Chapter 6

MISCELLANEOUS

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6.1. Abusive language.

If any person shall, in the presence or hearing of another curse or abuse such person, or use any violent abusive language to such person concerning himself or his female relations, under circumstances reasonably calculated to provoke a breach of the peace, he shall be guilty of a misdemeanor, and on conviction shall be fined not less than five dollars nor more than five hundred dollars.

Sec. 6-2. Advertisements, signs, etc. Consent of property owner prerequisite to posting etc.

Any person who posts any show bill, notice or advertisement, or brands, writes, marks, or paints any signs, letters or characters upon the building, wall, fences or property of another person without first obtaining the consent of the owner of such property, shall be punished as provided in section 1-7.

Sec. 6-3. Assault and battery.

Any person convicted of assault and battery within the territorial limits of the police jurisdiction of the town shall be subject to a fine of not less than five nor more than five hundred dollars, or to confinement in jail for not less than ten days nor more than one year, or both.

Sec. 6-4. Beer and wine—When sale prohibited.

Repealed July 1982.

Sec. 6-5. Begging.

It shall be unlawful for any person to beg upon the streets of the town.

Sec. 6-6. Blasting.

It shall be unlawful for any person to permit any blast to be discharged, either by himself or his agents or employees within the corporate limits without having the blast so confined or protected as to prevent the escape of rock or earth.

Sec. 6-7. Defacing cemetery monuments, etc.,

Any person who shall deface any monument, tombstone or the structure of any sort in a graveyard or cemetery or do any sort of injury to either, shall be fined not less than one dollar no more than two hundred and fifty dollars or confined in jail not less than one nor more than fifteen

Sec. 6-8. Contraceptives—Sale in vending machines, etc.

It shall be unlawful for any person to offer for sale or sell contraceptives by means of vending machines, slot machines or similar devices of any kind or character. Violation of this section shall be punishable by a fine of not less than twenty dollars nor more than fifty dollars, or confinement

in jail for a period of not less than thirty days nor more than sixty days, or by both such fine and imprisonment.

Sec. 6-9. Dance halls—Closing time.

It shall be unlawful for any dance hall in the town to remain open later than 2:00 a.m. Any violation of this section shall be punished by a fine of not less than five dollars nor more than fifty dollars.

Sec. 6-10. Dangerous missiles in streets.

It shall be unlawful for anyone to throw or shoot with an elastic slingshot, a stone or other missile in the streets. Any person violating this section shall be subject to a fine of not less than one dollar nor more than one hundred dollars.

Sec. 6-11. Disorderly or improper conduct.

Any person guilty of disorderly or improper conduct within the town or within one mile thereof shall be punished as provided in section 1-7.

Sec. 6-12. Disturbance of religious worship.

Any person who shall willfully interrupt or disturb any assembly met for the worship of God or, being intoxicated, disturb the same, whether willfully or not shall, upon conviction, be punished as provided in section 1-7.

6-13. Drinking in public.

It shall be unlawful for any person to drink any intoxicating beverages on the streets or alleyways of the town or in any public place or building which is not licensed to sell and dispense alcoholic beverages. Any person convicted of the violation of this section shall be punished by a fine of not less than five dollars nor more than twenty-five dollars.

Sec. 6-14. Fire apparatus—Removal without consent of fire chief, etc.

It shall be unlawful for any person to remove from the fire house or premises, the fire engine, hose or any other apparatus owned or used by the fire department for the town without the consent of the chief of the fire department or without the consent of such deputies or assistants as he may designate. The names of those so designated shall be filed from time to time with the mayor of the town by the chief of the fire department.

Sec. 6-15. Firearms—Discharge.

It shall be unlawful for any person in the town to fire or discharge any gun, pistol or other firearms of any kind.

Sec. 6-16. Fortune telling, etc., by gypsies for compensation.

It shall be unlawful for any company of gypsies or other strolling company or person to receive compensation or reward for pretending to tell fortunes or to practice any "magic art." Every person violating this section shall be guilty of a misdemeanor.

Sec. 6-17. Gambling.

It shall be unlawful for any person to:

Keep, exhibit, run, maintain or operate for the purpose of gambling any gaming table, bank, wheel of fortune, slot machine or any similar game, device or contrivance.

