



DATE: September 13, 2018

TO: [Joint Legislative Administrative Procedure Oversight Committee](#)
[Joint Legislative Oversight Committee on Justice and Public Safety](#)
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FROM: Jennifer Schneier, Assistant City Attorney

SUBJECT: Session Law 2018-69 Compliance: Conduct Subject to Criminal Punishment under Greensboro's Code of Ordinances

In accordance with Session Law 2018-69, The City of Greensboro submits this list of applicable ordinances with a **description of the conduct subject to criminal punishment in each ordinance**.

Please note that pursuant to NCGS 160A-175(b), a violation of a city ordinance is a misdemeanor or infraction as provided by NCGS 14-4 unless otherwise de-criminalized by city council. Section 1-6 of the Greensboro Code of Ordinances provides that a violation of the Code is a misdemeanor pursuant to NCGS 14-4(a).

The City of Greensboro Code of Ordinances may be accessed here:
https://library.municode.com/nc/greensboro/codes/code_of_ordinances

The City of Greensboro Land Development Ordinance may be accessed here:
<http://online.encodeplus.com/regs/greensboro-nc/index.aspx>

GREENSBORO CHARTER

Sec. 4.63. Additional remedies for collection of privilege license taxes. In addition to any other civil or criminal remedy available to enforce the collection of privilege license taxes, the tax collector may employ the remedies of levy upon personal property, attachment and garnishment, in the manner of and subject to the limitations provided in G.S. 105-367 and 368.

Section 6.81, Operation of water systems, sewerage and waste disposal systems, and other utilities. Concerning collection of charges for utility services and for the use of utility facilities. If pursuant to any rule or regulation utility service to any property is discontinued, it shall be unlawful for any person, firm or corporation without the City Manager's approval to renew a utility service or to use it without having first paid any outstanding charges and obtained the approval of the City Manager. [Note: This Charter provision corresponds to Ordinance Sec. 29-58. - Penalty for tampering with

water meters. Tampering with or relocating a water meter to an authorized address will result in a charge as hereinafter set out. There shall be a charge of two hundred fifty dollars (\$250.00) for the first offense, five hundred dollars (\$500.00) for the second offense and criminal penalties instituted thereafter.]

GREENSBORO CODE OF ORDINANCES

Chapter 1. General Provisions.

Sec. 1-6. Each day any violation of this Code or of any ordinance shall continue shall constitute a separate offense for the purpose of constituting a new misdemeanor and also for the purpose of constituting a new civil violation imposing civil penalties where applicable.

Chapter 2: Administration. Note: *Decriminalized.*

Chapter 3: Reserved for future use.

Chapter 4: Alcoholic Beverages.

Sec. 4-1. et seq. Licenses required; Licensee is liable for acts of agents and employees; No gambling; Restriction on employees convicted of a crime involving moral turpitude; Toilet facilities to be provided; Unlawful to possess an open container on public street-sidewalk-property; Allow the sale of alcohol beginning at 10:00am on Sunday.

Chapter 5: Animals.

Sec. 5-1 et seq. Corporate limits are a bird sanctuary and it shall be unlawful to trap, hunt, shoot, or otherwise kill any wild bird; interfere with, molest, or harm any bird's nest or bird's eggs.

Chapter 6: Buildings and Building Regulations.

Sec. 6-2. Inspectors conflict of interest. Inspectors shall not engage in any contractual business such as building, electrical, plumbing, heating, or air conditioning, or have any other financial interest in any concern engaging in any of such businesses while holding office as an inspector.

Sec. 6-4. Contractor's bond. For every person required to obtain a permit, there are various bond requirements.

Sec. 6-22. State building code. The North Carolina State Building Code shall be in effect in the City of Greensboro.

Sec. 6-23. Fire limits. No wooden building or structure or addition thereto shall be erected, altered, repaired, or moved except upon the permit of the local inspection department.

Sec. 6-25. Areaways and projection beyond building lines. Areaways or openings shall not be constructed beyond the building line except upon council approval.

Sec. 6-26. Vaults. Vaults may be built under the sidewalk upon council approval. Must be ventilated.

Sec. 6-27. Rainwater leaders. Shall not extend beyond the building or property line.

Sec. 6-28. Demolition. Story after story shall be completely removed. No material shall be placed upon a floor and shall be lowered to the ground. Materials shall be wetted to lay the dust. A shed covering sidewalks is required.

