

CAMPBELL COUNTY CODE OF 1988

CHAPTER 16

OFFENSES—MISCELLANEOUS

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Article I. In General.

Sec. 16-1. Attempts to commit misdemeanors; how punished.

[THE JULY 5, 2005 ACT adopted this section.]

Article II. Crimes Against the Person.

Sec. 16-2. Assault and battery.

[THE JULY 5, 2005 AMENDMENT redesignated former §16-2 (going out of business sales) as present §16-6 and adopted this section.]

Article III. Crimes Against Property.

Sec. 16-3. Petit larceny defined; how punished.

[THE JULY 5, 2005 AMENDMENT amended and redesignated former §16-3 (well covers) as present §16-9 and adopted this section.]

[THE DECEMBER 4, 2018 AMENDMENT substituted \$500 for \$200.]

[THE DECEMBER 1, 2020 AMENDMENT substituted \$1000 for \$500.]

Sec. 16-4. Trespass after having been forbidden to do so; penalties.

[THE JULY 5, 2005 ACT adopted this section.]

[THE DECEMBER 6, 2011 AMENDMENT twice inserted “or the agent of any such person” and inserted “or at the direction of” in the first sentence.]

Sec. 16-4.1. Designation of Sheriff’s Department as “person lawfully in charge of the property” to enforce trespass violations.

[THE JUNE 17, 2002 ACT adopted this section, effective July 1, 2002.]

[THE JULY 5, 2005 AMENDMENT redesignated this section from former §16-28 to present §16-4.1, without substantive changes.]

Sec. 16-4.2. Damaging property generally.

[THE JULY 5, 2005 ACT adopted this section.]

Article IV. Crimes Involving Fraud.

Sec. 16-5. Calling or summoning emergency services vehicle or fire-fighting apparatus without just cause; maliciously activating fire alarms in public buildings; venue.

[THE JULY 5, 2005 ACT adopted this section.]

[THE DECEMBER 1, 2015 AMENDMENT substituted “emergency medical services vehicle” for “ambulance” in title and (a), inserted “emergency medical services vehicle or” before “fire apparatus” in (a), and substituted “is guilty” for “shall be deemed guilty” in (a).]

[THE DECEMBER 5, 2017 AMENDMENT deleted “used for public assembly or for other public use, including, but not limited to, schools, theaters, stores, office buildings, shopping centers and malls, coliseums and arenas” after “any building” in (a).]

Sec. 16-6. Going out of business sales--Permits required; conditions and duration of permit; fee; penalty.

[THE 1987 AMENDMENT, in (c)(3), inserted “including the kind and quantity” and substituted “the sale and only the goods specified in the inventory list may be advertised at a reduced price or sold at a reduced price during the sale period” for “such special sale,” inserted “each” in (d), substituted “that time” for “such period” and added “and inventory” in first sentence in (f) and added second sentence therein, added second sentence in (h), redesignated former (i) as (j), and inserted new (i).]

[THE 1988 AMENDMENT, in the second sentence of (f), substituted “An additional permit” for “A maximum of two additional permits” and “may be” for “shall be” and added paragraph (2) in (h).]

[THE 1992 AMENDMENT deleted “at a reduced price” following “advertised” and “sold” in (c)(3) and following “to advertise” and “or to sell any goods” in the first sentence in (h)(1), substituted “A maximum of one” for “An additional” in second sentence in (f), and deleted “and” preceding “which remain unsold.”]

[THE 1993 AMENDMENT substituted “by confinement in jail for not more than twelve months and a fine of not more than \$2,500.00, either or both” for “as provided in §1-6 of this Code” in (j).]

Article V. Crimes Involving Health and Safety.

Division A. In General.

Sec. 16-7. Urinating or defecating in public.

[THE 1987 ACT adopted this section.]

[THE MARCH 17, 1997 AMENDMENT inserted “not specifically designated a public restroom or public bathroom” and deleted “other than sanitary facilities designated for such purpose” preceding “in such a manner.”]

[THE JULY 5, 2005 AMENDMENT redesignated the former §16-11 as present §16-7 and inserted “or defecate.”]

Division B. Drugs.

Sec. 16-8. Reserved.

[THE DECEMBER 7, 2021 AMENDMENT repealed this section, which had made the possession of marijuana unlawful.]

Sec. 16-8.1. Methamphetamine lab cleanup costs; reimbursement.

[THE JULY 17, 2012 ACT adopted this section.]

Division C. Miscellaneous Dangerous Conduct.

Sec. 16-9. Covers to be kept on certain wells.

[THE 1982 AMENDMENT inserted “having a diameter greater than six inches and is more than ten feet deep” in (a), and rewrote (e) regarding the penalty for violation.]

