrease the speed of all streets maintained by the city; provided, that such areas or points are clearly indicated by markers or signs and such speed shall be based on an engineering or traffic investigation pursuant to § 46.2-1300 of the Code of Virginia. The city manager is further authorized to fix the speed on streets of the city for congested areas or curves, right angle turns or other dangerous points on the streets, when such areas or points are clearly indicated by markers or signs and such speed limits are based on an engineering or traffic investigation.
- (b) The city manager is expressly authorized to reduce for a temporary period not to exceed sixty (60) days, without such engineering and traffic investigation, the speed limit on any street or highway of the city on which men are working or where the roadway is under construction or repair.
- (c) It shall be unlawful for any person to drive any motor vehicle in excess of any speed limit fixed by the city manager in accord with the provisions of this section, if such speed limit is clearly indicated by markers or signs.

(Ord. No. 983, 11-14-90)

Sec. 21-109. Maximum speed on bridges.

It shall be unlawful for any person to drive any vehicle upon any bridge open to the use of the public for purposes of vehicular travel in the city at a speed which is greater than that which can be maintained thereon with safety to such structure. The maximum speed for each such bridge shall be determined by the city manager and shall be displayed on suitable signs at the ends of each such bridge.

(Ord. No. 983, 11-14-90)

State law reference(s)—Special speed limitation on bridges, tunnels and interstates, Code of Virginia, § 46.2-881.

Sec. 21-110. Driving while under influence of alcohol or drugs; adoption of state law.

Pursuant to the provisions of § 46.2-1313 of the Code of Virginia, 1950, as amended, all of the provisions and requirements of article 2 (section 18.2-266 et seq.) of chapter 7 of title 18.2 of the Code of Virginia, 1950, as amended, and as amended in the future, are hereby adopted and made a part of this chapter as fully as though set out herein and are hereby made applicable within the city. References herein to "highways of the state" shall be deemed to refer to streets, highways and alleys within the city. It shall be unlawful for any person within the city to violate or fail, neglect or refuse to comply with any section of the Code of Virginia which is adopted by this section.

(Ord. No. 983, 11-14-90; Ord. No. 1006, 4-10-91; Ord. No. 1016, 6-26-91; Ord. No. 1054, 6-24-92; Ord. No. 1067, 9-23-92; Ord. No. 1090, 6-9-93; Ord. No. 1110, 1-12-94; Ord. No. 1124, 6-8-94; Ord. No. 1135, 1-11-95; Ord. No. 1140, 6-14-95; Ord. No. 1166, 6-12-96; Ord. No. 1189, 7-9-97; Ord. No. 1219, 6-24-98; Ord. No. 1465, 3-1-07)

Cross reference(s)—Operating boat, water skis, etc., while intoxicated or under influence of drugs, § 7-34; public drunkenness, § 24-13.

State law reference(s)—Authority for above section, Code of Virginia, § 46.2-1313.

Sec. 21-111. Reimbursement of expenses incurred while responding to DUI incidents.

- (a) Any person convicted of a violation of section 21-110 of this Code or Virginia Code sections 18.2-266 or 18.2-51.4, all pertaining to operation of a motor vehicle while impaired by drugs or alcohol, when his operation of a motor vehicle while so impaired is the proximate cause of any accident or incident resulting in an appropriate emergency response by the city, shall be liable to the city in a separate civil action for the reasonable expenses thereof, in an amount not to exceed one thousand dollars (\$1,000.00) in the aggregate for a particular accident or incident occurring in the city.
- (b) An "appropriate emergency response" includes all costs of providing law enforcement, firefighters, rescue and emergency medical services.

(Ord. No. 1213, 5-27-98)

State law reference(s)—Reimbursement of expenses incurred in responding to DUI and related incidents, Code of Virginia, § 15.2-1716.

Sec. 21-112. Driving or parking in certain flooded areas prohibited; removal and storage authorized.

- (a) It shall be unlawful for any person to operate a motor vehicle or watercraft on a flooded highway, street, alley, or parking lot, regardless of whether such highway, street, alley, or parking lot is publicly or privately owned, in such a manner as to increase the level of floodwaters to a level that causes or could reasonably be expected to cause damage to any real or personal property. The city will cause to be erected signs warning operators of motor vehicles and watercraft of the prohibition and penalties associated with this subsection. A violation of this subsection shall constitute a misdemeanor, punishable by a fine of up to \$250.
- (b) During flooding events, the city manager or his designee may designate certain highways, streets, alleys, or parking lots as dangerous flood areas, and prohibit any parking or operation of motor vehicles or watercraft in such areas for the duration of the flooding event. Any prohibition created by this subsection shall not apply to a person who must drive in the designated area in order to evacuate to a safer location, and who

does so safely without endangering himself or the person or property of another. A violation of this subsection shall constitute a misdemeanor, punishable by a fine of \$50.

- (c) Any vehicle or watercraft that is (i) stalled, stuck, parked or abandoned on any highway, street, alley, or parking lot that has been designated as a dangerous flood area by the city manager or his designee in accordance with subsection (b) of this section, or (ii) stalled, stuck or abandoned on any highway, street, alley or parking lot that is posted with signage in accordance with subsection (a) of this section, may be removed and stored at the request of the police division or the public works department. The owner of any such vehicle will be charged a reasonable fee for such removal or storage in addition to any fines noted in subsections (a) and (b) of this section.
- (d) No provision of this section shall apply to any law enforcement officer, firefighter, or emergency medical services personnel engaged in the performance of his duties nor to the operator of any vehicle owned or controlled by the public works department, the department of transportation, or a public utility agency as defined in Virginia Code § 56-265.1.

(Ord. No. 16-0013 , 7-13-16)

State law reference(s)—Authority for above section, Code of Virginia, § 46.2-800.3; 46.2-1302.

Sec. 21-113. Improper driving; use of handheld communication device while driving vehicle.

- (a) Any person who drives a motor vehicle on any public street or highway in the city while using any handheld personal communications device where such use diverts the driver's attention from the operation of the motor vehicle is guilty of distracted driving.
- (b) The provisions of this section shall not apply to an operator (i) of any emergency vehicle while he is engaged in the performance of his official duties; (ii) who is lawfully stopped or parked; (iii) using a handheld personal communications device to report an emergency; or, (iv) using a handheld radio-based communications device during an emergency or disaster relief operation.
- (c) A violation of this section shall constitute a separate and distinct offense. The provisions of this section shall not preclude prosecution under any other statute.
- (d) A violation of this section is a traffic infraction punishable, for a first offense by a fine of \$125.00 and, for a second or subsequent offense, by a fine of \$250.00.