Sec. 6-31. Fraternity and Sorority Houses. Automatic fire sprinklers required.

Sec. 6-33. Automatic sprinkler system not to be disabled.

Sec. 6-56. Permit generally. No person shall commence or proceed with the construction, alteration, repair, removal or demolition of any single building or other structure or part thereof without a written permit. Permit holders shall comply with state building code and all other applicable state and local laws, rules, and regulations.

Sec. 6-57. Permits to move buildings. Required.

Sec. 6-58. Plans. Required.

Sec. 6-59. Additional testing. Additional testing may be required.

Sec. 6-61. Inspections generally. Must notify building inspector immediately upon the beginning of construction, alteration, repair, or removal.

Sec. 6-81 *et seq.* Compliance with North Carolina Electric Code. Inspector has right to inspect, condemn, issue stop work orders. Permits required. Various inspection requirements. Fees for permits

Sec. 6-137 *et seq.* Electricians. Licensing, etc., generally. No person shall install, alter, repair, make extensions or connect any fixture or current consuming device (except lamps and appliances connected by means of attachment plug) to any electrical wiring system for which an electrical permit is required, whether employed by an electrical contractor, firm, corporation or otherwise, unless he is a qualified electrician. No application shall be accepted for a journeyman electrician's license unless the applicant has had four (4) years training and experience in the electrical field.

Sec. 6-261 *et seq.* Plumbing. Plumbing inspector duties and rights: enter, inspect, condemn, issue stop work orders. A permit shall be obtained from the plumbing inspector for the installation, extension, alteration, or general repair of any plumbing system. Any person may be permitted to perform plumbing work upon their own property except property intended for rent, sale or gift provided he first makes application for and obtains a property owner's plumbing permit from the plumbing inspector for the work contemplated. Fees required.

Chapter 7: Cable Communications.

Sec. 7-4 *et. seq.* Must be granted a franchise and must comply with all requirements of the franchise (ex: fees, bonds, insurance, indemnity, construction standards, service requirements); must comply with all design, construction, safety, and performance provision contained in this chapter, the franchise, and other applicable ordinances; upon termination must remove all installations.

Chapter 8: Cemeteries.

Sec. 8-2 *et seq.* No burials unless in a cemetery; City permission required for new cemetery or graveyard, building inspector to approve burials within a church crypt or vault; restrictions on burial of cremated remains; regulation of lot and grave prices, fees; it shall be unlawful for any person to violate any rule or regulation established by the city manager; regulations on height of markings on new grave-sites

Chapter 9: Civil Preparedness and Emergencies.

Sec. 9-3 through 9-8. Evacuation. Curfew. Restrictions on possession, consumption, or transfer of alcoholic beverages. Restrictions on possession, consumption, or transfer of dangerous weapons and substances. Restriction on access to certain areas. Activities prohibited may include movement of people in public spaces, operation of offices, businesses, other activities or conditions to maintain order and protect lives.

Chapter 10: Fire Prevention and Protection.

Sec. 10-2. Reward for persons identifying and assisting in the conviction of persons giving false alarm of fire, false report of bomb, tampering with water system, and/or tampering with or discharging any fire protection equipment, or damaging emergency and exit lighting equipment.

Sec. 10-3. Permit required for self-service gasoline installation and operation.

Sec. 10-6. Smoking prohibited in specified public places. Elevators. Public areas of museums, art galleries, libraries, Natural Science Center, recreational centers, seating areas and adjacent aisles of the theatres, retail stores, non-smoking areas of restaurants, city-owned buildings, city-owned vehicles or public transportation.

Sec. 10-7. Re inspection fees for noncompliance with Code.

Sec. 10-8. Plan review fee. Required for sprinkler/standpipe systems, fire alarm system, spray booth, storage room, compressed gas systems, automatic extinguishing system, automatic hood, extinguishing, tank, industrial, LP gas, private fire hydrants.

Sec. 10-9. Special permit fees. Fees required for refuse burning, blasting, resurfacing bowling lanes, removing underground tanks.

10-10. Compliance inspection fee. Required.

10-11. Key box. Required.

10-23. Burning of leaves. Prohibited within corporate limits.