[THE 1987 AMENDMENT rewrote the section.]

[THE JULY 5, 2005 AMENDMENT redesignated former §16-3 as present §16-9, and inserted “at all times” in (a).]

Division D. Excessive Noise and Sound.

Sec. 16-10. Control of excessive noise and sound; findings by Board of Supervisors.

[THE DECEMBER 1, 1997 AMENDMENT inserted “particularly on and proximate...” in the first clause and inserted new second and third clauses.]

[THE MAY 7, 2013 AMENDMENT, effective June, 1, 2013, added “on or proximate to public property in the County or” in the first portion of the section and substituted “so that the sound produced exceeds certain decibel (dBA) limits enumerated and measured as described in this Division” for “such that the sound emanating therefrom annoys, disturbs, injures or endangers the comfort, health, peace or safety of reasonable person(s) of ordinary habits and sensibilities and normal auditory acumen twenty-five (25) feet or more from the source of the sound is deemed to be injurious to public health and safety; that the use of

sound producing or receiving device(s) or sound amplification device(s), loud speaker(s), or the like on or proximate to public property in the County such that the sound emanating therefrom annoys, disturbs, injures or endangers the comfort, health, peace or safety of reasonable person(s) of ordinary habits and sensibilities and normal auditory acumen one hundred (100) feet or more from the source of the sound”.]

Sec. 16-10.1. Definitions.

[THE 1988 AMENDMENT, in (g), substituted “four-wheeled” for “four wheel” and added “and mopeds” at the end and substituted “highway” for “highway” preceding “except devices” in (h).]

[THE 1989 AMENDMENT inserted definition of “moped” as (e-1), deleted “and any four-wheeled vehicle weighing less than five hundred pounds and equipped with an engine of less than six horse-power” following “ground” in (g), rewrote definition of “motor vehicle” in (h), and added definition of “vehicle” in (n).]

[THE DECEMBER 1, 1997 AMENDMENT inserted “or noise disturbance” in the heading of paragraph (i) and rewrote the definition, deleting “or disturbs or which causes or tends to cause an adverse physiological effect on humans or livestock” following “annoys” and substituting new language, and inserted “or property line” in the heading of paragraph (j) and inserted “leased or otherwise controlled” twice.]

[THE FEBRUARY 2, 1998 AMENDMENT in the definition of “Moped” at paragraph (e-1) inserted the clause (i) designation and added clause (ii).]

[THE AUGUST 7, 2000 AMENDMENT, in the definition of “Moped” at paragraph (e-1), inserted “A conveyance that is either” and substituted “or” for “and” preceding clause (ii) therein; and in paragraph (h), added “for purposes of this article” at the end.]

[THE JUNE 17, 2002 AMENDMENT inserted “electric power-assisted bicycle” in the exclusionary language in the definition of “Motor vehicle.”]

[THE JULY 7, 2003 AMENDMENT inserted “electric personal assistive mobility device” in the exclusionary language in the definition of “Motor vehicle.”]

[THE DECEMBER 4, 2006 AMENDMENT rewrote the definition of “Moped,” and, in the definition of “Motorcycle,” substituted “Every” for “Any” and “and is capable of traveling at speeds in excess of 35 miles per hour” for “excepting farm tractors and mopeds” in the first sentence and added the second sentence.]

[THE DECEMBER 1, 2008 AMENDMENT deleted the definitions of “A-weighted sound level,” “Decibel (db)”, “Sound level” and “Sound level meter”; and deleted “and/or exceeds certain specified sound levels for that type of activity” from the definition of “Noise or noise disturbance.”]

[THE JULY 20, 2009 AMENDMENT replaced the definitions of “A-weighted sound level,” “Decibel (db)”, “Sound level” and “Sound level meter”; and replaced “and/or

exceeds certain specified sound levels for that type of activity” from the definition of “Noise or noise disturbance.”]

[THE DECEMBER 6, 2011 AMENDMENT added the second sentence to the definition of “Moped.”]

[THE MAY 7, 2013 AMENDMENT, effective June 1, 2013, deleted the definition of “Noise or noise disturbance” at (i), and deleted “but not including intra-building real property divisions” from the end of (j).]

[THE DECEMBER 7, 2021 AMENDMENT added “autocycle” as an exception to the definition of “Motorcycle.”]

Sec. 16-10.2. Administration and enforcement.

[THE DECEMBER 1, 1997 AMENDMENT substituted “law-enforcement officers” for “departments” in the second sentence.]

Sec. 16-10.3. Testing and metering devices.

[THE DECEMBER 1, 2008 AMENDMENT deleted this section which provided for the use of testing and metering devices for enforcement of this ordinance.]

