

AN ORDINANCE ENACTED PURSUANT TO SECTIONS 15.1-504, 15.1-505, 15.1-514, AND 46.1-252.1 OF THE CODE OF VIRGINIA, AS AMENDED, REGULATING PARKING OF MOTOR VEHICLES, PROHIBITING LOITERING, AND REGULATING THE SALE OF PRODUCE AND OTHER NON-GOVERNMENTAL ACTIVITIES ON COUNTY PROPERTY IN AND AROUND THE COURTHOUSE COMPLEX, AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED by the Board of Supervisors of Middlesex County, Virginia:

ARTICLE 1: GENERAL

1-1 Short Title.

This ordinance shall be known and may be cited as the “Middlesex County Courthouse Ordinance.”

1-2 Repeal.

The Middlesex County Courthouse Parking Ordinance enacted in July, 1973 is hereby repealed in its entirety.

1-3 Separability.

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

1-4 Effective Date.

This ordinance shall be in full force and effect on and after 12:01 a.m. on the date following the date of its adoption by the Middlesex County Board of Supervisors.

1-5 Definitions.

For purposes of this ordinance, certain words and terms shall be defined as follows:

COURTHOUSE COMPLEX: The area of County-owned property in Saluda which is bordered by Routes 33, 618, 674, and 675 and upon which is located the Middlesex County Courthouse Building, the Woodward Building, the Old County Jail, and the Middlesex County Museum.

COURTHOUSE WALL: The brick wall surrounding the four buildings located in the Courthouse complex.

LOITERING: Being slow in movement; standing around or moving slowly about; standing idly around; being dilatory; spending time idly; delaying; idling; lingering.

Loitering shall include, but not be restricted to, the following: (1) sitting idly on the Courthouse wall at any time; and (2) standing idly or sitting idly in or on a parked motor vehicle or bicycle between the hours of 6:00 p.m. and 7:00 a.m. week nights and all day Saturdays and Sundays, without a specific and legitimate reason necessitating presence on County property.

Loitering shall not include: (1) actual use of a pay telephone; (2) waiting for a person or persons who are conducting business or attending a meeting inside a County building; and (3) waiting for a bus or other means of transit scheduled to arrive at a specific time.

PRODUCE: Fruits and vegetables grown and harvested by the vendor.

ARTICLE 2: PARKING

2-1 Hours of Parking.

There shall be a two (2) hour parking limit between the hours of 8:00 a.m. and 5:00 p.m. Mondays through Fridays for all vehicles on County property at the Courthouse complex, except by employees of the County, attorneys and other persons who are in court or in the Clerk's office in some official capacity, or by persons attending official County meetings. At all other times, parking areas at the Courthouse Complex shall be available for use by the public, except as restricted or prohibited by Articles 3 and 4 of this ordinance.

2-2 Reserved Parking.

Parking spaces located on the north and east sides of the Courthouse Complex are hereby reserved for use by County employees between the hours of 8:00 a.m. and 5:00 p.m., Mondays through Fridays.

ARTICLE 3: LOITERING

3-1 Loitering Prohibited.

Loitering at and in the Courthouse Complex is hereby prohibited at all times.

ARTICLE 4: SALE OF PRODUCE

4-1 Hours and Location.

Sale of produce shall be permitted only in the parking area on the south side of the Courthouse Complex and only on weekends from 5:00 p.m. Friday to 8:00 a.m. Monday.

4-2 Cleanup Required.

Vendors selling produce at the Courthouse Complex shall be responsible for cleaning up all boxes, crates, unsold produce, and other litter resulting from their vending activities.

ARTICLE 5: NON-GOVERNMENTAL ACTIVITIES

5-1 Approval Required.

Non-governmental group activities may be conducted at or in the Courthouse Complex only after advance written approval from the Middlesex County Board of Supervisors.

ARTICLE 6: PENALTY

6-1 Penalty for Violation.

Any person violating any provision of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00) and/or up to thirty (30) days in jail.

ARTICLE 7: ADOPTION

Duly adopted on the 12th day of December, 1979 after notice and public hearing as required by Section 15.1-504 of the Code of Virginia, as amended, upon a motion by Mr. Handley, seconded by Mr. Northam.

Voting for: Mr. Ferguson, Mr. Handley, Mr. Northam
Voting against: None
Absent: Mr. Butler, Mr. Rennie