

1 **Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by**  
2 **Amending Chapter 7, Boats, Beaches and Waterways, Article I Entitled, “In**  
3 **General,” Sec. 7-7 relating to removal or repair of dangerous or obstructing**  
4 **structures or vessels, Sec. 7-10 relating to mooring of vessels and Sunset Creek**  
5 **boat ramp and Gosnold’s Hope Park boat ramp, and Sec. 7-26 relating to no wake**  
6 **zones, and to Article III Entitled “Beach Regulations,” Sec. 7-49 relating to dogs on**  
7 **beaches during the summer.**

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9 **BE IT ORDAINED** by the City Council of the City of Hampton, Virginia, that Sections 7-7  
10 7-10 and 7-26 of Article I, and Section 7-49 of Article III, Chapter 7 of the City Code of the  
11 City of Hampton, Virginia be adopted to read as follows:

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13 **Chapter 7 – BOATS, BEACHES AND WATERWAYS**

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17 **ARTICLE I. – IN GENERAL**

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21 **Sec. 7-7. - Removal or repair of dangerous or obstructing structures or vessels.**

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23 (a) Whenever the director of the department of public works, public safety,  
24 *community development codes and compliance*, or a city employee designated  
25 thereby, is of the opinion that any vessel has been abandoned or any wharf, pier,  
26 piling, bulkhead or any other structure or vessel might endanger the public health or  
27 safety of other persons or might constitute an obstruction or hazard to the lawful use  
28 of the waters within or adjoining the city, he shall ascertain the lawful owner of such  
29 property and notify such owner in writing to remove, repair or secure such wharf,  
30 pier, piling, bulkhead or other structure or vessel. If the owner of such property fails  
31 to remove, repair or secure the same within ~~ten~~<sup>thirty</sup> (30) days after being given such  
32 notice, the city through its own agents or employees, may remove, repair or secure  
33 such property *and subsequently dispose of such property pursuant to the procedures*  
34 *found in section 29-36 et. seq.*

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36 (b) In the event that the city, through its own agents or employees, removes,  
37 repairs or secures any wharf, pier, piling, bulkhead or other structure or vessel, after  
38 complying with the notice requirements of subsection (a) above, the cost or expenses  
39 thereof shall be chargeable to and paid by the owners of such property and, to the  
40 extent applicable, may be collected by the city as taxes and levies are collected.

41  
42 (c) If the identity or whereabouts of the lawful owner of any property referred to in  
43 subsection (a) above is unknown or not able to be ascertained after a reasonable  
44 search and after lawful notice has been mailed to the last known address of any

45 known owner, the city, through its own agents or employees, may repair or remove  
46 such wharf, pier, piling, bulkhead or other structure or vessel, after giving notice by  
47 publication once each week for two (2)-weeks in a newspaper of general circulation  
48 in the area where such property is located *and may subsequently dispose of such*  
49 *property pursuant to the procedures found in section 29-35 et. seq.*

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51 (d) Every charge authorized by this section with which the owner of any such  
52 property shall have been assessed and which remains unpaid, to the extent  
53 applicable, shall constitute a lien against the owner's real property, and such lien  
54 shall be recorded in the judgment lien docket book in the circuit court of the city.  
55 Such lien may also be reduced to a personal judgment against the owner.

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57 **State Law reference**— Authority for above section, Code of Virginia, § 15.2-909.

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60 **Sec. 7-10. - Limitations on use of Sunset Creek boat ramp and Gosnold's Hope**  
61 **Park boat ramp.**

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63 It shall be unlawful for any person to use or occupy the Sunset Creek boat ramp,  
64 including its piers, and the Gosnold's Hope Park boat ramp, including its piers, for the  
65 purpose of taking on or discharging any fish, crabs, oysters, ~~claims~~ *clams* or any other  
66 cargo of any type, to use them for any commercial purpose, or to fuel or refuel any  
67 boats at these facilities. *In addition, it shall be unlawful for any vessel to occupy either*  
68 *boat ramp, including their piers for more than one hour.*

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71 **Sec. 7-26. – *No wake zones.* Speed limit in portion of Hampton River and in**  
72 **Sunset Creek.**

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74 *It shall be unlawful for any person to operate any motorboat, vessel, or watercraft,*  
75 *at a speed greater than the slowest possible speed required to maintain steerage and*  
76 *headway within any of the city's registered and posted "No Wake" zones.*

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78 ~~The speed of all commercial and pleasure boats, vessels and other watercraft~~  
79 ~~entering, leaving or moving about in that part of the Hampton River south of the~~  
80 ~~Queen Street Bridge or in Sunset Creek shall not exceed five (5) miles per hour, and~~  
81 ~~in no event shall any boat or craft, including outboards, be operated in such a manner~~  
82 ~~as to create a wake to the injury of other boats or crafts anchored, tied up or plying in~~  
83 ~~such portion of the Hampton River or in Sunset Creek, or to the fastening thereof.~~

84 (Ord. No. 10, § 4; Ord. No. 44; Ord. No. 186; Ord. No. 432; Code 1964, § 7-13; Ord.  
85 No. 1446, 11-15-06)

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88 **ARTICLE III. – BEACH REGULATIONS**

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92 **Sec. 7-49. - Dogs prohibited during certain period.**

93 It shall be unlawful for any person owning, having control of or harboring any dog to  
94 cause, suffer or permit such dog to be on the public sand beaches within the city,  
95 Buckroe Beach Boardwalk, or in those areas in Buckroe Beach Park designated by the  
96 parks, recreation and leisure services director, during the period from May fifteenth  
97 through September fifteenth of each year.

98 *The first violation of this section shall constitute a Class 4 misdemeanor. The second*  
99 *violation on the same animal shall constitute a Class 3 misdemeanor and subsequent*  
100 *violations on the same animal shall constitute a Class 2 misdemeanor. This section*  
101 *may be enforced by any police officer, animal control officer or municipal park ranger*  
102 *employed by the city of Hampton.*

103 The foregoing prohibition shall not apply to "hearing dogs" or "service dogs," as used by  
104 a blind or deaf person pursuant to Code of Virginia, § 51.5-44(E).

105 (Ord. No. 181; Ord. No. 290; Ord. No. 482; Ord. No. 494; Ord. No. 688, 5-13-81; Code  
106 1964, § 27A-7; Ord. No. 755, § 27A-7(j), 6-22-83; Ord. No. 1250, 6-9-99; Ord. No. 1284,  
107 9-27-00; Ord. No. 1446, 11-15-06; Ord. No. 16-0004 , 3-9-16)

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109 Cross reference— Animals, Ch. 5.

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