[THE JULY 20, 2009 AMENDMENT replaced this section as it existed prior to December 1, 2008.]

[THE MAY 7, 2013 AMENDMENT, effective June 1, 2013 substituted “maintain” for “within sixty days after the effective date of this section, develop and promulgate” and added “procuring” to the first sentence; and deleted the second sentence, which allowed for the issuance of guidelines in circumstances where a sound level meter is not used.]

Sec. 16-10.3:1. Use of sound level meter required; point of measurement of sound or noise.

[THE DECEMBER 1, 1997 ACT adopted this section.]

[THE DECEMBER 1, 2008 AMENDMENT changed the title of this section from “Use of sound meter preferred; point of measurement or evaluation of sound or noise” to “Point of evaluation of sound or noise”; deleted “Proper use of a sound level meter by the Sheriff or other law-enforcement officer is designed to yield an objective, quantifiable measurement of the sound level of a sound or noise. Therefore, whenever practical, a sound level meter shall be utilized. However, when a sound level meter is not available within a reasonable length of time or its use is otherwise impractical” from the beginning of subsection (a), deleted “or take a measurement to determine sound levels” from the first sentence of (d) and substituted “evaluation” for “measurement” and “made” for “taken” in the last sentence of (d).]

[THE JULY 20, 2009 AMENDMENT changed the title of this section back to “Use of sound meter preferred; point of measurement or evaluation of sound or noise”; replaced “Proper use of a sound level meter by the Sheriff or other law-enforcement officer is designed to yield an objective, quantifiable measurement of the sound level of a sound or noise. Therefore, whenever practical, a sound level meter shall be utilized. However, when a sound level meter is not available within a reasonable length of time or its use is otherwise impractical” from the beginning of subsection (a), replaced “or take a measurement to determine sound levels” from the first sentence of (d) and substituted “measurement” for “evaluation” and “taken” for “made” in the last sentence of (d).]

[THE MAY 7, 2013 AMENDMENT, effective June 1, 2013, substituted “required” for “preferred” in the title of the section, deleted “or evaluation” in conjunction with “measurement” several times, and deleted the third sentence in (a), which allowed for evaluation of sound without use of a sound level meter.]

Sec. 16-10.4. Maximum sound levels - In General.

[THE DECEMBER 1, 1997 AMENDMENT added the undesignated introductory paragraph, deleted the former last sentence in (a) and redesignated that provision as (d) hereof, deleted former (b), and added new (b) and (c).]

[THE DECEMBER 1, 2003 AMENDMENT designated provisions of (c) as paragraph (1) thereof and substantially rewrote provisions regarding animal noises and added paragraphs (2) and (3) therein to prescribe procedure for complaints regarding animal noises.]

[THE DECEMBER 1, 2008 AMENDMENT substituted “such that the sound emanating therefrom annoys, disturbs, injures or endangers the comfort, health, peace or safety of reasonable person(s) of ordinary habits and sensibilities and normal auditory acumen” for “in excess of 65 dBA” in (a) and rewrote the remainder of the section for clarity; deleted subsection (b); deleted “Such noise shall be deemed to be in violation of this subsection when a sound level measurement, administered by the Sheriff or other law-enforcement officer at the property boundary of the receiving land, exceeds the maximum sound levels set forth in subsections (a) and (b) hereof. If administration of such sound level measurement is not practicable, then” after the first sentence in (c)(1); and substituted “limitations” for “maximum sound levels” in (d).]

[THE JULY 20, 2009 AMENDMENT substituted “in excess of 65 dBA” for “such that the sound emanating therefrom annoys, disturbs, injures or endangers the comfort, health, peace or safety of reasonable person(s) of ordinary habits and sensibilities and normal auditory acumen” in (a) and rewrote the remainder of the section for clarity; replaced subsection (b); replaced “Such noise shall be deemed to be in violation of this subsection when a sound level measurement, administered by the Sheriff or other law-enforcement officer at the property boundary of the receiving land, exceeds the maximum sound levels set forth in subsections (a) and (b) hereof. If administration of such sound level measurement is not practicable, then” after the first sentence in (c)(1); and substituted “maximum sound levels” for “limitations” in (d).]

[THE DECEMBER 6, 2011 AMENDMENT added “except in zoning districts R-SF, R-MH, and R-MF” to the end of (d).]

