



City of Hampton, Virginia

Ordinance - Coded

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov

File Number: 12-0318

Enactment Number: 12-0036

Ordinance To Amend And Reenact Chapter 26 Of The Code Of The City Of Hampton Entitled Parks And Recreation, Article II Entitled Regulations Governing Parks And Recreation Areas Generally, Sections 26-28 Regarding Live Band Performances, Section 26-29 Regarding Operation Of Devices Used For Amplification Of Sound And Section 26-38 Regarding Application Of Article To Public Areas Subject To Special Events Permits.

ARTICLE II. - REGULATIONS GOVERNING PARKS AND RECREATION AREAS GENERALLY

Sec. 26-28. - Live band performances.

(a) For the purpose of this section, "live band performance," shall mean the playing of any amplified musical instrument or any radio, tape recorder, tape deck and like or similar instrument to which an accessory speaker or amplification equipment is attached; the amplification of the voice when singing; or the organized playing of any instrumental ensemble, whether amplified or not; but such term shall not include the playing of a single unamplified instrument.

(b) No person shall participate in a live band performance in any public park or recreation area of the city, without having first obtained a permit from the director of parks and recreation. Application for such permit shall be made upon a form provided by the director of parks and recreation, and the applicant must agree to abide by all terms and conditions promulgated by the director, to which the permit shall be subject.

(c) In addition to securing the permit required by this section, and as a condition thereto, the applicant shall deposit with the director of parks and recreation the sum of five hundred dollars (\$500.00), which sum shall be allocated to defray the costs of police supervision and of any necessary repair or cleanup operations occasioned by the performance. Any portion of the deposit not so allocated shall be returned to the applicant on request, not more than thirty (30) days after the date of the performance.

Sec. 26-29. - Operation of radios, tape players, compact disc players, loud speakers or other devices used for the amplification of sound; prohibited, Exceptions.

Radios, tape players, compact disc players, loud speakers or other devices used for the amplification of sound, shall not be operated in any of the city's public parks or recreation areas, unless pursuant to a permit obtained from the director of parks and recreation for a live band performance as provided in section 26-28. City or City-sponsored activities and events are exempt from this section.

Sec. 26-38. - Application of Article to public streets, public rights of way and grounds of public buildings subject to a Special Events Permit.

For the purposes of this Article the term "public park and recreation area" shall include public streets, public rights of way and the grounds of all public buildings in the city when they are subject to a Special Events Permit.

Adopted at the regular meeting of the City Council of the City of Hampton, Virginia held on August 8, 2012.

Signed by _____ **Date** _____
Molly Joseph Ward, Mayor

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