(Ord. No. 19-0001 , 1-9-19)

Sec. 21-114. Blocking intersections.

No operator of a vehicle shall enter an intersection or a marked crosswalk unless there is sufficient space beyond such intersection or crosswalk in the direction in which such vehicle is proceeding to accommodate the vehicle without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.

(Ord. No. 20-0001 , 1-22-20)

Secs. 21-115—21-125. Reserved.

ARTICLE V. STOPPING, STANDING AND PARKING⁴

DIVISION 1. GENERALLY⁵

Sec. 21-126. General prohibitions.

No person, except as specifically provided otherwise, shall stop, stand, park or leave any vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the direction of a police officer or traffic-control device, in any of the following places, whether signs prohibiting such parking, standing or stopping are erected or not:

- (1) On a sidewalk or walkway;
- (2) In front of a public or private driveway;
- (3) Within an intersection;
- (4) Within fifteen (15) feet of a fire hydrant, whether such fire hydrant is located on public or private property. In the case of private property, a summons may be issued by a police officer of this city, or other authorized representative of the police division, without the necessity of a warrant being obtained by the owner of such private property;
- (5) On a crosswalk;
- (6) Within twenty (20) feet of a crosswalk at an intersection;
- (7) Within thirty (30) feet upon the approach to any flashing beacon, stop sign or traffic-control signal located at the side of the roadway;
- (8) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the city manager has indicated a different length by signs or markers;
- (9) Within fifty (50) feet of the nearest rail of a railroad crossing;
- (10) Within fifteen (15) feet of the driveway entrance to any fire station and, on the side of a street opposite the entrance to any fire station, within seventy-five (75) feet of such entrance, the latter only when properly marked;

⁴Cross reference(s)—Deposit of advertising matter on parked vehicles, § 3-2; parking of bicycles, § 6-30; stopping or parking of vehicles used for sale of ice cream, §§ 15-171—15-173; parking of mobile homes on streets, § 20-3; parking fees at Hampton Coliseum, § 26-78.

State law reference(s)—General authority of city to regulate parking, Code of Virginia, § 46.2-1220.

⁵Editor's note(s)—Ord. No. 1365, adopted March 10, 2004, amended Art. V, Div. 1, in its entirety, to read as herein set out in §§ 21-126—21-150. Prior to inclusion of said ordinance, Div. 1 pertained to similar subject matter. See also the Code Comparative Table.

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- (11) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
 - (12) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 - (13) Within twenty (20) feet from the intersection of curb lines or, if none, within fifteen (15) feet of the intersection of property lines, at an intersection of streets;
 - (14) Upon any bridge, viaduct or causeway or within a highway tunnel.

(Ord. No. 1365, 3-10-04)

State law reference(s)—Parking in front of private driveway, near driveway or intersection, Code of Virginia, § 46.2-1239.

Sec. 21-127. Disobeying official sign or direction of police officer.

It shall be unlawful for any person to stop, park or stand a vehicle in any place contrary to the directions of any official sign or the direction of a police officer or other authorized representative of the police division.

(Ord. No. 1365, 3-10-04)

State law reference(s)—Failure to obey order of conservator of the peace, Code of Virginia, § 18.2-464; disregarding signal by law enforcement officer to stop, Code of Virginia, § 46.2-817.

Sec. 21-128. Keys to be removed from unattended vehicle.

It shall be unlawful for any person to leave a vehicle unattended in a public place without removing the ignition keys from such vehicle.

(Ord. No. 1365, 3-10-04)

Sec. 21-129. General authority of city manager as to parking.

- (a) The city manager is hereby authorized to classify vehicles with reference to parking and he may designate the time, place and manner in which vehicles may be parked on city streets, and may make and enforce such additional rules and regulations as parking conditions may require.
- (b) When any parking regulation is established pursuant to this article, the city manager shall cause to be erected appropriate signs or markers so that an ordinarily observant person, who may be affected by such regulation, will be aware of such regulation.

(Ord. No. 1365, 3-10-04)

State law reference(s)—Authority for above section, Code of Virginia, § 46.2-1220.

Sec. 21-130. Parking within designated space required.

It shall be unlawful for any person to park any vehicle on the streets, avenues or public parking lots of the city where lines or markings are painted or buttons or any other markers are placed, except within the spaces indicated for such parking. Every vehicle parked alongside of or next to any curbing or within any public parking lot shall be parked within the lines, markings or buttons as established. It shall be unlawful for any person to park any vehicle across any such line, marking or button or to park such vehicle in such a position that the same shall not be entirely within the area so designated by such line, marking or button.

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(Ord. No. 1365, 3-10-04)

Sec. 21-131. Parallel parking require; exceptions.

No vehicle shall be parked on any street except parallel to, and with the rear wheels not further than twelve (12) inches from the right hand edge of the curb or street, except that a vehicle may be parked not further than twelve (12) inches from the parallel to the left-hand curb or edge of a one-way street, other than dual-lane or divided street, and except that a vehicle may be parked at an angle, where permitted.

(Ord. No. 1365, 3-10-04)

Sec. 21-132. Right to parking space.

Whenever the driver of a vehicle pulls up parallel with a parked vehicle for the purpose of backing into the parking space behind such parked vehicle, he shall have the first privilege of using such parking space, and no driver of any other vehicle shall drive his vehicle into such space or stop immediately behind the first vehicle in such a way as to block access to the parking space.

(Ord. No. 1365, 3-10-04)

Sec. 21-133. Parking in alleys.

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.

(Ord. No. 1365, 3-10-04)

Sec. 21-134. Parking for certain purposes prohibited.

No person shall park a vehicle upon any street for the purpose of displaying such vehicle for sale, washing such vehicle for compensation or greasing or repairing such vehicle, except repairs necessitated by an emergency.

(Ord. No. 1365, 3-10-04)

Sec. 21-135. Limited parking zones for banks.

The city manager is hereby authorized to designate and mark fifteen (15) minute parking zones along the curb adjacent to each of the banks in the city, provided such parking will not create a traffic hazard and provided the cost of providing the necessary signs is paid by the bank making application for such regulation. No such zone shall be designated when the applicant has parking space on its own premises or convenient to such bank.

(Ord. No. 1365, 3-10-04)

Sec. 21-136. Time limit for parking of trucks, trailers, etc.