[THE MAY 7, 2013 AMENDMENT, effective June 1, 2013, added “or in excess of 82 dBA when measured at the property boundary of the receiving land at any time of the day” in (a), added “or in excess of 77 dBA when measured at the property boundary of the receiving land at any time of the day” in (b), substituted “that produces” for “which, by causing” and deleted “annoys, disturbs, injures or endangers the comfort, health, peace or safety of reasonable person(s) of ordinary sensibilities” and the last sentence from (c)(1), substituted “has produced” for “by causing” and deleted “has annoyed, disturbed, injured or endangered the comfort, health, peace or safety of reasonable person(s) of ordinary sensibilities” from (c)(3), and substituted “No person shall operate or permit the use or operation of any music or sound system which produces, reproduces, or amplifies sound on or proximate to any publicly owned property or public park, not including roads and rights-of-way, in such a manner that the sound emanating therefrom exceeds 77 dBA one hundred (100) feet or more from the source of the sound, regardless of the time of day” for the former language of (d), which has been moved to 16-10.6(n).]

Sec. 16-10.4:1. Reserved.

[None.]

Sec. 16-10.4:2. Enclosed public dance or concert or other public musical performance; warnings required to be posted.

[The OCTOBER 18, 1982 ACT adopted this section.]

[THE DECEMBER 1, 1997 AMENDMENT redesignated former (b) of §16-10.4 as (a) herein, deleted “between the hours of 10 p.m. and 6 a.m.” preceding “in excess or 65 dBA” in the middle of (a), and added (b).]

[THE DECEMBER 1, 2008 AMENDMENT substituted “such that the sound emanating therefrom annoys, disturbs, injures or endangers the comfort, health, peace or safety of reasonable person(s) of ordinary habits and sensibilities and normal auditory acumen” for “in such a manner as to create a sound level in the County in excess of 65 dBA.”]

[THE JULY 20, 2009 AMENDMENT substituted “in such a manner as to create a sound level in the County in excess of 65 dBA” for “such that the sound emanating therefrom annoys, disturbs, injures or endangers the comfort, health, peace or safety of reasonable person(s) of ordinary habits and sensibilities and normal auditory acumen”.]

[THE MAY 7, 2013 AMENDMENT, effective June 1, 2013, substituted “Enclosed” for “Same” in the title, added “inside a building or enclosed structure” to the first paragraph, formerly (a), substituted “85” for “65” prior to dBA in the first paragraph, and deleted former (b).]

Sec. 16-10.5. Motor vehicles.

[THE DECEMBER 1, 1997 AMENDMENT inserted “or proximate to” preceding “a public right of way” in the introductory language.]

[THE DECEMBER 1, 2008 AMENDMENT substituted “such that the sound emanating therefrom annoys, disturbs, injures or endangers the comfort, health, peace or safety of reasonable person(s) of ordinary habits and sensibilities and normal auditory acumen” for “in such a manner that the sound level emitted by the motor vehicle or motorcycle when measured”; and deleted a table establishing decibel limits.]

[THE JULY 20, 2009 AMENDMENT substituted “in such a manner that the sound level emitted by the motor vehicle or motorcycle when measured” for “such that the sound emanating therefrom annoys, disturbs, injures or endangers the comfort, health, peace or safety of reasonable person(s) of ordinary habits and sensibilities and normal auditory acumen”; and replaced the table establishing decibel limits.]

[THE MAY 7, 2013 AMENDMENT, effective June 1, 2013, deleted “Same - Operation of” from the title, added subsections (b) and (c), and designated the previous language of the section as (a).]

Sec. 16-10.6. Exemptions from Division.

[THE DECEMBER 1, 1997 AMENDMENT expanded the list of possible exemptions from the article, and redesignated former items (a) and (b) as present subsection (j).]

[THE DECEMBER 4, 2012 AMENDMENT, in (e), substituted “where a special entertainment permit as set forth in §§ 3-6 et seq. of the Code of Campbell County is required and has” for “for which the appropriate permits have” and substituted “specified in the relevant” for “imposed as a condition for the issuance of any permit.”]

[THE MAY 7, 2013 AMENDMENT, effective June 1, 2013, deleted “domestic” from (a), added the second sentence to subsection (e), and added subsection (n).]

Sec. 16-10.6:1. Reserved.

[None.]

Sec. 16-10.6:2. Limited applicability to certain sport shooting ranges.

[THE 1990 ACT adopted this section.]

[THE JULY 5, 2005 AMENDMENT added the phrase beginning “or at the time any application . . .” at the end of subsections (a) and (b).]

[THE DECEMBER 4, 2006 AMENDMENT substituted “its effective date” for “the time the construction or operation of the range initially was approved, or at the time any application was submitted for the construction or operation of the range” in (a),

redesignated former (c) as present (d) and added the second paragraph therein, and inserted new (c).]

Sec. 16-10.7. Penalties.

[The OCTOBER 18, 1982 ACT adopted this section.]