Knowingly permit a gaming table, bank, wheel of fortune, slot machine or any similar game, device or contrivance to be kept, exhibited, run, maintained or operated for the purpose of gambling on any premises in his occupation; or to keep a place resorted to or frequented for gambling; or to reside in such a place for such purposes; or to act as doorkeeper, guard or watch thereat; or to employ any person to so act.

Bet, wager or play at any such table, wheel of fortune or other game, device or contrivance mentioned in this section or at any public house or place, or to play at any game, except billiards, bowls, chess or a licensed game or to bet on the sides of those who play.

Any person convicted of this section shall be punished as provided in section 1-7.

Sec. 6-18. Glass—Throwing in street.

Any person who shall throw any glass, whole or broken, on the streets of the town shall be punished as provided in section 1-7.

Sec. 6-19. Loitering, etc., about private premises.

Any person who shall loiter or lurk about the private premises of any person within the town or within one mile thereof either during the day or night shall be punished as provided in section 1-7.

Sec. 6-20. Machinery, walls, signs, fixtures, etc.—injuring, removing, etc.

Any person who willfully injures, tampers with, defaces, or removes any machinery, building, wall, monument or base of same, fence or enclosure or any part thereof or any sign, gate awning or other fixture or property not his own property, shall be fined not less than one dollar nor more than two hundred and fifty dollars or be confined in jail not less than one nor more than fifteen days.

Sec. 6-21. Noise.

It shall be unlawful for any person to create or assist in creating, permit, continue or permit the continuance of any unreasonably loud, disturbing or unnecessary noise in the town, of such

character, intensity and duration as to create a public nuisance, cause substantial disorder or invade the rights of others to be free from unwelcome disturbance.

The following acts, among other, are hereby declared to be loud, disturbing or unnecessary noises in violation of this section; but such enumeration shall not be deemed to be exclusive:

1. The playing of any audio or musical device on public streets, property or public ways, from a motor vehicle or from privately owned property, in a manner that unreasonably interferes with the use or enjoyment of the property of another or disturbs the quiet, comfort or repose of persons in the vicinity; however, this subsection shall not apply to events located on or within public facilities when such events are permitted by any appropriate town, county, state or federal agency.

Any person who violates this article shall be guilty of a Class 3 Misdemeanor and subject to a fine of up to $500.00. The provisions of this article may be enforced and administered by the Charlotte County Sheriff's Office pursuant to Va. Code § 15.2-1736.
(Adopted August 2003)

Sec. 6-22. Same—Solicitation.

It shall be unlawful for any person to solicit business or patronage by hawking, barking or any other public outcry, noise-making activity or device on the streets or other public places in the town without a town permit. This section shall not be construed as to apply to farmers, hucksters, and others who offer for sale family supplies of a perishable nature grown and produced by them and not purchased by them for sale. Anyone violating this section shall be fined not less than one dollar nor more than fifty dollars.

Sec. 6-23. Obscenity—Writing or drawing on house, wall, etc.

If any person shall draw an indecent figure or write any obscene or vulgar words upon any house, wall, pavement or fence in the town, he shall be punished as provided in section 1-7.

Sec. 6-24. Same—indecent exposure.

Any person who shall indecently expose himself in public shall be punished as provided in section 1-7.

Sec. 6-25. Obstructing justice by threats or force.

If any person, by threats or force, attempt to intimidate or impede a judge, justice, juror, witness, or any officer of the town in the discharge of his duty, or to obstruct or impede the administration of justice in any court, he shall be deemed to be guilty of a misdemeanor, and shall be fined not less than ten dollars nor more than five hundred dollars, or confined in jail not more than six months, or both.

Sec. 6-26. Obstructions upon street or sidewalk.

No obstruction shall be placed upon any street or sidewalk of the town. Any person violating this section shall be subject to a fine of not less than one dollar nor more than twenty dollars and the obstruction shall be removed by the mayor at the expense of such person.

Sec. 6-27. Officers—Impersonating.

Any person who shall falsely assume or exercise the functions, powers, duties and privileges incident to the office of sheriff, constable, police officer, marshal, or other peace officer, shall be deemed guilty of a misdemeanor, and upon conviction thereof. Shall be punishable by a fine or not less than five dollars nor more than five hundred dollars or confined in jail for not more than six months, or both.