- (a) It shall be unlawful for any person to park any vehicle, other than a private passenger automobile, sedan delivery or pickup truck, one (1) ton or under, or bus used for the transportation of students (public or

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private schools), upon any street in the city for a longer period of time than one (1) hour, except when in the process of loading and unloading or on streets in commercial or industrial zoning districts; provided, however, that where a parking period of less than one (1) hour is described and designated on any street, then the parking of all vehicles, including private passenger automobiles, sedan delivery and pickup trucks, one (1) ton or under, and buses used for the transportation of students (public or private schools), shall be limited to the parking period so designated.

- (b) In the instance where the place of business is legally located within a residential district, only one (1) commercial vehicle directly related to that business may be parked at such place of business, provided it complies with all the parking regulations of the zoning ordinance.
- (c) A violation of this section shall result in the issuance of a parking citation. Any owner of a vehicle to which has been attached a parking citation pursuant to this section may, between the hours of 8:30 a.m. and 5:00 p.m. of the business day following the date of the issuance of such citation, pay as directed in the citation, as a penalty for and in full satisfaction of such violation, the sum of one hundred twenty five dollars (\$125.00) for each hour or fraction thereof, during which the vehicle was parked in violation.

(Ord. No. 1365, 3-10-04; Ord. No. 15-0010, 3-25-15 ; Ord. No. 19-0005 , 5-8-19)

State law reference(s)—Code of Virginia § 46.2-1220

Sec. 21-137. Reserved.

Editor's note(s)—Ord. No. 1414, adopted Jan. 11, 2006, repealed § 21-137, which pertained to parking for more than forty-eight hours. See also the Code Comparative Table.

Sec. 21-138. Parking in fire lanes.

No person shall park or stand a vehicle in any fire lane, whether on public or private property, provided such fire lane has been classified as such by the fire chief and is clearly designated for use as a fire lane by pavement markings and signs approved by the fire chief.

(Ord. No. 1365, 3-10-04)

Sec. 21-139. Parking in space reserved for persons with disabilities.

- (a) Definition. When used in this section, "person with a disability" or "persons with disabilities" means a person with a disability that limits or impairs his ability to walk or that creates a concern for his safety while walking as defined in § 46.2-1240 of the Code of Virginia, 1950, as amended.
- (b) It shall be unlawful for any person to stop or park a vehicle in a parking space reserved for persons with disabilities unless such vehicle is displaying (i) disabled parking license plates, (ii) an organizational removable windshield placard, (iii) a temporary or permanent removable windshield placard issue under § 46.2-1241 of the Code of Virginia, 1950, as amended, or (iv) DV disabled parking license plates issued under subsection B of § 46.2-739 of the Code of Virginia, 1950, as amended.
- (c) It shall be unlawful for a person who is not a person with a disability, to stop or park a vehicle in a parking space reserved for persons with disabilities except when transporting a person with a disability in the vehicle that is so stopped or parked.
- (d) In the case of private property, a summons or citation may be issued by a police officer, a volunteer serving pursuant to § 46.2-1244 of the Code of Virginia, 1950, as amended, or other authorized representatives of the police division without the necessity of a warrant being obtained by the owner of such private property.

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- (e) Spaces reserved for persons with disabilities shall be identified by above-grade signs, in accordance with the provisions of § 36-99.11 of the Code of Virginia, 1950, as amended.
 - (f) The chief of police is hereby authorized to appoint persons to enforce the provisions of this section. Such persons shall wear a uniform as prescribed by the chief of police.
 - (g) In any prosecution charging a violation of this section, proof that the vehicle described in the summons or parking ticket, citation, or warrant was parked in violation of this section, together with proof that the defendant was at the time the registered owner of the vehicle, as required by chapter 6 of title 46.2 of the Code of Virginia, 1950, as amended, shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person who committed the violation.
 - (h) No violation of this section shall be dismissed for a property owner's failure to comply strictly with the requirements for disabled parking signs set forth in § 36-99.11 of the Code of Virginia, 1950, as amended, provided the space is clearly distinguishable as a parking space reserved for persons with disabilities that limit or impair their ability to walk or that create a concern for their safety while walking.
 - (i) Any person convicted of violating any provision of this section shall be punished by a fine of five hundred dollars (\$500.00). No portion of said fine may be suspended.

(Ord. No. 1365, 3-10-04; Ord. No. 1465, 3-1-07; Ord. No. 19-0005 , 5-8-19)

State law reference(s)—Authority for above section, Code of Virginia, § 46.2-1242.

Sec. 21-139.1. Parking near curb ramp.

- (a) *Prohibition.* It shall be unlawful for any person to park or stand a vehicle so as to prevent the use of a curb ramp.
- (b) *Application.* This section shall apply to both public property and privately owned property open to the public. In the case of private property, a summons or citation may be issued by law enforcement officers or other authorized representatives of the police division without the necessity of a warrant being obtained by the owner of such private property.
- (c) *Penalty for violation.* A violation of this section shall be punishable by a fine of not more than twenty-five dollars (\$25.00).

(Ord. No. 1365, 3-10-04)

State law reference(s)—Authority for the above section, Code of Virginia, § 46.2-1306.1.

Sec. 21-140. Parking in taxicab stand.

No person shall park a vehicle, other than a taxicab, in a taxicab stand designated as provided in section 38-141 of this Code, except that the driver of a passenger vehicle may stop temporarily in such areas for the immediate purpose of loading or unloading passengers and while actually engaged therein, when such stopping does not interfere with the driver of a taxicab desiring to use such area.

(Ord. No. 1365, 3-10-04)

Sec. 21-141. Parking in bus stop.

No person shall park a vehicle, other than a bus, in a bus stop, except that the driver of a passenger vehicle may stop temporarily in such areas for the immediate purpose of loading or unloading passengers and while actually engaged therein, when such stopping does not interfere with the driver of a bus desiring to use such area.

(Ord. No. 1365, 3-10-04)

Sec. 21-142. Stopping or parking in loading zones.

No person shall stop or park a vehicle in a loading zone except for the immediate and continuous unloading and delivery or pickup and loading of materials from or onto a truck or passengers to or from a passenger vehicle during hours when such zones are restricted to parking for loading purposes.

(Ord. No. 1365, 3-10-04)

Sec. 21-143. Moving vehicle of another into no parking area or away from curb.

It shall be unlawful for any person to move a vehicle not lawfully under his control into any area wherein parking or stopping is prohibited by this chapter, or away from a curb for such a distance as is made unlawful by section 21-131.

(Ord. No. 1365, 3-10-04)

Sec. 21-144. Leaving vehicle on private property without consent.

It shall be unlawful for any person to leave any motor vehicle, trailer or semitrailer, or part thereof, on the private property of any other person without his consent.

