

1 **Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by**
2 **Amending Chapter 21, Motor Vehicles and Traffic, Article VI, Pedestrians, Sec 21-**
3 **188 to prohibit pedestrians from loitering in the right-of-way of those areas of the**
4 **City's public streets that the City Council has determined to present a public safety**
5 **hazard.**

6
7 **Whereas**, Va. Code § 46.2-930 authorizes the City Council to prohibit loitering in any
8 portion of the right-of-way of such highways where loitering presents a public safety
9 hazard; and,

10
11 **Whereas**, the City Council of Hampton has determined that certain areas of Mercury
12 Boulevard present a particular safety hazard to pedestrians due to the occurrence of a
13 high number of vehicular accidents, including those that involve pedestrians.

14
15 **BE IT ORDAINED** by the City Council of the City of Hampton, Virginia, that Section 21-
16 188 of Article VI, Chapter 21 of the City Code of the City of Hampton, Virginia be adopted
17 to read as follows:

18
19 **Chapter 21 – MOTOR VEHICLES AND TRAFFIC**

20
21 . . .

22 **Article VI – PEDESTRIANS**

23
24 . . .

25
26 **Sec. 21-188. – Reserved** ***Loitering on designated highway rights-of-way prohibited.***

27
28 *(a) No pedestrian shall sit, stand, or otherwise remain on any portion of the right-of-way*
29 *of mercury boulevard beginning from the western side of the intersection of mercury*
30 *boulevard and big bethel road and continuing to the eastern side of the intersection of*
31 *mercury boulevard and armistead avenue.*

32
33 *(b) This section shall not apply to the following persons:*

34 *(1) any pedestrian using a sidewalk for travel or a designated crosswalk to cross*
35 *the roadway;*

36
37 *(2) any person who is waiting at or near a bus shelter for the arrival of a bus;*

38
39 *(3) any public safety personnel or other city personnel or city contractor who is*
40 *operating in the course of his duties; or*

41
42 *(4) any person participating in an event for which a special event permit has been*
43 *issued pursuant to Sec. 2-318 of the City Code or which is exempt from that*
44 *code.*

45

46 **State Law reference—** *Loitering on bridges or highway rights-of-way, Code of*
47 *Virginia, § 46.2-930.*