[THE 1987 AMENDMENT deleted “Class Four” preceding “misdemeanor” and added the language following “misdemeanor” in subsection (a).]

Sec. 16-10.8. Severability.

[The OCTOBER 18, 1982 ACT adopted this section.]

[THE 1988 AMENDMENT substituted “1988” for “1981.”]

Article VI. Crimes Against Peace and Order.

Sec. 16-11. Disorderly conduct in public places.

[THE JULY 5, 2005 AMENDMENT amended and redesignated the former provisions of this section (prohibiting urinating in public) as present §16-7, and adopted this section.]

[THE DECEMBER 4, 2006 AMENDMENT inserted “funeral, memorial service, or” twice in (b).]

[THE DECEMBER 1, 2020 AMENDMENT redesignated the numbering of the subsections, added “while in a” to (a)(1), deleted “However” at the beginning of (b), and added subsection (d).]

Sec. 16-11.1. Punishment for using abusive language to another.

[THE JULY 5, 2005 ACT adopted this section.]

Sec. 16-11.2. Causing telephone to ring with intent to annoy.

[THE JULY 5, 2005 ACT adopted this section.]

[THE DECEMBER 4, 2012 AMENDMENT substituted “is” for “shall be” in the first sentence, and added the second sentence.]

Sec. 16-11.3. Causing telephone to ring with intent to annoy, harass, hinder, or delay emergency personnel in the performance of their duties.

[THE JULY 5, 2005 ACT adopted this section.]

[THE DECEMBER 3, 2007 AMENDMENT added “designated pursuant to VA. CODE ANN. §10.1-1135 (Repl. Vol. 2006)” to the definition of “Emergency personnel”.]

[THE DECEMBER 4, 2012 AMENDMENT substituted “is” for “shall be” prior to “guilty” in (a).]

[THE DECEMBER 1, 2015 AMENDMENT substituted “services” for “service” in three places and substituted “emergency medical services” for “medical aid or ambulance service” in the definition of “Emergency call.”]

[THE AUGUST 1, 2023 AMENDMENT clarifies what constitutes a telephone call with the intent to harass or hinder emergency personnel, on which devices and through what medium the crime can be committed.]

[THE AUGUST 1, 2023 AMENDMENT adds a new code section 18.2-461.1 (false communication to emergency personnel) to the list of crimes for which the locality may charge for emergency response.]

Sec. 16-11.4. Venue for offenses under §§16-11.2 and 16-11.3 of this Code.

[THE JULY 5, 2005 ACT adopted this section.]

Sec. 16-11.5. Operation of gambling devices at unregulated locations; civil penalty.

[THE DECEMBER 5, 2023 ACT adopted this section, and re-numbered the previous Sec. 16-11.5 as Sec. 16-12.1.]

Sec. 16-11.6. Definitions for offenses under §16-11.5 of this Code.

[THE DECEMBER 5, 2023 ACT adopted this section, and re-numbered the previous Sec. 16-11.6 as Sec. 16-12.2.]

Article VII Crimes Against the Administration of Justice.

Sec. 16-12.1. Obstructing justice; penalties.

[THE JULY 5, 2005 ACT adopted this section.]

[THE DECEMBER 3, 2007 AMENDMENT made minor revisions to language in subsection (b) to clarify how the offense is charged.]

[THE DECEMBER 7, 2009 AMENDMENT inserted “or an animal control officer employed pursuant to VA. CODE ANN. § 3.2-6555” twice in subsection (a), and once each in subsections (b) and (d).]

[THE DECEMBER 4, 2018 AMENDMENT substituted “is guilty” for “shall be guilty” in (a) and added subsection (e).]

[THE DECEMBER 5, 2023 ACT re-numbered the previous Sec. 16-11.5 as Sec. 16-12.1.]

Sec. 16-12.2. Falsely summoning or giving false reports to law-enforcement officials.

[THE JULY 5, 2005 ACT adopted this section.]

[THE DECEMBER 3, 2019 AMENDMENT added clause (ii), redesignating former clause (ii) as clause (iii).]

[THE DECEMBER 5, 2023 ACT re-numbered the previous Sec. 16-11.6 as Sec. 16-12.2.]

Article VIII. Hunting On or Within the Ditchlines of Highways.

Sec. 16-13.1 Definitions.

[THE 1988 ACT adopted this section.]

[THE JULY 7, 2003 AMENDMENT, effective July 1, 2004, deleted paragraph designations, deleted the definition of “Game bird,” added definitions of “Firearm” and “Game,” substituted the term “Game animals” for the term “Game animal” and inserted “and” preceding “raccoon” therein, and substituted the term “Hunting and trapping” for “Hunt” and added the clause at the end of the first sentence, and added the second sentence therein.]