(Ord. No. 1365, 3-10-04)

Sec. 21-145. Issuance of parking citations.

Law enforcement officers of the city, or other authorized and uniformed employees of the city or treasurer, shall attach to any vehicle parked or standing in violation of this chapter a citation giving notice to the owner thereof that such vehicle has been parked in violation thereof and instructing such owner to report as directed upon the citation in regard to such violation.

(Ord. No. 1365, 3-10-04; Ord. No. 1384, 10-13-04; Ord. No. 19-0005 , 5-8-19)

State law reference(s)—Code of Virginia § 46.2-1220

Sec. 21-146. Penalties for parking violations.

Any owner of a vehicle to which has been attached a parking violation pursuant to section 21-145 may, between the hours of 8:30 a.m. and 5:00 p.m. of the business day following the date of the issuance of such citation, pay, as directed in the citation, as a penalty for and in full satisfaction of such violation, the sum of forty dollars (\$40.00) for each violation of this chapter; provided, however, that for the violation of § 46.2-888 of the Code of Virginia or section 21-138, the sum of fifty dollars (\$50.00) shall be paid for each violation of such section.

For the violation of any other section of this chapter for which no specific penalty is provided, and for a violation of section 21-126(10) the penalty shall be as provided in section 21-2.

(Ord. No. 1365, 3-10-04; Ord. No. 19-0005, 5-8-19)

State law reference(s)—Code of Virginia § 46.2-1220

Sec. 21-147. Collection of an accounting for uncontested parking citation penalties.

The uncontested payment of parking citation penalties under section 21-146 shall be collected and accounted for by the treasurer's office or the police division.

(Ord. No. 1365, 3-10-04)

State law reference(s)—Requirement for above section, Code of Virginia, § 46.2-1225.

Sec. 21-148. Contest of parking citations.

Any person who shall desire to contest a parking citation shall present the citation to the treasurer's office or the police division within thirty (30) days of the issuance of the citation to register his/her intent to contest the violation. Failure to initiate action within thirty (30) days shall constitute waiver and the matter shall proceed for collection. Upon timely registration of intent to contest, the citation shall be certified by the police division or treasurer on an appropriate form to the general district court.

(Ord. No. 1365, 3-10-04; Ord. No. 1384, 10-13-04)

State law reference(s)—Certification required, Code of Virginia, § 46.2-1225.

Sec. 21-149. Procedure for delinquent parking citations.

- (a) The treasurer or the police division shall cause a complaint or summons to be issued for delinquent parking citations.
- (b) Before any summons shall issue for the prosecution of a violation of any provision of this article or any other ordinance of this city regulating parking, the violator shall have been first notified by mail, at his last known address or at the address shown for such violator on the records of the department, that he may pay the fine provided by law for such violation, within five (5) days of receipt of such notice, and the authorized person issuing such summons shall be notified that the violator has failed to pay such fine within such time. The notice required by this section shall be contained in an envelope bearing the words "law enforcement notice" stamped or printed on the face thereof in all capital letters, bold face type, no smaller than the print size used for the primary address on the envelope. If "window" envelopes are used, the words "Law-Enforcement Notice" shall be clearly visible through the window of the envelop.

(Ord. No. 1365, 3-10-04; Ord. No. 1465, 3-1-07)

State law reference(s)—Similar provision, Code of Virginia, § 46.2-941.

Sec. 21-150. Presumption in prosecutions for parking violations.

In any prosecution charging a violation of any provision of this chapter or any other ordinance or regulation of the city governing the parking of a vehicle, proof that the vehicle described in the complaint or summons was parked in violation of such provision, together with proof that the defendant was, at the time of such parking, the registered owner of such vehicle, shall constitute, in evidence, a prima facie presumption that such registered

owner of the vehicle was the person who parked the vehicle at the place where, and for the time during which, such violation occurred.

(Ord. No. 1365, 3-10-04)

State law reference(s)—Similar provisions, Code of Virginia, § 46.2-1220.

Secs. 21-151—21-160. Reserved.

DIVISION 2. RESIDENTIAL PARKING PERMIT PROGRAM⁶

Sec. 21-161. Definitions.

For purposes of this division the following definitions apply:

Block means one (1) side of a section of a street between its intersection with two (2) adjoining streets, or a section of street five hundred (500) feet in length, whichever is shorter with residential properties having street addresses within such section.

Residential area is one which is either designated as a residential zoning district or which contains streets primarily abutted by residential property and non-business property, such as schools, parks, churches, hospitals and nursing homes, and designated as such by the city traffic/transportation engineer or by ordinance.

(Ord. No. 983, 11-14-90; Ord. No. 1424, 6-14-06)

Sec. 21-162. Inclusion of block in program.

- (a) A block on a street within a residential area shall be deemed eligible for inclusion in the residential parking permit program in accordance with the following procedure:
 - (1) A petition requesting inclusion in such program, signed by residents, or their authorized representatives, of at least seventy-five (75) percent of the households within such block, must be filed with the city manager.
 - (2) A seven-day parking survey of the block referred to in the petition shall be conducted, the results of which must indicate that, for five (5) days or more, vehicles occupy at least seventy-five (75) percent of the curb faces or road shoulders during peak parking periods and that at least thirty-three and one-third (33⅓) percent of such vehicles are owned by persons not residing on the block.
- (b) In the event that all requirements of this section are met, the city manager shall designate the eligible block as within a residential parking permit program area.

(Ord. No. 983, 11-14-90)

Sec. 21-163. Erection of signs in designated areas.

When a residential parking permit area has been designated by ordinance or by the procedure outlined in this division, the city traffic/transportation engineer shall cause two-hour parking signs to be erected in such area indicating conditions under which parking shall be permitted. Except as otherwise specifically provided in this

⁶State law reference(s)—Authority to provide for permit parking, Code of Virginia, § 46.2-1230.

division, it shall be unlawful for any person to park a vehicle in such area for longer than two (2) hours, when such signs are in place.

Residential parking permit areas without at least one-half (½) of the residential lots with off-street parking (driveways) shall cause the two-hour parking by non-permit holders to be eliminated.

(Ord. No. 983, 11-14-90)

Sec. 21-164. Permit generally.