Sec. 6-28. Same—Resisting, hindering or obstructing.

It shall be unlawful for any person to resist, hinder, or obstruct any of the officers or special policemen of the town in the discharge of their duties. For any violation of this section a fine of not less than five dollars nor more than one hundred dollars shall be imposed for each such offense, or confinement in jail for not less than thirty days nor more than six months, or both.

Sec. 6-29. Same—refusing to aid.

If any person, on being required by any sheriff or other officer, refuse or neglect to assist him in the execution of his office in a criminal case or in the preservation of the peace or the apprehending or securing of any person for a breach of the peace or in any case of escape or rescue, he shall be fined not less than one dollar nor more than one hundred dollars, or he shall be confined in jail not exceeding six months, or both.

Sec. 6-30. Poolrooms, bowling alleys, etc.—Hours of operation.

Pool rooms, billiard rooms and bowling alleys in the town shall close at 12:00 midnight and remain closed until 7:00 a.m., the following day. Any person violating this section shall be subject to a fine of not less than five dollars nor more than twenty dollars for his first offense. For a second offense his license shall be subject to revocation in addition to the above penalty.

Sec. 6-31. Same—Persons under sixteen years of age.

No person operating a pool room, billiard room or bowling alley shall allow persons under sixteen years of age to patronize or loiter about such place of amusement. Any person violating this section shall be subject to a fine of not less than five dollars nor more than twenty dollars, and, for a second offense his license shall be revoked in addition.

Sec. 6-32. Same—Unobstructed view of interior required.

It shall be unlawful for the owner or manager of a pool room, shooting gallery, bowling alley or other licensed place of similar or kindred games and amusements, to paint or frost the windows or the glass in the doors, or to place curtains, screens or blinds thereupon or thereabout or in any way to obscure, shield or screen from view the interior of such room or any room adjoining or connecting therewith or any part thereof. The owner or proprietor of such place violating this section shall be fined not less than five dollars nor more than twenty dollars, and each day's continuance thereof shall constitute a separate offense.

Sec. 6-33. Profane swearing and drunkenness.

Any person arrived at the age of discretion who shall profanely curse or swear, get or be drunk in public shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not less than one dollar nor more than twenty dollars or to confinement in jail for not less than one day nor more than thirty days or both in the discretion of the trial justice.

Sec. 6-34. Solicitors, peddles, etc.—Going on private premises.

The practice of going in and upon private residences in the town by solicitors, peddlers, hawkers, itinerant merchants and transient vendors of merchandise, not having been requested or invited so to do by the owners or occupants of such private residences, or without a permit from the town, for the purpose of soliciting orders for the sale of goods, wares and merchandise, or for the purpose of disposing of or peddling or hawking the same, is hereby declared to be a nuisance, and punishable as such nuisance, as a misdemeanor. The police force of the town shall suppress the same and abate any such nuisance. Any person convicted of perpetrating such nuisance, upon conviction thereof, shall be fined in a sum not less than twenty-five dollars together with costs of proceeding.

Sec. 6-35. Spouting and guttering—Permitting water to run on sidewalks.

It shall be unlawful for anyone to permit water from the spouting or gutter of the roof of any building owned by him to escape on any of the sidewalks of the town by reason of defective spouting or guttering. Any person allowing such defective condition to continue after ten days' notice from the mayor shall be subject to a fine of not less than one dollar nor more than twenty dollars.

Sec. 6-36. Trees, shrubs, etc.—injuring, etc.

It shall be unlawful for any person to pick, pull up, tear up, dig up, cut, break, injure, burn, or destroy any tree, shrub, vine or turf growing or being upon the land of another or upon any land reserved, set aside, or maintained by this town as a public park, or as a refuge or sanctuary for wild animals, birds or fish, without having previously obtained the permission in writing of such park, refuge, or sanctuary, so to do unless the same be done under the personal direction of such owner, his agent, tenant or lessee, or superintendent or custodian of such park, refuge or sanctuary. Any

person violating this section shall be subject to a fine of not less than ten dollars nor more than three hundred dollars, provided, however, that the approval of the owner, his agent, tenant or lessee, or the superintendent or custodian of such park or sanctuary, afterwards given in writing or in open court, shall be a bar to further prosecution or suit.

