



**City of Martinsville, Virginia**

**Ordinance No. 2022-3**

**BE IT ORDAINED** by the Council of the City of Martinsville, Virginia, in Regular Session held on May10, 2022, that the Code of the City of Martinsville be enacted or amended, specifically that:

**Section 12-68 be amended;**

**Sections 12-177 & 118, currently reserved, be enacted;**

**Chapter 12, Article VI, Sections 12-140, 12-142 & 12-155 be amended;**

**Section 19-22 be amended;**

**and Section 19-23, currently reserved, be enacted;**

**all as follows:**

**Sec. 12-68. - Application of article; definitions.**

(a) The provisions of this article regulating the stopping, standing and parking of vehicles in this city shall apply at all times or at such times as specified herein or as indicated on official signs, except when it is necessary to stop a vehicle to avoid conflict with traffic or in compliance with the directions of a police officer or a traffic-control device.

(b) As used in this article, the term "vehicle" shall be construed to include everything encompassed by the term "vehicle," as that term is defined in section 46.2-100 and 46.2-800 of the Code of Virginia, and also scooters and bicycles.

(c) Whenever the term "chief of police" is used in this article, it shall include any acting chief of police or any police officer to whom the chief of police has delegated the responsibility for the duty described.

**Sec. 12-117. - Parking on sidewalk, pedestrian crossing or driveway.**

(a) It shall be unlawful for any person to park a vehicle on or near a sidewalk or pedestrian crossing in such a way as to block or obstruct the free passage of pedestrians or with any portion of the vehicle on or overhanging any portion of the sidewalk.

(b) It shall be unlawful for any person to park a vehicle, including a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, motorized foot-scooter, or motorized skateboard, in such a manner as to block in whole or in part any driveway or entryway.

**Sec. 12-118. - Parking in public rights-of-way.**

It shall be unlawful for any person to park a bicycle, skateboard, electric personal assistive mobility device, electric power-assisted bicycle, motorized foot-scooter, or motorized skateboard in a manner that unreasonably impedes pedestrian or vehicular traffic on a public roadway, shared-use path, or sidewalk. For purposes of the section, parking unreasonably impedes pedestrian traffic on a sidewalk when it leaves a route width of less than four (4) feet.

**ARTICLE VI. – BICYCLES, MOPEDS AND SCOOTERS**

**Sec. 12-140. - Definition, age of operation.**

- (a) The term "bicycle" as used in this chapter, shall be deemed to mean any device propelled solely by human power, having pedals, two (2) or more wheels, and a seat height of more than twenty-five (25) inches from the ground when adjusted to its maximum height (a recumbent device shall be deemed a bicycle regardless of a seat height). For purposes of the city code, a bicycle shall be a vehicle when operated on a highway, street or alley.
- (b) For purposes of this chapter, the term "bicycle" shall also include mopeds as defined in Section 46.2-100, of the Code of Virginia, and all sections in this chapter shall apply to both bicycles and mopeds unless otherwise specifically stated. Mopeds are defined as a conveyance that is either (a) a bicycle-like device with pedals and a helper motor (gas or electric powered), which is rated at no more than two (2) brake horsepower and produces speeds up to a maximum of thirty (30) miles per hour or (b) a motorcycle with an engine displacement of fifty (50) cubic centimeters or less and a maximum speed of less than thirty (30) miles per hour.



(c) For purposes of this chapter, the term "bicycle" shall also include scooters, whether motorized or not motorized, as defined in Title 46.2 of the Code of Virginia.

(d) No person under the age of sixteen (16) years shall operate a moped as defined in this chapter, or a bicycle with a helper motor that is classified as a moped, or a scooter, on any highway or public vehicular area of the city.

(Ord. No. 2003-11, 9-9-2003)

**Sec. 12-142. - Sale, rental of bicycles and mopeds-information required.**

Information regarding the sale or rental of bicycles and mopeds and scooters shall be available to the city treasurer upon request.

(Ord. No. 2003-11, 9-9-2003)

**Sec. 12-155. - Impoundment of abandoned or unregistered bicycles and mopeds.**

(a) Any unattended bicycle found under such times and circumstances that indicate it has been lost or stolen, or in a manner which in the reasonable professional opinion of a law enforcement officer violates and section of the either this Code or the Code of Virginia, shall be deemed abandoned. If a reasonable attempt to locate the owner or user in the immediate vicinity of the bicycle fails to produce the owner or user, any bicycle so abandoned shall be taken into custody and impounded by the chief or police or any officer of the police department.