- (a) Following the designation of a residential parking permit area by ordinance or by the procedure outlined in this division, the city traffic/transportation engineer shall issue appropriate parking permits for such area. Such a permit shall be issued, upon application and payment of the prescribed fee, only to a motor vehicle owner or operator who resides on property immediately adjacent to a street, avenue or other location within the residential parking permit area, and for only such vehicles as are normally garaged at such residence.
- (b) An applicant for a permit under this division shall present his vehicle registration and driver's license along with the permit application. Other information may be required as deemed necessary by the city traffic/transportation engineer in order to guarantee proper issuance of the permit.
- (c) An annual residential parking permit fee of five dollars (\$5.00) per vehicle is hereby established to cover the administrative costs of issuing or renewing a permit pursuant to this division. The permit shall be renewed annually pursuant to such procedures as the city traffic/transportation engineer shall established.
- (d) A permit issued under this division shall be displayed on the rear bumper of the vehicle for which issued, so as to be clearly visible.

(Ord. No. 983, 11-14-90)

Sec. 21-165. Temporary and visitor permits.

- (a) The city traffic/transportation engineer may issue temporary and visitor parking permits for special uses and under special conditions within a designated residential parking area. Visitor permits shall be issued for a maximum period of seven (7) days and temporary permits shall be issued for a maximum period of thirty (30) days. Such permits shall be displayed in such a manner as to be legible through the front windshield of the vehicle.
- (b) Temporary and visitor permits issued under this division may be renewed for good cause, but such renewals shall not be used as a ruse to avoid the intent of the residential parking permit program.
- (c) There shall be no fee for the issuance of temporary or visitor permits under this section.

(Ord. No. 983, 11-14-90)

Sec. 21-166. Effect of permit.

- (a) The operator of a vehicle displaying in the manner prescribed in this division, a valid permit issued under this division may park such vehicle in the designated residential parking area for which the permit was issued beyond the two-hour limit provided for in section 21-163, provided such parking is not otherwise prohibited by other sections of this chapter.
- (b) A permit issued under this division shall not guarantee or reserve to the holder a parking space within a designated residential parking permit area.

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(Ord. No. 983, 11-14-90)

Sec. 21-167. Unauthorized use or display of permit.

It shall be unlawful for any person to use or display, or allow to be used or displayed, a permit issued under this division upon any vehicle other than the vehicle for which the permit was issued.

(Ord. No. 983, 11-14-90)

Sec. 21-168. Obtaining permit by fraud.

It shall be unlawful for any person to falsely represent himself as eligible for a permit under this division or to furnish any false information in an application to the city traffic/transportation engineer in order to obtain such a permit.

(Ord. No. 983, 11-14-90)

Sec. 21-169. Revocation of permit.

The city traffic/transportation engineer is authorized to revoke a permit issued under this division, if the holder thereof is found to be in violation of this division, and upon written notification thereof, the holder shall surrender such permit to the city traffic/transportation engineer. Failure, when so requested, to surrender such permit shall constitute a violation of this division.

(Ord. No. 983, 11-14-90)

Sec. 21-170. Towing of vehicle parked in violation of division.

Any motor vehicle parked in violation of this division may be towed at the discretion of the police division.

(Ord. No. 983, 11-14-90)

Secs. 21-171—21-185. Reserved.

Chapter 27 PAWNBROKERS; JUNK AND SECONDHAND DEALERS⁷

⁷Editor's note(s)—Ord. No. 13-0024 , adopted January 1, 2014, amended chapter 27 in its entirety to read as herein set out. Former chapter 27, §§ 27-1—27-10, pertained to similar subject matter. See Code Comparative Table for complete derivation.

Cross reference(s)—Reports required of dealers in secondhand bicycles, § 6-5; license tax on pawnbrokers, § 18.1-40; open storage of inoperative vehicles on property zoned for residential, commercial or agricultural purposes, § 24-39.

State law reference(s)—Pawnbrokers, Code of Virginia, § 54.1-4001 et seq.; junk and secondhand dealers, § 59.1-117 et seq.

Sec. 27-1. Definitions.

"Pawnbroker" means any natural person who lends or advances money or other things for profit on the pledge and possession of tangible personal property, or other valuable things, other than securities or written or printed evidences of indebtedness or title, or who deals in the purchasing of personal property or other valuable things on condition of selling the same back to the seller at a stipulated price.

"Secondhand dealer" means any natural person who buys, sells, barter or exchanges used or secondhand articles, including but not limited to such items as firearms, office machines, household appliances, radios, television sets, cellphones, electronic equipment, sporting equipment, photographic equipment, or any other secondhand merchandise intended to be resold for use as such. This definition does not include those persons who exclusively buy, sell, barter or exchange used or secondhand clothing, furniture and non-electronic children's articles; nor does it include those persons who buy, sell, barter or exchange used or secondhand items defined and regulated by chapter 27.1.

(Ord. No. 13-0024, 11-13-13 ; Ord. No. 20-0002 , 1-22-20)

State law reference(s)—Authority for above section, Code of Virginia, § 54.1-4000; § 15.2-1114.

Sec. 27-2. Violations of chapter.

- (a) Unless otherwise specifically provided in this chapter, a violation of any provision of this chapter shall constitute a Class 4 misdemeanor.
- (b) In addition to any penalty that may be imposed for a violation of this chapter, upon the second conviction of any pawnbroker or secondhand dealer for a violation of this chapter, the judge of a court of competent jurisdiction may, at his discretion, revoke or suspend the license of the offender.

(Ord. No. 13-0024, 11-13-13)

Sec. 27-3. Officers may examine records or property; warrantless search and seizure authorized.

Every pawnbroker or secondhand dealer and every person in the employ of such pawnbroker or secondhand dealer shall admit to his place of business, during regular business hours, any duly authorized law-enforcement officer of the City of Hampton, Virginia, or any law-enforcement official of the state or federal government. The pawnbroker or secondhand dealer or their employee shall permit the officer to (i) examine all records required to be maintained by this chapter and any article listed in a record which is believed by the officer to be missing or stolen and (ii) search for and take into possession any article known to him to be missing, or known or believed by him to have been stolen. However, the officer shall not take possession of any article without providing to the pawnbroker or secondhand dealer a receipt.

(Ord. No. 13-0024, 11-13-13)

Sec. 27-4. Identification numbers on property acquired.

No pawnbroker or secondhand dealer shall remove, change, alter or conceal any serial or other identification number which may be attached or affixed to any property of any kind received by such pawnbroker or secondhand dealer, without the consent of the chief of police of Hampton, Virginia or his designee, nor shall such dealer knowingly take in pawn, buy or acquire or keep in his possession any such property, the serial or identification

number of which has been removed, changed or altered, without the consent of the chief of police of Hampton, Virginia or his designee.

(Ord. No. 13-0024, 11-13-13)

Sec. 27-5. Property pawned or purchased not to be disfigured or changed.

