



Legislation Details (With Text)

File #: 17-0088 **Version:** 1 **Name:** Panhandling
Type: Ordinance-Coded **Status:** Passed
File created: 2/23/2017 **In control:** City Council Legislative Session
On agenda: 3/8/2017 **Final action:** 3/8/2017
Title: Ordinance to Amend and Reenact Chapter 24 of the City Code of the City of Hampton, Virginia Entitled "Offenses Miscellaneous" by Repealing Section 24-50, to conform with federal case law
Sponsors:
Indexes: , , City Attorney's Office
Code sections: Chapter 24 - Offenses Miscellaneous
Attachments: 1. REDLINE - Chapter 24 Aggressive Panhandling.pdf

Date	Ver.	Action By	Action	Result
3/8/2017	1	City Council Legislative Session	approved	Pass

Ordinance to Amend and Reenact Chapter 24 of the City Code of the City of Hampton, Virginia Entitled "Offenses Miscellaneous" by Repealing Section 24-50, to conform with federal case law

PURPOSE/BACKGROUND:

Reed v. Town of Gilbert, 135 S.Ct. 2218, (2015), changed the face of First Amendment law, by expanding the circumstances when a law or regulation is considered to be "content-based," and subject to strict scrutiny by the courts. Since that ruling, many solicitation and panhandling ordinances, including aggressive solicitation and panhandling ordinances, have been struck down by the federal courts. As a result, the City Attorney's Office recommends the repeal of the City's aggressive solicitation ordinance.

Impact:

Hampton Police Officers will no longer be able to enforce the aggressive solicitation ordinance.

Recommendation:

Approve Ordinance.

BE IT ORDAINED by the City Council of the City of Hampton, Virginia that Section 24-50 of Chapter 24 of the City Code of the City of Hampton, Virginia be repealed.

Chapter 24 - OFFENSES MISCELLANEOUS

Article 1. - IN GENERAL

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Sec. 24-50. - Reserved.

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