Sec. 6-37. Use of sidewalk in connection with business.

It shall be unlawful for any person within the town to use the sidewalk in front of his place of business to exhibit that which he has for sale or for other uses connected with his business.

Sec. 6-38. Vagrants—Persons deemed vagrants.

The following persons shall be deemed vagrants:

(1) All persons who not having the wherewithal to maintain themselves and their families, live idly and without employment, and refuse to work for the usual and common wages given to other laborers in like work in town.

(2) Persons wandering or strolling about in idleness, who are able to work and have no property to support them.

(3) Persons leading an idle, immoral or profligate life, who have no property to support them, and who are able to work and do not.

(4) All able-bodied persons found begging for a living, or who quit their homes and leave their wives or children without the means of subsistence.

(5) All persons who shall come from any place from without this town and shall be found loitering and residing within the town, and shall follow no labor, trade, occupation or business, and have no visible means of subsistence, and can give no reasonable account of themselves or their business.

(6) All persons having a fixed abode who have no visible property to support them, and who live by stealing or by trading or bartering stolen property.

(7) All persons who are able to work and who do not work but hire out their minor children and live upon their wages.

(8) All persons who have no visible income lawfully acquired and who consort with idlers, gamblers, bootleggers, prostitutes, narcotic users, narcotic venders, persons engaged in the operation of any disorderly house or illegal enterprise of any kind, or persons having the reputation of any of the above named.

(9) All persons who shall unlawfully return to this town after having been legally removed.

Sec. 6-39. Same—How dealt with.

It shall be the duty of the police and other town officials to give information under oath to any officer empowered by law to issue criminal warrants of all vagrants within their knowledge or persons whom they have good reason to suspect of being vagrants in the town; and thereupon, or upon the complaint of any person upon oath, the officer shall issue a warrant for the arrest of the person alleged to be a vagrant and he shall be brought before the trial justice and, upon conviction, shall be punished by confinement in jail for not more than ninety days, and upon conviction of a second offense, shall be confined in jail not more than six months; or, in the discretion of the trial justice, he may permit such convicted vagrant to leave the town, and shall suspend such sentence for such time as such vagrant shall not return to the town; but the trial justice or the court before which the case may be tried, may permit such person so convicted to give bond with sufficient security, in the amount not exceeding five hundred dollars nor less than one hundred dollars conditioned upon his future industry and good conduct for one year; and upon giving such bond, such person shall be set at liberty without undergoing the punishment imposed by his conviction. It shall be sufficient defense to the charge of vagrancy under this and the preceding section that the defendant has made reasonable bona fide to obtain same.

Sec. 6-40. Weapons—Carrying when concealed.

If any person carry about his person, hid from common observation, any pistol, dirk, bowie knife, razor, sling shot, or any weapon of like kind, he shall, upon conviction thereof, be fined not less than twenty dollars, nor more than one hundred dollars, or be imprisoned in jail for not less than thirty days nor more than six months, or both, in the discretion of the trial justice; and such weapon shall be forfeited and destroyed as provided in the Code of Virginia 1950, section 18-146, provided that this section shall not apply to a person exempted from the operation of such section.

Sec. 6-41. Same—Selling or having in possession blackjacks, etc.

No person shall sell or barter, or exhibit for sale or for barter, or give or furnish, or cause to be sold, bartered, given or furnished, or have in his possession, or under his control, with the intent of selling, bartering, giving or furnishing any blackjack, brass or metal knuckles, or like weapons, such person shall be fined not less than twenty-five dollars nor more than one hundred dollars. The having in one's possession of any such weapon shall be prima facie evidence, except in the case of a conservator of the peace, of his intent to sell, barter, give or furnish the same. Sec. 6-41. Same—Selling or having in possession blackjacks, etc.

Sec. 6-42. Retail Tobacco, Vape, and Hemp Locations.

As authorized under Virginia State Code, subsection 15.2-1912.4, a retail sale location of retail tobacco, vaping, or hemp products, as such terms are defined in Virginia State Code, subsections 18.2-371.2 and 3.2-4112, shall not be located within 1,000 feet of a school or within 2,000 feet of a religious institution, childcare center, public park, or an existing tobacco, vape, or hemp retail location.