No property of any kind received on deposit or pledged or purchased by any pawnbroker shall be disfigured or its identity destroyed or affected in any manner whatsoever, (i) so long as it continues in pawn or in the possession of the pawnbroker while in pawn or (ii) in an effort to obtain a serial number or other information for identification purposes.

(Ord. No. 13-0024, 11-13-13)

Sec. 27-6. Record of purchases.

- (a) Every pawnbroker or secondhand dealer shall keep at his place of business an accurate and legible record of every transaction where an article is taken in pawn, bought or acquired by such pawnbroker or secondhand dealer in the course of his business. The information shall be recorded at the time of the transaction, on a form approved by the chief of police of Hampton, Virginia or his designee, and shall include:
- (1) A complete description and statement of ownership of each article taken in pawn, bought or acquired from the person selling or pledging the article and the price paid for such item. The description shall include all names, initials, serial numbers or other identifying marks or monograms on each article.
 - (2) The date, time, and place of receiving the article and the initials of the pawnbroker or secondhand dealer or employee receiving the article.
 - (3) The full name, residence address, telephone number, and driver's license number or other identifying credential, as defined in subsection (c), of the person selling or pledging the article, together with a particular description, including the height, weight, date of birth, race, gender, hair and eye color, and any other identifying marks, of such person.
 - (4) Verification of the identification by the exhibition of an identifying credential, as defined in subsection (c). The record shall contain the type of identification exhibited, the issuing agency, and the number thereon;
 - (5) A digital image of the identifying credential used by the person involved in the transaction;
 - (6) A digital image of the article taken in pawn, bought or acquired from the person selling or pledging the article; and,
 - (7) All other facts and circumstances respecting such transaction.
- (b) In addition to the information required by subsection (a), pawnbrokers shall include the following information in their account of the transaction:
- (1) The amount of money loaned on the article at the time of pledging the same.
 - (2) The rate of interest to be paid on such loan.
 - (3) The terms and conditions of the loan, including the period for which any such loan may be made.
 - (4) All other facts and circumstances respecting such loan.
- (c) An "identifying credential" is any valid operator's license, any valid chauffeur's license, or any valid identification card issued by a governmental agency. The photograph, date of birth, and signature of the

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person attempting to pledge or sell an article under this section must be affixed on the operator's license, chauffeur's license, or identification card in order for it to qualify as an identifying credential. No operator's license, chauffeur's license, or identification card shall be considered valid for the purpose of qualifying as an identifying credential if presented to pawnbroker or secondhand dealer or employee after its date of expiration.

- (d) All records required by this section shall be retained by the pawnbroker or secondhand dealer for not less than twenty-four (24) months. Such records may be maintained by the pawnbroker or secondhand dealer in an electronic format at his place of business.

(Ord. No. 13-0024, 11-13-13 ; Ord. No. 15-0018, 6-10-15)

Sec. 27-7. Prohibited purchases.

- (a) No pawnbroker or secondhand dealer shall take in pawn, buy or acquire any secondhand article from any seller who is under the age of eighteen (18) years.
- (b) No pawnbroker or secondhand dealer shall take in pawn, buy or acquire any secondhand article from any seller who the pawnbroker or secondhand dealer believes or has reason to believe is not the owner of such article, unless the seller has written and duly authenticated authorization from the owner permitting and directing such sale.
- (c) No pawnbroker or secondhand dealer shall take in pawn, buy or acquire any secondhand article without first (i) ascertaining the identity of the seller by requiring an identifying credential as defined in section 27-6, and at least one other corroborating means of identification, and (ii) obtaining a statement of ownership from the seller.

(Ord. No. 13-0024, 11-13-13)

Sec. 27-8. Retention of purchases.

- (a) No pawnbroker shall sell any pawn or pledge until (i) it has been in his possession for the minimum term set forth in the memorandum, but not less than thirty (30) calendar days, plus a grace period of 15 calendar days and (ii) a statement of ownership is obtained from the pawner.
- (b) Every secondhand dealer shall retain all secondhand articles acquired by him for a minimum of fifteen (15) calendar days from the date on which a copy of the daily report required by section 27-10 is received by the chief of police of Hampton, Virginia or his designee. Until the expiration of this period, the secondhand dealer shall not sell, alter or dispose of any acquired item, in whole or in part. If an item is to be removed from the City of Hampton prior to the expiration of the fifteen (15) day period, the secondhand dealer must return the item to the City of Hampton, upon request of the chief of police or his designee, at the secondhand dealer's own expense, if the item is determined to be potential evidence in a criminal investigation. Any such item must be returned to the City of Hampton within seventy-two (72) hours of a request being made to the secondhand dealer.

(Ord. No. 13-0024, 11-13-13 ; Ord. No. 17-0013 , 11-8-17)

Sec. 27-9. Record of sales.

Every pawnbroker or secondhand dealer shall keep and maintain, for at least twenty-four (24) months, an accurate and legible record of the full name and residential address of every person to whom he sells any secondhand article in its original form after the waiting period required by section 27-8. This record shall also show

the full name and residential address of the seller from whom the pawnbroker or secondhand dealer acquired such article.

(Ord. No. 13-0024, 11-13-13)

Sec. 27-10. Daily reports.

- (a) Every pawnbroker or secondhand dealer shall furnish each business day, by 1:00 p.m., to the chief of police of Hampton, Virginia or his designee, a true and correct report of all articles purchased, sold, bartered or exchanged or otherwise coming into his possession, during the preceding business day, except such as is purchased at public auction. The report shall include:
 - (1) The seller's or pledger's full name, residential address, and driver's license number or other identifying credential as defined in section 27-6;
 - (2) A digital image of the identifying credential used by the seller or pledger;
 - (3) A digital image of the article sold or pledged; and
 - (4) A description of the article sold or pledged. The description shall describe each article as accurately as possible and shall include any brand name, model number, serial number, initial or name or any other identifying marks found on the article.
- (b) The report shall be submitted in an electronic format as provided by the chief of police of Hampton, Virginia or his designee.
- (c) If the purchase, sale or acquisition occurs during a weekend or holiday, then the submittal of the electronic report required in subsection (a) shall be made no later than 1:00 p.m. the next regular business day.

(Ord. No. 13-0024, 11-13-13 ; Ord. No. 15-0018, 6-10-15)

Sec. 27-11. Memorandum to be given pledger; fee; lost ticket charge.

Every pawnbroker shall at the time of each loan deliver to the pawner a memorandum or note, signed by him, containing the information required by section 27-6. A lost-ticket fee of five dollars (\$5.00) may be charged, provided that the pawner is notified of the fee on the ticket.