[THE DECEMBER 4, 2012 AMENDMENT added “(including all Cervidae)” to the definition of “Game animals”.]

[THE DECEMBER 1, 2020 AMENDMENT substituted “Wildlife Resources” for “Game and Inland Fisheries.”]

[THE DECEMBER 5, 2023 ACT re-numbered the previous Sec. 16-12 as Sec. 16-13.1.]

Sec. 16-13.2. Hunting on or within the ditchlines of highways prohibited.

[THE 1988 ACT adopted this section.]

[THE JULY 7, 2003 AMENDMENT, effective July 1, 2004, deleted “for any person,” and substituted “within the right-of-way” for “any game bird or game animals, on or within the ditchlines” in the first paragraph and added the second paragraph.]

[THE DECEMBER 4, 2006 AMENDMENT, effective July 1, 2007, substituted “on or within the ditchlines” for “within the right-of-way” in the first paragraph.]

[THE DECEMBER 5, 2023 ACT re-numbered the previous Sec. 16-13 as Sec. 16-13.2.]

Sec. 16-13.3. Same—Penalties.

[THE 1988 ACT adopted this section.]

[THE MARCH 1989 AMENDMENT substituted “and, upon conviction, shall be punishable by a fine of not more than five hundred dollars (\$500.00)” for “punishable as a Class III Misdemeanor as that term is defined in VA. CODE ANN. §18.2- 11(c) (Repl. Vol. 1982).”]

[THE JULY 7, 2003 AMENDMENT, effective July 1, 2004, substituted “Any person who violates the provisions” for “Violation” and “be guilty of a Class 3 misdemeanor” for “be a misdemeanor.”]

[THE DECEMBER 5, 2023 ACT re-numbered the previous Sec. 16-14 as Sec. 16-13.1.]

Sec. 16-14. Reserved.

[THE DECEMBER 5, 2023 ACT re-numbered the previous Sec. 16-14 as Sec. 16-13.1., and designated current Sec. 16-14 as Reserved.]

Article IX. Indoor Clean Air Act.

Sec. 16-15. Definitions.

[THE 1990 ACT adopted this section.]

[THE 1993 AMENDMENT substituted “nursing facility or nursing home” for “nursing home” in definitions of “Health care facility” and “Public place” and substituted “adult care residence” for “adult home” in “Health care facility” definition.]

[THE MARCH 17, 1997 AMENDMENT added definition of “Recreational facility.”]

[THE MAY 17, 1999 AMENDMENT deleted the definition of “Person” and substituted “locality” for “county, city, or town” in the definition of “Public place.”]

[THE JUNE 17, 2002 AMENDMENT substituted “career and technical education” for “vocational” in definition of “Educational facility.”]

[THE DECEMBER 7, 2009 AMENDMENT rewrote the definitions of “Bar or lounge area” and “Restaurant,” substituted “assisted living facility” for “adult care residence” in the definition of “Health care facility,” deleted “restaurant” from the definition of “Public place,” and corrected punctuation throughout.]

[THE DECEMBER 5, 2017 AMENDMENT substituted “institution of higher education” for “college, university” in the definition of “Educational facility.”]

Sec. 16-16. Purpose and intent; exception re Department of Corrections.

[THE 1990 ACT adopted this section.]

[THE MARCH 17, 1997 AMENDMENT added “and this article” at the end of (a).]

[THE DECEMBER 7, 2009 AMENDMENT substituted “reasonable” for “certain” in subsection (a) and deleted “and in certain other public places, as mandated by VA. CODE ANN. §15.2-2801 (Repl. Vol. 2008) and this article” from the end of subsection (a), and substituted “that” for “which” in subsection (b).]

Sec. 16-17. “No smoking” areas.

[THE 1990 ACT adopted this section.]

[THE 1991 AMENDMENT added “except in any open material hoist elevator, not intended for use by the public” at the end of item 1.]

[THE MARCH 17, 1997 AMENDMENT added “and of VA. CODE ANN. §15.1-291.2 (Cum. Supp. 1996).” at the end of item 3.]

[THE JULY 7, 2003 AMENDMENT inserted new item 2 and redesignated former items 2. through 5. as present 3. through 6.]

[THE DECEMBER 7, 2009 AMENDMENT added subsections 4, 5, 6, 8, 9, and 10, and renumbered all paragraphs as necessary.]

Sec. 16-17.1. Smoking in restaurants prohibited; exceptions; posting of signs; penalty for violation.

[THE DECEMBER 7, 2009 ACT adopted this section.]

[THE DECEMBER 1, 2020 AMENDMENT added subsection (a)(7).]

