

Ordinance: 22-9

**AN ORDINANCE TO ADD SECTION 74-8 TO CHAPTER 74,
ARTICLE I. - IN GENERAL, TO THE CITY CODE PERTAINING TO
CAMPING ON PUBLIC SIDEWALKS AND RIGHTS-OF-WAY WITHIN THE CITY.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRISTOL,
VIRGINIA:

That Section 74-8 is hereby added to Chapter 74, Article I. - In General, to the Code of the City of Bristol, Virginia, and ordained to read as follows:

Sec. 74-8. - Camping on public sidewalks and rights-of-way within the city.

It shall be unlawful and a Class 4 misdemeanor for any person within the city to camp on any city-owned street, sidewalk, alley, or other public rights-of-way.

To camp is defined as the use of any city-owned street, sidewalk, alley, or other public rights-of-way for living accommodation activities such as sleeping or lying down and making preparations to sleep (including the laying down of bedding, sleeping bag, or other sleeping matter, for the purpose of sleeping) or storing personal belongings or making any fire or using any tent or shelter or other structure.

This section does not apply to a person who is on a city-owned street, sidewalk, alley, or other public rights-of-way if the person is:

- (1) On such street, sidewalk, alley, or other public rights-of-way because of a medical emergency;
- (2) Participating in or viewing a parade, festival, permitted public event, performance, rally, demonstration, or other similar activity;
- (3) Sitting within a bus stop zone while waiting for public or private transportation;
- (4) Sleeping in a motor vehicle, or
- (5) Camping on a public sidewalk, alley, or other public rights-of-way as part of an event approved in writing by the City Manager or his or her designee, or
- (6) Operating or patronizing a licensed business or establishment with approved outdoor seating adjoining the physical structure of the business.

It is an affirmative defense to prosecution for a violation of this section for lying down if a person is lying down and is obstructing the right-of-way, but is lying down as the result of a physical manifestation of a disability, not limited to visual observation.

First Reading:
Second Reading:
Adopted:
Effective date:

Votes:
Hartley:
Nave:
Osborne:
Wingard:
Farnum:

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PASSED AND ADOPTED by the City Council of the City of Bristol, Virginia, at a regularly scheduled meeting of said Council on the ____ day of _____, 2022.

(SEAL)

Attest: William J. Lamie
Clerk of the City of Bristol, Virginia

William J. Lamie, City Clerk

Anthony Farnum, Mayor