(Ord. No. 13-0024, 11-13-13)

Sec. 27-12. Interest chargeable.

- (a) No pawnbroker shall ask, demand or receive a greater rate of interest than ten percent per month on a loan of \$25.00 or less, or seven (7) percent per month on a loan of more than \$25.00 and less than \$100.00, or five (5) percent per month on a loan of \$100.00 or more, secured by a pledge of tangible personal property. No loan shall be divided for the purpose of increasing the percentage to be paid the pawnbroker. Loans may be renewed based on the original loan amount. Loans may not be issued that compound the interest or storage fees from previous loans on the same item.
- (b) An annual percentage rate computed and disclosed under the provisions of the federal Truth-in-Lending Act shall not be deemed a violation of this section.

(Ord. No. 13-0024, 11-13-13)

Sec. 29-36. Sale or retention of unclaimed personal property authorized; requirements.

- (a) Any unclaimed personal property which has been in the possession of the police division for more than sixty (60) days may be sold at public auction or retained for use by the police division in accordance with the provisions of this section. Unclaimed bicycles may be disposed of in accordance with section 29-37.
- (b) As used in this section, "unclaimed personal property" shall mean any personal property belonging to another which:
 - (1) Has been acquired by a law enforcement officer pursuant to his or her duties;
 - (2) Is not needed in any criminal prosecution;
 - (3) Has not been claimed by its rightful owner; and
 - (4) The state treasurer has indicated will be declined if remitted under the Uniform Disposition of Unclaimed Property Act (Virginia Code § 55-210.1 et seq.).
- (c) Prior to the sale or retention of any unclaimed item the chief of police or his/her duly authorized agents shall make reasonable attempts to notify the rightful owner of the property and obtain from the commonwealth's attorney in writing a statement advising that the item is not needed in any criminal prosecution, and cause to be published in a newspaper of general circulation in the city once a week for two (2) successive weeks, notice that there will be a public display and sale of unclaimed personal property. Such property, including property selected for retention by the police division, shall be described generally in the notice, together with the date, time and place of the sale and shall be made available for public viewing at the sale. The chief of police or his/her duly authorized agents shall pay from the proceeds of sale the costs of advertisement, removal, storage, investigation as to ownership and liens, and notice of sale. The balance of the funds shall be held by such officer for the owner and paid to the owner upon satisfactory proof of ownership.
- (d) Any unclaimed item retained for use by the police division shall become the property of the city and shall be retained only if, in the written opinion of the chief of police, there is a legitimate use for the property by the police division and that retention of the item is a more economical alternative than purchase of a similar or equivalent item.

(Ord. No. 1234, 1-27-99; Ord. No. 1463, 3-1-07)

Sec. 29-37. Unclaimed bicycles and mopeds.

- (a) Notwithstanding the provisions of section 29-36 above, any bicycle or moped which has been in the possession of the police division, unclaimed, for more than thirty (30) days may be sold at public auction or donated to a charitable organization. The police division shall comply with the notice provisions of section 29-36 prior to any such sale or donation.
- (b) Any bicycle or moped found and delivered to the police by a private person which thereafter remains unclaimed for more than thirty (30) days after the final date of publication required herein may be given to the finder, provided the location and description of the bicycle or moped shall have been published at least once a week for two (2) successive weeks in a newspaper of general circulation in the city.
- (c) A "charitable organization" as used in this section means any charitable institution or association located within the city limits; provided, such institution or association is not controlled in whole or in part by a church or sectarian society. The words "sectarian society" shall not be construed to mean a nondenominational Young Men's Christian Association or a nondenominational Young Women's Christian Association.

(Ord. No. 1234, 1-27-99; Ord. No. 1463, 3-1-07)

State law reference(s)—Disposition of unclaimed bicycles, Code of Virginia, § 15.2-1720.

Sec. 35-108. Construction and maintenance of public improvements; performance bond in lieu of installation; maintenance bonds; release of bonds.

- (A) Prior to approval of the final subdivision plat and upon approval by the director of public works, in writing thereon, of the development plans, the subdivider may complete, at its sole cost and expense, all physical improvements required by this chapter to be dedicated for public use, including, but not limited to any right-of-way located within the subdivision or section thereof, any trees, landscape plantings, street, curb, gutter, sidewalk, bicycle trail, drainage or sewerage system, waterline as part of a public system or other improvements or easements dedicated for public use, and to be maintained by the city, and for the provision of other on-site related improvements required by city ordinances for vehicular ingress and egress, including traffic signalization and control, for structures necessary to ensure stability of critical slopes, and for stormwater management facilities as shown on the development plans. Upon installation of the public improvements and inspection thereof by the city, the subdivider shall execute and file with the director of public works a maintenance bond guaranteeing the maintenance thereof and a certificate of insurance coverage as set forth in subsection (C) of this section. The final subdivision plat shall neither be approved nor recorded and no building permits shall be issued under this subsection until the public improvements have been installed and inspected, and the maintenance bond and insurance certification are submitted to the director of public works.
- (B) (1) If the actual installation of the public improvements is not completed in whole or in part prior to the application made for final plat approval, the subdivider shall execute and submit to the director of public works a subdivision agreement to be recorded with the final subdivision plat, together with one (1) of the following forms of surety in an amount equal to the estimated costs of all remaining improvements to be installed or completed as follows: (i) certified check or cash escrow with the right of the city to draw upon such account in the event the subdivider fails to install and complete the required improvements; or (ii) a performance bond to be written by a bonding company licensed to conduct the business of surety in the State of Virginia with the right of the city to call on the bond in the event the subdivider fails to install and complete the required improvements; or (iii) an irrevocable letter of credit issued from a bank or savings institution licensed to do business in the State of Virginia and acceptable to the city evidencing the establishment of credit to the subdivider on which letter the city shall be authorized to draw drafts in the event the subdivider fails to install and complete the required improvements.
- (2) The subdivision agreement and the required surety shall be approved by the city attorney. The subdivision agreement shall set a time, subject to the approval of the director of public works by which it is estimated the subdivider will install and complete the public improvements and shall require the subdivider to indemnify, protect and save harmless the city from and against all losses and physical damage to property and bodily injury or death to persons which may arise out of or be caused by the construction, maintenance or use of the public improvements until the same be accepted by the city. Unless an extension of time is approved by the director of public works in writing, and a new estimated date of completion is established and guaranteed with appropriate surety, the director of public works shall take necessary steps to proceed with the accomplishment and completion of the improvements by calling on the surety. Additionally, in the subdivision agreement, the subdivider shall agree to guarantee the maintenance of the public improvements once installed with surety as set forth in subsection (C) of this section.
- (3) The costs of uncompleted public improvements under subsections (B)(1) herein shall be set by the director of public works for purposes of determining the amount of said check or cash escrow, bond or letter of credit. However, in no case shall the amount of surety required in subsection (B)(1) be less than twenty (20) percent of the total construction costs of the public improvements.