Sec. 16-18. Designation of “no smoking” areas in buildings owned or leased by Campbell County.

[THE MARCH 17, 1997 ACT adopted this section.]

[THE JULY 7, 2003 AMENDMENT deleted “unless permitted under a limited exception authorized by state law” following “of this Code” in (c).]

[THE DECEMBER 7, 2009 AMENDMENT added “and §16-17.1” to subsection (c).]

Sec. 16-19. Exceptions.

[THE 1990 ACT adopted this section.]

[THE 1992 AMENDMENT added “tobacco warehouses or tobacco manufacturing facilities” at the end of item 2.]

[THE DECEMBER 7, 2009 AMENDMENT deleted “Bars and lounge areas” and “Restaurants . . . being used for private functions”, and substituted “Private work places” for “Office or work areas which are not entered by the general public in the normal course of business or use of the premises”, made slight grammatical changes and renumbered the remaining paragraphs.]

Sec. 16-20. Responsibility of building proprietors and managers.

[THE MARCH 17, 1997 ACT adopted this section.]

[THE DECEMBER 7, 2009 AMENDMENT added “Except as provided in §16-17.1” at the very beginning of this section, and made changes to the first sentence to make consistently plural.]

Sec. 16-21. Reserved.

[None.]

Sec. 16-22. Posting of signs.

[THE 1990 ACT adopted this section.]

[THE 1992 AMENDMENT added “conspicuous to public view” at the end.]

[THE 1993 AMENDMENT inserted “ordinary” preceding “public view.”]

[THE DECEMBER 7, 2009 AMENDMENT deleted “conspicuous to ordinary public view” from the end of the sentence.]

Sec. 16-23. Enforcement; penalty.

[THE 1990 ACT adopted this section.]

[THE 1992 AMENDMENT added subsection (c).]

[THE DECEMBER 7, 2009 AMENDMENT added subsection (d).]

Sec. 16-24. Construction of article with respect to other applicable law.

[THE 1990 ACT adopted this section.]

[THE DECEMBER 7, 2009 AMENDMENT added “Nothing in” at the beginning of the section, deleted “not” preceding “be construed”, and deleted “federal, state or local” preceding “law.”]

Article X. Use of Firearms.

Sec. 16-25. No regulation of firearms on county property.

[THE DECEMBER 1, 2020 ACT adopted this section.]

Sec. 16-26. Reserved.

[THE JULY 31, 2006 AMENDMENT, effective upon passage, repealed this section, which had prohibited the carrying of loaded weapons on or along public highways.]

Sec. 16-26.1. Prohibiting outdoor shooting of firearms in certain areas.

[THE JULY 2, 2001 ACT adopted this section.]

[THE JULY 6, 2004 AMENDMENT, in (b), deleted “or air-operated or gas-operated weapon” following “firearm” in the first sentence, substituted “means any weapon that will or is designed . . . of a combustible material” for “shall mean any weapon in which ammunition may be used or discharged by explosion or pneumatic pressure” in the second sentence; and deleted the third sentence defining “ammunition”; and substituted “a fine not to exceed \$500” for “penalties prescribed by §1-6 of this Code” in I.]

[THE JULY 5, 2005 AMENDMENT inserted “outdoor” in (a) and “outdoors” in the first sentence in (b)]

[THE DECEMBER 7, 2009 AMENDMENT inserted “except pursuant to §16-26.3 of this Code” in the first sentence of (b).]

Sec. 16-26.2. Regulation of pneumatic guns.

[THE JULY 6, 2004 ACT adopted this section.]

[THE DECEMBER 6, 2011 AMENDMENT added “except as permitted below” to (b), and “or on or within private property with permission of the owner or legal possessor thereof when conducted with reasonable care to prevent a projectile from crossing the bounds of the property” to the end of subsection (g).]

[THE DECEMBER 5, 2017 AMENDMENT rewrote the section and removed all restrictions by zoning district.]

Sec. 16-26.3. Exceptions to prohibition against outdoor shooting of firearms in certain areas.

[THE DECEMBER 7, 2009 ACT adopted this section.]

[THE DECEMBER 4, 2012 AMENDMENT added “elk” to the first sentence.]

[THE DECEMBER 1, 2020 AMENDMENT substituted “Wildlife Resources” for “Game and Inland Fisheries” twice.]

Article XI. Reserved.

Sec. 16-27. Reserved.

Editor’s note. The former Section 16-27, requiring that an applicant for a concealed weapon permit submit to fingerprinting, was repealed effective July 1, 2012 as a result of the state repeal of the enabling statute, former VA. CODE ANN. §15.2-915.3, and the amendment of VA. CODE ANN. §18.2-308 (Cum. Supp. 2021).