10-24. Fire official – authority. Gathering of persons/Over-crowding. Fire plan shall be complied with.

10-25. Fire Hydrant. Owner's responsibility to meet criteria.

10-26. Installation; tanks. Aboveground tanks storing class I and class II liquids prohibited in corporate limits.

10-27. Standards; permits. Required compliance.

10-31 et seq. Hazardous Materials. Person exercising control over the hazardous materials that create the hazardous material emergency shall be held financially liable.

Chapter 10.5: Hazardous Waste Management. Note: *Decriminalized.*

Chapter 11: Housing Code. Note: *Decriminalized.*

Chapter 12: Human Relations. Note: *Decriminalized.*

At the conclusion of the city's administrative review, a complainant may initiate a private right of civil action through application to the superior court division of the general court of justice.

Chapter 13. Licenses, Taxation, Business Permits, Miscellaneous Business Regulations.

Sec. 13-1 – 13-3. Notify city manager upon sell-out or quitting business. Keepers of a place of amusement shall not permit dice thrown for money, cards, illegal raffle, game of chance, gambling, no disorderly operation, no controlled substances to be illegally possessed-sold-consumed, no “keeley” board, no violations of Chapter 30: Land Development Ordinance, no violations of building or fire code.

Sec. 13-5. Auto races or go-carts or tracks must have noise suppression device.

Sec. 13-6. Drive-in restaurants or “curb service” must be adequately lighted.

Sec. 13-7. Junk dealers shall keep record book.

Sec. 13-8. Pawnbrokers shall keep record book.

Sec. 13-10. Coin operated machines shall display name of owner/operator.

Sec. 13-11. Hotels, motels, boarding houses etc. shall keep record book of guests, keep accessible and safe vehicle parking. Penalty shall be a misdemeanor.

Sec. 13-12. Outdoor advertisers shall have name of person, firm or corporation visible.

Sec. 13-13. Specialty Market operators shall provide contact info, keep daily records, registration list of all vendors for 2 years.

Sec. 13-14. Specialty Market vendor shall provide contact information.

Sec. 13-31 et. seq. Privilege Licenses for Select Businesses: Beer, Wine, Taxicabs and Motor Vehicle Tax. Obtain license and pay fee.

Sec. 13-181 et. seq. Business permits for commercial soliciting, peddling, itinerant merchants, mobile food vending, and massage. Obtain business permit. Display permit. Commercial solicitors shall file a bond and have criminal background check, no soliciting after dark, no profane language, no threats.

Sec. 13-204 et. seq. Peddlers, itinerant merchants, and mobile food vendor, motorized or mobile food vendor, pushcart. Business permit required.

Sec. 13-206 et seq. Commercial Street Performers shall not block entryway, sidewalk, driveway, no dangerous performances with fire, explosives, stay 75 feet away from other performer, stay 25 feet away from outdoor seating or dining, no noise violation, no obscenity, no inciting riot, 4 hour time limit at one location, signs cannot block sidewalk.

Chapter 14.5: Massage and Bodywork Therapy. Note: *Decriminalized.*

Chapter 15: Reserved for future use.

Chapter 16: Motor Vehicles and Traffic.

Sec. 16-8. Obstructions to cross-visibility at intersections prohibited.

Sec. 16-10. Unlawful to put injurious object or substance on street.

Sec. 16-11. Unlawful to ride on a vehicle or part thereof not designated for passengers.

Sec. 16-33. Drivers must be obedient to directions.

Sec. 16-34. Prevent obstruction to street and sidewalk.

Sec. 16-40. Unlawful to remove impounded vehicle.

Sec. 16-51. Obedience. The driver of every vehicle must obey the instructions of any traffic control device, law enforcement officer may direct all vehicles.

Sec. 16-55. Unauthorized traffic control device unlawful, tampering with traffic control device unlawful, avoidance unlawful.

Sec. 16-71. Parking Violations. Note: *Decriminalized*.

Sec. 16-96 et seq. Vehicle Operation. Obey speed limits, stop at intersections, yield at intersections, no driving in restricted lanes, left or right or u-turn regulations, backing in streets, one-way violations, crossing traffic, obstructing vehicles or pedestrians, towing another vehicle, obey truck routes, observe intersections and crosswalks, no driving through funeral, prohibited uses of curbs and medians.

