

ORDINANCE NO. 22-10()

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 10, OFFENSES - MISCELLANEOUS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 10, Offenses - Miscellaneous, of the Code of the County of Albemarle, Virginia, is hereby amended and reordained as follows:

By Repealing:

Sec. 10-123 Prohibited activities on public roadways and medians.

Chapter 10. Offenses - Miscellaneous

~~Sec. 10-123 Prohibited activities on public roadways and medians.~~

A.—Definitions:

Roadway. As used in this section, the term "roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder. A highway may include two or more roadways if divided by a physical barrier or barriers or an unpaved area.

Median. As used in this section, the term "median" means any area in the middle of any roadway, designed to provide a barrier to keep traffic on one side of the road from going to the other side of the road. A median may be a raised concrete strip or a grass strip.

Sell, solicit, or distribute. As used in this section, the terms "distribute", "solicit", and "sell" mean any such activity which involves the delivery of any service, document, publication or other item or the intent to deliver any service, document, publication or other item to any occupant of a motor vehicle located on a county roadway or median or any such activity which involves the receipt of any money or any item or the intent to receive any money or any item from the occupant of an automobile located on a county roadway or median, other than a motor vehicle parked in a designated parking space.

B.—It shall be unlawful for any person while on any public roadway or median therein to:

- 1.—~~Distribute handbills, leaflets, bulletins, literature, advertisements or similar material to the occupants of motor vehicles on any roadway or median within the county.~~
- 2.—~~Solicit contributions of any nature from the occupants of motor vehicles on any roadway or median within the county.~~
- 3.—~~Sell or attempt to sell merchandise or services to the occupants of motor vehicles on any roadway or median within the county.~~

C.—Any person, firm, organization, or corporation violating any provision of this section shall be guilty of a traffic infraction, punishable as provided under state law. Each separate incident may be considered a new violation.

(Ord. 05-10(1), 7-6-05; Ord. 13-10(1), 7-3-13)

~~State law reference(s) — Authority to enact section, Va. Code § 46.2-931.~~

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of _____ to _____, as recorded below, at a regular meeting held on _____.

Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Andrews	_____	_____
Mr. Gallaway	_____	_____
Ms. LaPisto-Kirtley	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Price	_____	_____