

ROCKBRIDGE COUNTY CODE

Chapter 22

MISCELLANEOUS OFFENSES AND PROVISIONS

- Art. I.** **In General, §§22-1--22-20**
Art. II. **Minors, §22-21--22-29**
Art. III. **Panhandling, 22-30--22-34**

ARTICLE I. IN GENERAL

Sec. 22-1. Reserved.

Editor's note: An ordinance adopted May 23, 2005, repealed §22-1, which pertained to transporting loaded rifles or shotguns and derived from Ord. of 3-15-92.

Sec. 22-2. Indecent exposure and public urination.

It shall be unlawful for any person to intentionally make an obscene display or exposure of his person, or his private parts, in any public place, or in any place where others are present, or to procure another to so expose himself. A violation of this section shall be a Class 1 misdemeanor. The sheriff reasonably deems a display or exposure of the person, or his private parts, for the purpose of public urination, to be contrary to the morals, health, safety and general welfare of the county, and an obscene display in violation of this section. No person shall be deemed in violation of this section for breastfeeding a child.

State law reference(s)--Authority to adopt similar ordinance, Code of Virginia §§18.2-387, 15.2-9262 (formerly 18.2-389-repealed by Acts 2004 c. 462).

Sec. 22-3. Sheriff to set penalties not already established by state.

The sheriff is authorized to establish a schedule of fines for those offenses under this Chapter for which fines are not already established by state law.

Secs. 22-4--22-20. Reserved.

ARTICLE II. MINORS*

Sec. 22-21. Compulsory school attendance.

Code of Virginia, §22.1-254, providing for the compulsory school attendance of children between the ages of five (5) and eighteen (18) years, shall be in force and effect within the County of Rockbridge.

* **Cross reference(s)**--Dealer of precious metals and jewels prohibited from purchasing items from person under eighteen, §19-79; age limit for drivers of public passenger-carrying vehicles, §20-97 (deleted; refer to §20-2); age limit for issuance of dangerous dog certificate, §5-59(d).

Secs. 22-22--22-29. Reserved.

ARTICLE III. PANHANDLING.

Sec. 22-30. Purpose.

Pursuant to the authority granted to the county by the Code of Virginia (1950, as amended), the county does hereby adopt the following sections in order to ensure free and safe passage of pedestrians and vehicles on certain public right-of-way through regulation of the time, place and manner of activities that could otherwise threaten the public health, safety and welfare, while also protecting the exercise of citizens' First Amendment rights within the county.

(Ord. of 9-24-07, to be effective October 1, 2007)

Sec. 22-31. Definitions.

For the purpose of this division, the following words and phrases shall have the following meanings:

- (a) "Panhandle" or "panhandling" means doing any of the following acts, whether made expressly by oral or written words, or implicitly by actions or behavior:
 - (i) approaching someone to beg, solicit, or ask for any item of value, monetary or otherwise;
 - (ii) seeking to obtain donations for individual or organizational usage by requesting food, money, or any other goods or offering services for these goods;
 - (iii) attempting to sell or obtain compensation for an item or service for or in an amount that is at least twice its value, or an item or service that is already offered or available at no charge to the general public; or
 - (iv) attempting to sell or obtain compensation for an item or service under circumstances that would lead a reasonable person to conclude that the payment is in substance a donation.
- (b) "Public highway" means any public road, street, avenue, boulevard, interstate or other public right-of-way within the county.
- (c) "Travel lane" means the portion of a public highway over which motor vehicles travel, including a turn lane.

(Ord. of 9-24-07, to be effective October 1, 2007)

Sec. 22-32. Prohibited acts.

It shall be unlawful for any person while in the county:

- (a) to panhandle while standing, sitting, or otherwise present in or occupying any 4-lane, or greater, divided public highway, or any travel lane, crosswalk, or median thereof, or within fifteen feet (15') of either side of said highway, from any operator or occupant of a motor vehicle located in a travel lane;
- (b) to ask for or solicit money or things of value in exchange for cleaning motor vehicle windows while the vehicle is in a traffic lane on any 4-lane, or greater, divided public highway;
- (c) to distribute newspapers, newsletters, flyers or any other items to the operator or occupant of a motor vehicle while the vehicle is in a traffic lane on a 4-lane, or greater, divided public highway; or,
- (d) to ask for or solicit money or things of value from any operator or occupant of any motor vehicle in a travel lane, while standing, sitting, or otherwise present in or occupying a 4-lane, or greater, divided public highway, the median area that separates such highway, from any area designated as a crosswalk, or from any area within fifteen feet (15') of either side of said highway.

(Ord. of 9-24-07, to be effective October 1, 2007)

Sec. 22-33. Penalties.

Any person violating the provisions of this division shall be guilty of a class 4 misdemeanor. Any person convicted of a second or subsequent offense within a twelve (12) month period of time after a first offense shall be guilty of a class 2 misdemeanor.

(Ord. of 9-24-07, to be effective October 1, 2007)

Sec. 22-34. Severability.

If any portion of this division of the County Code is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this division and such invalid provision or portions thereof shall be severable.

(Ord. of 9-24-07, to be effective October 1, 2007)

State law reference(s)—Authority for adoption of ordinance, Code of Virginia, §15.2-1200 and 15.2-2028.