Article XII. Reserved.

Sec. 16-28. Reserved.

Editor’s note: The July 5, 2005 amendment redesignated the former provisions of this section as present §16-4.1, without substantive change, leaving this article as a reserved article.

Sec. 16-29. Reserved.

Article XIII. DUI Incidents and Other Traffic Incidents.

Sec. 16-30. Reimbursement of expenses incurred in responding to DUI incident and other traffic incidents.

[THE JUNE 17, 2002 ACT adopted this section.]

[THE JULY 6, 2004 AMENDMENT rewrote (a), adding paragraphs (1) to (4); rewrote first and second sentences in (b), using language formerly included in (a) and raising the amount of the flat fee from \$100 to \$250, and also added last sentence in (b); and, in (c), substituted “driving, operation of a vehicle or other conduct” for “driving or operation of a vehicle.”]

[THE JULY 5, 2005 AMENDMENT, in the introductory paragraph of (a), inserted “including by the Sheriff’s Office of Campbell County” and “fire or” and substituted “by any combination of the foregoing” for “both”; and inserted “18.2-266.1” and “29.1-738.02” in (a)(1).]

[THE DECEMBER 4, 2006 AMENDMENT, in the introductory language in (a), substituted “for restitution at the time of sentencing” for “in a separate civil action,” inserted “to Campbell County or to any responding volunteer fire or rescue squad, or both,” and also inserted “for responding law enforcement, firefighting, rescue and emergency services”; in (b), deleted “or a minute by minute accounting of the actual costs incurred” at the end of the second sentence and inserted “responding law enforcement” in the fourth sentence.]

[THE DECEMBER 7, 2009 AMENDMENT deleted “be liable for restitution” following “provisions shall,” inserted “be liable,” “restitution of” and “those incurred” and added the last sentence in subsection (a), inserted “18.2-36.1” and “or 46.2-341.24” in subsection (a)(1); and inserted “arrest” and “pursuant to subsection (a)” in the first sentence of (b).]

[THE DECEMBER 6, 2010 AMENDMENT substituted “\$350” for “\$250” in the second sentence of subsection (b).]

[THE DECEMBER 1, 2015 AMENDMENT inserted “company or department” after “fire” in the first sentence of (a), substituted “volunteer emergency medical services agency” for “rescue squad” four times in (a) and once in (c), and made related stylistic changes.]

Sec. 16-31. Reserved.

[None.]

Article XIV. Terrorism and Terrorism Hoax Offenses.

Sec. 16-32. Reimbursement of expenses incurred in responding to terrorism hoax incident, bomb threat, or malicious activation of fire alarm.

[THE JUNE 17, 2002 ACT adopted this section, effective on July 1, 2002.]

[THE JULY 5, 2005 AMENDMENT, in (a), inserted “at the time of sentencing or” in the first sentence and substituted “\$250” for “\$100” in the second sentence.]

[THE DECEMBER 1, 2015 AMENDMENT substituted “emergency medical services agency” for “rescue squad” in (a) and (c), and deleted “rescue” after “firefighting” in (b).]

[THE DECEMBER 6, 2016 AMENDMENT added “or of a felony violation of VA. CODE ANN. §18.2-83 (Repl. Vol. 2014) or VA. CODE ANN. §18.2-84 (Repl. Vol. 2014)” in the first sentence of (a) and repeated the cross reference in the last sentence of (c).]

[THE DECEMBER 5, 2017 AMENDMENT included violations of VA. CODE ANN. §18.2-212 (Cum. Supp. 2017) in (a) and (c) and substituted “\$2,500” for “\$1,000” in (a).]

Sec. 16-33. Reserved.

[None.]

Article XV. Airport Security.

Sec. 16-34. Reserved.

Editor's note: By Chapter 894 of the 2004 Acts of Assembly the legislature enacted VA. CODE ANN. §18.2-287.01 (Cum. Supp. 2021), effective July 1, 2004, prohibiting the possession or transportation into any air carrier airport terminal of any guns, ammunition, or other dangerous weapons, including explosives, tasers, stun weapons, etc., subject to certain exceptions for specified law enforcement personnel and for such items in checked luggage. The statute specifically provides that any other statute, rule, regulation, or ordinance specifically addressing the possession or transportation of weapons in any airport in the Commonwealth shall be invalid, and VA. CODE ANN. §18.2-287.01 shall control. Accordingly, §16-34 of the County Code is superseded.

[THE JULY 6, 2004 AMENDMENT repealed this section.]

Article XVI. Jail Processing Fees.

Sec. 16-35. Processing fee to be imposed on certain individuals.

[THE DECEMBER 2, 2002 ACT adopted this section.]