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- (C) With regard to any improvement to be accepted for dedication by the city, and after installation thereof, the subdivider and/or developer shall remain responsible for all maintenance and repairs to the public improvements, and shall provide a form of surety satisfactory to the city attorney in an amount equal to 10% the proposed public improvements plus the full value of street surfacing for streets not surfaced and any sidewalks not completed to cover costs of such maintenance and remedy of defects appearing in such improvements within two (2) years from the date of installation of the public improvements and inspection thereof by the city ("maintenance bond").
- (D) Performance bonds or other sureties established in accordance with the provisions of section 35-108(B) shall be released when the director of public works or other affected official certifies that the requirements set forth therein have been met. On application by the subdivider and/or developer, portions of such bonds or other sureties may be released in proportion to the cost of the requirements certified by a duly licensed professional engineer or land surveyor as having been met; however, in no case shall the amount of surety be reduced to less than ten (10) percent of the total construction costs of the improvements. Periodic partial releases shall not occur before the completion of at least thirty (30) percent of the public improvements covered by any surety.
- (1) The director of public works shall not be required to execute more than three (3) periodic partial releases in any twelve month period. Within thirty (30) days after receipt of written notice by the subdivider or developer of completion of part or all of the improvements or facilities required to be constructed, the director of public works shall notify the subdivider or developer of any nonreceipt of approval by an applicable state agency, or of any specified defects or deficiencies in construction and suggestive corrective measure.
 - (2) "Written notice" shall consist of a letter from the subdivider or developer to the director of public works requesting reduction or release of the surety along with a certificate of completion of such improvements or facilities from either a duly licensed professional engineer or land surveyor.
 - (3) If no action is taken by the director of public works within the thirty (30) day period, the request shall be deemed approved and a partial release granted to the subdivider or developer. No final release shall be granted until after expiration of such thirty (30) day period and there is an additional request in writing sent by certified mail to the city manager. The director of public works shall act within ten (10) working days of receipt of this request. If no action is taken, the request shall be deemed approved and final release granted to the subdivider and/or developer.
- (E) Maintenance bonds or other sureties established in accordance with the provisions of section 35-108(C) shall be released at the end of two (2) years from the date the public improvements have been installed and inspected; provided, however, that all improvements and requirements of this chapter shall have been installed or met. Such release shall be in full if no defects have been found to exist, or if defects found to exist have been corrected by the subdivider and/or developer within the two (2) year period. If defects found to exist have been corrected by action of the city, the costs of such action shall be deducted from the maintenance bond. If defects found to exist within the two (2) year period have not been corrected after proper notice by the end of such period, the director of public works shall estimate the cost of correction and such cost shall be deducted from the maintenance bond, and any balance remaining as a result of lesser actual than estimated cost shall be paid to the subdivider or developer.
- (F) No maintenance bond shall be released until as-built construction drawings for all improvements, including, but not limited to street trees, landscape plantings, sanitary sewer and storm drains (including tops of curbs and flow lines for rights-of-way) are submitted on an 11-inch by 17-inch approved durable tracing medium and an approved digital version by the subdivider and/or developer for review and approval by the director of public works. Additionally, all detention, retention and impoundment best management practices ("BMP") shall require a certification of as-built conditions in accordance with the public works design and construction standards and chapter 33.2 of the City Code prior to the release of the maintenance bond.

(Ord. No. 11-0009, 8-10-11; Ord. No. 13-0004, 4-10-13 ; Ord. No. 14-0019, 9-10-14)

Sec. 37-141. Exemption of certain household goods and personal effects.

The following classes of household goods and personal effects, when owned and used by an individual or family incident to maintaining an abode, are hereby exempted from taxation:

- (1) Bicycles.
- (2) Household and kitchen furniture, including gold and silver plates, plated ware, watches and clocks, sewing machines, refrigerators, automatic refrigerating machinery of any type, vacuum cleaners and all other household machinery, books, firearms and weapons of all kinds.
- (3) Pianos, organs, and all other musical instruments; phonographs, record players, and records to be used therewith; and radio and television instruments and equipment.
- (4) Oil paintings, pictures, statuary, curios, articles of virtu and works of art.
- (5) Diamonds, cameos and other precious stones and all precious metals used as ornaments or jewelry.
- (6) Sporting and photographic equipment.
- (7) Clothing and objects of apparel.
- (8) Antique motor vehicles as defined in Code of Virginia, § 46.2-100, which may not be used for general transportation purposes.
- (9) All other tangible personal property used by an individual or a family or household incident to maintaining an abode.

(Code 1964, § 39-1; Ord. No. 33; Ord. No. 1488, 9-12-07)

State law reference(s)—Similar provisions, Code of Virginia, § 58.1-3504.

Sec. 38-1. Purpose.

The purpose of this article is to establish regulations and licensing requirements governing the offering of (i) bicycle or electric power-assisted bicycles and (ii) motorized skateboard or scooters (collectively, "shared mobility devices") for hire within the City of Hampton. Regulations regarding the operation of shared mobility devices by riders shall be governed by Chapter 6 of the Hampton City Code, as amended.

(Ord. No. 19-0010 , 11-13-19)

Cross reference(s)—Hampton City Charter, § 2.02

State law reference(s)—Code of Virginia §§ 46.2-100, 46.2-1315, 15.2-2015, 15.2-2100.

Sec. 38-2. Definitions.

All definitions of words and phrases contained in Section 46.2-100 et seq. of the Code of Virginia, as amended, shall apply to such words and phrases, when used in this article, unless clearly indicated to the contrary.

City Manager shall mean the Hampton city manager or her authorized designee(s).

Shared Mobility Devices shall mean motorized skateboards or scooters, bicycles, or electric power-assisted bicycles as defined by Section 46.2-100 of the Code of Virginia, as amended.

Shared Mobility Device License shall mean a license to offer for hire motorized skateboards or scooters, bicycles, or electric power-assisted bicycles as defined by Section 46.2-100 of the Code of Virginia, as amended, issued by the City of Hampton.

(Ord. No. 19-0010 , 11-13-19)

Cross reference(s)—Hampton City Charter, § 2.02

State law reference(s)—Code of Virginia §§ 46.2-100, 46.2-1315, 15.2-2015, 15.2-2100.