

**CAMPBELL COUNTY CODE OF 1988**

**CHAPTER 3**

**AMUSEMENTS – CHANGELOG**

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## **Article I. In General.**

### **Secs. 3-1 to 3-5. Reserved.**

## **Article II. Outdoor Entertainment Assemblages or Festivals.**

### **Sec. 3-6. Purpose of article; findings.**

[THE DECEMBER 1, 1997 AMENDMENT substantially rewrote this section.]

[THE FEBRUARY 2, 1998 and AUGUST 3, 1998 AMENDMENTS substituted “§15.2-1200 (Repl. Vol. 1997)” for “§15.1-510 (Repl. Vol. 1989).”]

### **Sec. 3-7. “Outdoor entertainment assemblage or festival” defined; exemption.**

[THE DECEMBER 1, 1997 AMENDMENT substantially rewrote this section, deleting references to “for the purpose of listening to or participating in entertainment which consists primarily of musical renditions conducted in open spaces...” and adding the exemption stated in the second paragraph.]

[THE AUGUST 3, 1998 AMENDMENT added “and where such activity is not of a nature and scope customarily incidental and subordinate to the principal use and intended function of the subject structure or land” at the end of the first sentence in the first paragraph.]

### **Sec. 3-8. Permits--When required; applications; action by Board of Supervisors or its designated agent; duration of permit; non-transferability.**

[THE MARCH 17, 1997 AMENDMENT rewrote subsection (a) and added paragraphs (i) through (iv) therein.]

[THE DECEMBER 1, 1997 AMENDMENT redesignated the former introductory language as subsection (a), inserting “or its designated agent” at the end, and redesignated former paragraphs (i) through (iii) therein as subsection (b), substantially rewriting provisions, redesignated former subsection (a) (iv) as present subsection (c) and added “and the County noise ordinances” at the end thereof, and redesignated former (b) and (c) as present (d) and (e), inserted “after issuance of a special use permit under the Zoning Ordinance, if required” and “assemblage or” in first sentence of (d), deleted the former last sentence in (d), regarding mailing of copies of the application to members of the Board, inserted “or its designated agent” and substituted “in due course, upon receipt of all required documentation” for “at their next regularly scheduled meeting from the filing of the same” in (e), and added (f) and (g).]

[THE AUGUST 3, 1998 AMENDMENT redesignated provisions of (d) as paragraph (1) thereof and inserted “or permit(s)” in second sentence therein, added new paragraphs (2), (3), and (4) in (d), and added proviso language in (e).]

[THE JULY 6, 2004 AMENDMENT, in (f), designated the provisions as paragraph (1) thereof, substituting “seven (7)” for “five (5)” and adding “unless a subsequent permit is obtained” in the second sentence thereof; and added new paragraphs (2) and (3).]

[THE JULY 17, 2012 AMENDMENT deleted language in (f)(1), (2) and (3) that required separate permits for each day or increment of time in a multi-part event to clarify that a single permit will suffice for a single event.]

[THE DECEMBER 3, 2019 AMENDMENT rewrote (b)(1) and (b)(2) to clarify that special entertainment permits are required for all outdoor assemblages for which admission is charged, and added (b)(4) which requires a permit when the outdoor assemblage is recurring at regular intervals.]

[THE DECEMBER 5, 2023 AMENDMENT added a requirement that outdoor events requiring more than two special entertainment permits in any given year be evaluated for the issuance of a zoning permit for the activity in question, and that the event venue be required to receive a special use permit if one is required for the activity.]

### **Sec. 3-9. Same—Conditions of issuance.**

[THE 1987 AMENDMENT added paragraphs (1), (m), (n).]

[THE 1988 AMENDMENT deleted “or persons who attained the age of nineteen (19) years by July 1, 1985” at end of paragraph (m) because the current uniform lawful drinking age is twenty-one (21) years.]

[THE DECEMBER 1, 1997 AMENDMENT rewrote and redesignated introductory language as (a) and inserted “or its designated agent” twice therein, and added new paragraph (1) (with subparagraphs (i) to (ix) therein), and redesignated former paragraph (a) as present paragraph (2) in (a), deleted former paragraphs (b) and (c), which provisions are rewritten in present (a)(1)(iv) to (viii), redesignated former paragraphs (d) to (f) as paragraphs (3) to (5) in (a), inserted new (6), redesignated former (h) to (n) as present (7) to (13), clarifying requirements re ABC regulations in (11) and (12), and added (b).]

[THE JULY 2, 2001 AMENDMENT added paragraph (14) in subsection (a).]

[THE JUNE 17, 2002 AMENDMENT substituted “Chapter 10 of this Code” for “§10-49 et seq. of this Code” in the second sentence of paragraph (14) in (a).]

[THE JULY 6, 2004 AMENDMENT, in (a)(1), substituted “assemblage, festival, or the like” for “assemblage or festival” in (viii); substituted “seven (7)” for “five (5)” and added “unless a subsequent permit is obtained” in (ix); and added subparagraph (x).]

[THE JULY 17, 2012 AMENDMENT deleted “their street and mailing addresses, legal (permanent) and local; and such persons’ telephone numbers, permanent and local” from (a)(1)(iv); rewrote (a)(1)(ix) for clarity; substituted “include” for “have attached to it a copy of the ticket or badge of admission to such assemblage or festival, containing the date or dates and time or times of such assemblage or festival, together with” in (a)(2); added “The

County Administrator, or his designee, may waive this requirement when deemed unnecessary” to (a)(5), (a)(6), and (a)(7); rewrote (a)(9) to clarify that application must describe sound emanation; deleted (a)(13).]

