

1 **Ordinance to Amend and Reenact Chapter 24 of the City Code of the City of**  
2 **Hampton, Virginia Entitled “Offenses - Miscellaneous” by Amending Article I,**  
3 **Section 24-33 to provide that a person in charge of real property may designate**  
4 **the Hampton Police Division for the purpose of enforcing trespass.**

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6 **BE IT ORDAINED** by the City Council of the City of Hampton, Virginia that Section 24-  
7 33 of Article I, Chapter 24 of the City Code of the City of Hampton, Virginia be amended  
8 to read as follows:

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10 **Chapter 24 – OFFENSES – MISCELLANEOUS**

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12 **ARTICLE I. – IN GENERAL**

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14 . . . .

15 **Sec. 24-33. – Trespass after having been forbidden to do so.**

16 *(a)* If any person shall, without authority of law, go upon or remain upon the lands, buildings  
17 or premises of another, or any part, portion or area thereof, after having been forbidden to do  
18 so, either orally or in writing, by the owner, lessee, custodian or other person lawfully in charge  
19 thereof, or after having been forbidden to do so by a sign or signs posted by such person, or by  
20 the holder of any easement or other right-of-way authorized by the instrument creating such  
21 interest to post such signs, on such lands, buildings, premises or part, portion or area thereof at  
22 a place where it or they may be reasonably seen *he shall be guilty of a Class 1 misdemeanor.*  
23 ~~or~~

24  
25 *(b)* If any person, whether he is the owner, tenant or otherwise entitled to the use of such  
26 land, building or premises, goes upon, or remains upon such land, building or premises after  
27 having been prohibited from doing so by a court of competent jurisdiction by an order issued  
28 pursuant to Code of Virginia, §§ 16.1-253, 16.1-253.1, 16.1-253.4, 16.1-278.2 through 16.1-  
29 278.6, 16.1-278.8, 16.1-278.14, 16.1-278.15, 16.1-279.1, 19.2-152.8, 19.2-152.9 or Code of  
30 Virginia, § 19.2-152.10 or an ex parte order issued pursuant to Code of Virginia, § 20-103, and  
31 after having been served with such order, he shall be guilty of a Class 1 misdemeanor.

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33 *(c)* This section shall not be construed to affect in any way the provisions of Code of  
34 Virginia, §§ 18.2-132 through 18.2-136.

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36 *(d)* *The owner, lessee, custodian or person lawfully in charge of real property may designate*  
37 *the Hampton police division as a “person lawfully in charge of the property,” as set forth in*  
38 *subsection (a), for the purpose of forbidding another to go or remain upon the lands, buildings or*  
39 *premises as specified in the designation. Such designation must be in writing and on file with*

40 *the Hampton police division. The chief or police, or his designee, has discretion to refuse to*  
41 *accept any such designation.*

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43 **State Law reference**— Similar provisions, Code of Virginia, § 18.2-119; § 15.2-1717.1.