



# City of Hampton, Virginia

## Ordinance - Coded

22 Lincoln Street  
Hampton, VA 23669  
[www.hampton.gov](http://www.hampton.gov)

File Number: 10-0356

Enactment Number: 10-0022

**Ordinance to amend and reenact Chapter 21 of the Code of the City of Hampton,  
“Motor Vehicles and Traffic”, Article VI “Pedestrians”, Section 21-188  
“Distribution of handbills, solicitation of contributions and sales of goods or  
services on public roads and designated highways prohibited”.**

**Sec. 21-188. Distribution of handbills, solicitation of contributions and sales of  
goods or services on public roads and designated highways prohibited.**

The purpose of this section being to prevent dangers to persons and property, to promote safety in vehicular traffic and to avoid interference with such traffic flow, the council makes the following findings based on the staff report heard on this issue at the July 11, 2010 council meeting and the September 8, 2010 council meeting:

The solicitation of contributions by pedestrians in the highways, distribution of handbills and other materials by pedestrians in the highways, or the sale or attempted sale of merchandise or services by pedestrians in the highways to occupants of motor vehicles on the highways distracts drivers from their primary duties to observe traffic and to be alert for potential hazards in the highways, to observe all traffic signs and signals and to move on the highways safely.

The prohibited activities subject the solicitor, distributor, seller and occupants of motor vehicles on the highway to danger by injecting pedestrians into the travel portion of the highways and causing drivers to take action to avoid the obstruction created by pedestrians in the travel portion of the highway.

(a) For purposes of this section, "highway" shall mean the entire width between the boundary lines of every way or place open to the use of the public for purposes of vehicular travel in the city, including streets, alleys and medians.

(b) It shall be unlawful for any person standing, sitting, walking or otherwise located on a highway within the city to:

- (1) Distribute handbills, leaflets, bulletins, literature, advertisements or similar material to the occupants of motor vehicles.
- (2) Solicit contributions of any nature from the occupants of motor vehicles.
- (3) Sell or attempt to sell merchandise or services to the occupants of motor vehicles.

(c) Any person violating the provisions of this section shall, upon conviction, be guilty of a traffic infraction, punishable by a fine of one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$250.00) for any subsequent offense. Each separate violation shall be considered a new offense.

State law references: Authority to prohibit or regulate distribution of handbills or similar materials, Va. Code, § 46.2-931.

Adopted at the regular meeting of the City Council of the City of Hampton, Virginia held on September 8, 2010.

**Signed by** \_\_\_\_\_ **Date** \_\_\_\_\_  
Molly Joseph Ward, Mayor

**Attested by** \_\_\_\_\_ **Date** \_\_\_\_\_  
Katherine K. Glass, CMC  
Clerk of the Council