**Sec. 3-9.1. Licenses to serve alcoholic beverages.**

[THE 1987 ACT adopted this section.]

[THE MARCH 17, 1997 AMENDMENT added the third sentence in subsection (a).]

[THE DECEMBER 1, 1997 AMENDMENT inserted “assemblage or” before “festival” twice in the last sentence of (a) and inserted “or its designated agent” in (b).]

**Sec. 3-10. Revocation of permit.**

[THE 1982 AMENDMENT added “or the duly constituted law enforcement officer.”]

[THE DECEMBER 1, 1997 AMENDMENT designated existing provisions as subsection (a) hereof, inserted “its designated agent” therein, and added subsection (b).]

**Sec. 3-11. Time limitation on music and/or entertainment.**

[THE 1987 AMENDMENT substituted “1:00 A.M.” for “Midnight” in last sentence.]

[THE DECEMBER 1, 1997 AMENDMENT inserted “fourteen (14) hours” for “eight hours” and inserted “assemblage or” in the first sentence.]

**Sec. 3-12. Restrictions on attendance where alcoholic beverages distributed, served, or consumed.**

[THE DECEMBER 1, 1997 AMENDMENT deleted former provisions prohibiting attendance at a festival by a minor unless accompanied by a parent or guardian who must remain with the minor at all times, and substituted the present provisions.]

**Sec. 3-13. Construction of article and penalty for violation.**

[THE DECEMBER 3, 2019 AMENDMENT added the penalty in the second paragraph and amended the section title.]

**Sec. 3-14. Severability.**

[THE 1982 AMENDMENT repealed and reenacted this section.]

**Article III. County Parks.**

**Sec. 3-15. Parks established.**

[THE 1990 ACT adopted this section.]

[THE MARCH 17, 1997 AMENDMENT substituted “are hereby established within the County of Campbell certain County Parks, which shall be parks” for “is hereby established within the County of Campbell the Long Island Park, which shall be a park.”]

**Sec. 3-16. Liability of County in the operation of recreational facilities.**

[THE 1990 ACT adopted this section.]

[THE 1991 AMENDMENT added the second paragraph.]

**Sec. 3-17. Regulations regarding use of park facilities.**

[THE 1990 ACT adopted this section.]

[THE MARCH 17, 1997 AMENDMENT substituted “COUNTY” for “LONG ISLAND” in the heading, rewrote item 1 concerning park hours and deleted “or permit” at the end of item 3.]

[THE DECEMBER 1, 1997 AMENDMENT, in item 8, substituted language beginning “shall be subject to the applicable provisions of. . .” for “is allowed only upon written permission from the Director of Recreation”.]

[THE JUNE 5, 2006 AMENDMENT added paragraph 10.]

[THE JULY 19, 2010 AMENDMENT repealed and reenacted this section.]

**Sec. 3-18. Penalty for violations.**

[THE 1990 ACT adopted this section.]

[THE JUNE 5, 2006 AMENDMENT inserted “or incorporated therein by reference.”]

**Article IV. Public Dance Halls.**

**Sec. 3-19. Definition.**

[THE 1982 AMENDMENT added the proviso language following “permitted.”]

[THE 1987 AMENDMENT substituted “this article” for “this and the following sections” and deleted a proviso which formerly followed “permitted,” which provided that certain restaurants licensed to serve food and beverages having a dance floor with an area not exceeding ten per centum of the total floor area of the establishment would not be deemed to be public dance halls.]

**Sec. 3-20. Permit required, conditions of issuance.**

[THE 1987 AMENDMENT designated undesignated paragraphs in subsection (e) as paragraphs (1) and (2) thereof, substituted “An application fee” for “A fee” and “shall” for “will” in paragraph (1) and inserted “license” in paragraph (2).]

[THE DECEMBER 1, 1997 AMENDMENT deleted “Commonwealth’s Attorney and” preceding “Sheriff” in subsection (c) and deleted “the Commonwealth’s Attorney” following “Administrator” in the second sentence in subsection (f).]

[THE JULY, 2, 2001 AMENDMENT, at the end of subsection (a), substituted “the Statewide Fire Prevention Code, and related statutes, ordinances and regulations” for “and the Virginia Fire Hazards Law.”]

**Sec. 3-21. Revocation.**

[None.]

**Sec. 3-22. Hours of operation.**

[None.]

**Sec. 3-23. Exemptions.**

[THE 1983 AMENDMENT added proviso language in the second sentence.]

[THE 1987 AMENDMENT deleted “or” preceding “civic” in the first sentence, and inserted “and application” in the proviso in the second sentence.]

[THE 1993 AMENDMENT substituted “§3-20” for “§16-5” and “§3-20(e)” for “§16-5(e)” in the last sentence.]

[THE JULY 6, 2004 AMENDMENT, in the first sentence, deleted “not held on a regularly scheduled basis and which are” preceding “held for,” substituted “or which are” for “when,” and inserted “, provided that such dances are not held on a regularly scheduled basis.”]

**Sec. 3-24. Applicability of article within towns in County.**

[THE 1987 ACT enacted this section.]

**Sec. 3-25. Penalty for violation.**

[THE 1987 ACT adopted this section.]