



**Amherst County Board of Supervisors
County Ordinance No. 2021-0011**

AN ORDINANCE, NO. 2021-0011

Amending the Amherst County Code by amending Chapter 10, Offenses and Miscellaneous Provisions, Article I, In General, by enacting Section 10-9, Prohibiting Activities on Public Roadways and Medians.

Approved as to form and legality by the Amherst County Attorney

FIRST READING: Board of Supervisors, November 1, 2021
PUBLIC HEARING: Board of Supervisors, November 16, 2021

WHEREAS, in accordance with the authority granted to every locality in the Commonwealth of Virginia by the Virginia General Assembly pursuant to Section 46.2-931 of the Code of Virginia (1950, as amended), the Amherst County Board of Supervisors now deems it appropriate to exercise its authority to prohibit activities on public roadways and medians to ensure the safety and security of Amherst County citizens; and

WHEREAS, it is the Board of Supervisors' intention, by adopting said ordinance, to ensure that traffic throughout the County is not impeded and to protect the life, health and welfare of all members of the public who may use the public rights-of-way in Amherst County.

NOW, THEREFORE, BE IT HEREBY ORDAINED that the Amherst County Board of Supervisors does hereby amend the Amherst County Code by amending Chapter 10, Offenses and Miscellaneous Provisions, Article I, In General, by enacting Section 10-9, Prohibiting Activities on Public Roadways and Medians as follows:

THE COUNTY OF AMHERST HEREBY ORDAINS:

§ 1. That Section 10-9 of Article I. of Chapter 10 Offenses and Miscellaneous Provisions to the Code of the County of Amherst, Virginia, be and hereby is enacted as follows:

Sec. 10-9 Prohibited activities on public roadways and medians.

A. Definitions:

Roadway. As used in this section, the term “roadway” means that portion of a highway improved, designed, or ordinarily used for vehicular travel, inclusive of the shoulder. A highway may include two or more roadways if divided by a physical barrier or barriers or an unpaved area.

Median. As used in this section, the term “median” means any area in the middle of any roadway, designed to provide a barrier to keep traffic on one side of the road from going to the other side of the road. A median may be a raised concrete strip, a grass strip or a painted strip.

Sell, solicit, or distribute. As used in this section, the terms “distribute”, “solicit”, and “sell” mean any such activity which involves the delivery of any service, document, publication or other item or the intent to deliver any service, document, publication or other item to any occupant of a motor vehicle located on a county roadway or median or any such activity which involves the receipt of any money or any item or the intent to receive any money or any item from the occupant of an automobile located on a county roadway or median, other than a motor vehicle parked in a designated parking space.

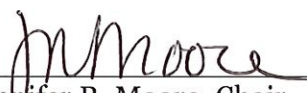
B. It shall be unlawful for any person while on any public roadway or median therein to:

- a. Distribute handbills, leaflets, bulletins, literature, advertisements or similar material to the occupant of motor vehicles on any roadway or median and within fifty (50) feet any ingress/egress point to any roadway within the county.
- b. Solicit contributions of any nature from the occupants of motor vehicles on any roadway or median and within fifty (50) feet any ingress/egress point to any roadway within the county.
- c. Sell or attempt to sell merchandise or services to the occupants of motor vehicles on any roadway or median and within fifty (50) feet any ingress/egress point to any roadway within the county.

C. Any person, firm, organization, or corporation violating any provision of this section shall be guilty of a Class 1 misdemeanor traffic infraction, punishable as provided under state law. Each separate incident may be considered a new violation.

§ 2. That this ordinance shall be in force and effect upon adoption.


Adopted this 16th day of November, 2021.


Jennifer R. Moore, Chair
Amherst County Board of Supervisors

Member

Member	Vote
Jennifer R. Moore, Chair.....	<u>AYE</u>
David W. Pugh, Jr., Vice-Chair.....	<u>AYE</u>
Tom Martin.	<u>ABSENT</u>
L. J. "Jimmy" Ayers, III	<u>AYE</u>
Claudia D. Tucker	<u>AYE</u>

ATTEST:



Dean C. Rodgers, Clerk
Amherst County Board of Supervisors