(b) No abandoned bicycle or moped shall be released or removed from impoundment except upon satisfactory showing of ownership and in the case of mopeds, display of a city registration certificate and proper display of a tag or number plate by the owner or an agent of the owner.

(c) If an abandoned bicycle or moped is not reclaimed, within thirty (30) days from the date of impounding, the chief of police or his agent shall provide for the public sale of such bicycle or moped.

(d) Any bicycle or moped found and delivered to the police department by a private person which thereafter remains unclaimed for thirty (30) days after the final date of publication as required herein may be given to the finder; however, the location and description of the bicycle or moped shall be published at least once a week for two (2) successive weeks in a newspaper of general circulation in the city. In addition, if there is a decal affixed to the bicycle or moped, the record owner shall be notified directly.

(Ord. No. 2003-11, 9-9-2003; Ord. No. 2006-3, 4-25-2006)

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**Sec. 19-22. - Skating and skateboarding in the city.**

(a) It shall be unlawful and a Class 4 misdemeanor for any person over the age of fourteen (14) years to skate on any paved public sidewalk of the city.

(b) It shall be unlawful for any person [to] ride or ~~sue~~ use rollerskates, rollerblades, skateboards, ~~scooters~~ or similar devices on wheels or runners in any area whatsoever located within the area bounded as follows: beginning at the intersection of Market Streets and Commonwealth Boulevard, thence along Market Street to its conversion to Mulberry Road; thence along Mulberry Road to Oakdale Street, thence along Oakdale Street to East Church Street, thence along East Church and its conversion to Church Streets and including those lots on the north side thereof and Letcher Court and Scuffle Hill Road and their adjoining lots; thence along Clay Street and those adjoining lots on the eastern side thereof to Mineral Street; thence along Mineral Street to Lester Street; thence along Lester Street to Depot Street; thence along Depot Street to its intersection with Liberty Street; thence along Liberty Street to Commonwealth Boulevard; thence along Commonwealth Boulevard to the point of beginning; provided however, that this prohibition shall not apply to on-duty police or other law enforcement officers and other uniformed emergency services personnel.

(c) A violation of subsection (b) shall be subject to a civil penalty of fifty dollars (\$50.00).



(1) Any city officer, or employee of the city who is (a) responsible for the enforcement of any provision of this code, (b) wearing a uniform and (c) carrying identification, may approach and question any person concerning a civil violation of this code and may cause a notice of the violation to be served on any or all persons committing or permitting such violation.

(2) The notice shall state that the person served has been charged with violating this subsection and shall provide that the person may elect to make an appearance in person before or in writing by mail to the treasurer of the city, and admit liability for or plead no contest to the violation and pay the civil penalty, all within the time period fixed in the notice.

(3) If a person charged with a violation does not elect to admit liability or plead no contest the violation shall be tried in the Martinsville general district court upon a warrant in debt or motion for judgment, with the same right of appeal as provided for civil actions at law. In the event the violation exceeds the jurisdictional limits of the general court, the violation shall be tried in the circuit court.

(4) A finding or admission of liability for, or a plea of no contest to, a civil violation shall not be deemed a criminal conviction for any purpose. An admission of liability shall have the same force and effect as a judgment in court.

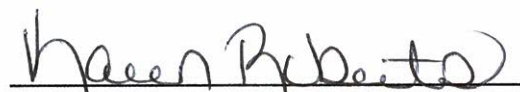
(Code 1971, § 15-11; Ord. No. 2013-1, 2-12-2013)

**Sec. 19-23. - Storing, etc., goods on sidewalk or in gutter.**

It shall be unlawful for any person to store, keep or expose for show, sale, or rental any goods, wares, vehicles, or other merchandise or property on public right-of-ways without a license, permit, or franchise issued by the city. Any such merchandise or property encroaching on public rights-of-way without a license, permit, or franchise may be taken into custody and impounded by the chief of police, any officer of the police department, or any employee of the department of public works, and require the payment of a reasonable fee as established by the city manager for such impoundment prior to the return of such merchandise or property.

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**Attest:**

  
**Karen Roberts, Clerk of Council**