Chapter 17: Nuisances. Note: *Decriminalized*.

Chapter 18: Offenses and Miscellaneous Provisions.

Sec. 18-1. Failure to leave premises of railway station, public library, bus station, church building or grounds, school building or grounds, fire station, property of water system, municipal parking garage, off-street parking when requested to do so by owner. Unlawful to block passageway to municipal parking, to consume alcohol or illegal drugs or to engage in disorderly conduct in parking facilities.

Sec. 18-2. Injuring or defacing etc. city-owned property prohibited.

Sec. 18-2.5. Assaulting, injuring, taunting law enforcement agency animal prohibited.

Sec. 18-3. – No interfering with, disturbing, etc., survey markers, etc.

Sec. 18-4. - Minibikes and motorcycles on vacant property. Regulations.

Sec. 18-5. - Sanitation of ponds, water accumulations, etc. Owner shall keep the same free from stagnation and free from the accumulation therein of debris the lake, pond, pool or other body of water will not be dangerous to public health. Unlawful to maintain or permit to remain on any premises any lake, pond, pool or other standing water which is wholly or partly stagnant, or which is liable to breed mosquitoes. Provide proper drainage. No privy, pigpen or stable of any kind shall be permitted to stand so near any stream, ditch or drain. Unlawful to use any stream or watercourse to carry off water from any kitchen sink, bathtub or privy. No water or refuse from any industrial, commercial or institutional process, shall be discharged in any stream or watercourse without the appropriate local, state and federal permits.

Sec. 18-6. - Banks of bodies of water to be kept free of accumulations of debris that block, hinder, or obstruct in any way the natural flow of water. Keep the banks and edges of the stream, ditch or body of water free and clear of accumulations of debris.

Sec. 18-7. - Public auctions of jewelry and novelties. Unlawful to sell, dispose of, or offer for sale in the city at public auction, or cause or permit to be sold, disposed of, or offered for sale in the city at public auction, any gold, silver, plated ware, precious stones, watches, clocks, jewelry, or novelties unless judicial sale, lawful pawnbroker, bona fide sale.

Sec. 18-8. - Graffiti—Generally. Prohibited. Unlawful for any person to write, paint, inscribe, scratch, scrawl, spray, place or draw graffiti of any type on any public or private building, streets, sidewalks, structure or any other real or personal property. Unlawful to fail to remove or effectively obscure any graffiti upon such property.

ARTICLE II. - OFFENSES AGAINST PUBLIC SAFETY

Sec. 18-21. - Discharging firearms. Unlawful to fire any pistol, gun or other firearm within the city, except shooting galleries, by law enforcement officers, during historical re-enactments, during theatrical or like performances, or military or similar displays in accordance with the noise ordinance and on land that is zoned to permit such use, or as approved by the North Carolina Wildlife Commission for the purpose of dispersing of birds, fowl, or other.

Sec. 18-22. - Projectiles; archery ranges. Unlawful to shoot or project any stone, rock, shot or other hard substance by means of a slingshot, bean shooter, shot shooter, air rifle, popgun, bow or other similar contrivance; provided, that archery shooting may be engaged in on such grounds as may be set aside and approved therefor by the city manager.

Sec. 18-23. - Police emergency lines. Unlawful for any person other than a law enforcement officer, fireman, or other person having official business at the scene, to cross a duly established police emergency line without express permission of a police officer at the scene.

Sec. 18-24. - Concealed handguns prohibited. *Concealed carry of handguns prohibited at city buildings and athletic fields.* In accordance with N.C.G.S. § 14-415.11(c) and N.C.G.S. § 14-415.23, carrying a concealed handgun is prohibited in all city buildings and their appurtenant premises. Carrying a concealed handgun is also prohibited at city athletic fields and their appurtenant facilities during organized athletic events for which a person or organization scheduled the athletic field for use with the City of Greensboro Parks and Recreation Department. *Concealed carry of handguns prohibited at athletic facilities.* Carrying a concealed handgun is also prohibited at any city facility used for athletic events, which shall include all gymnasiums. *Concealed carry of handguns prohibited at swimming pools.* Carrying a concealed handgun is also prohibited at city swimming pools, including any appurtenant facilities used for dressing, storage of personal items, or other uses relating to city swimming pools. *Secure storage of handguns in vehicles permitted.* The provisions of subsections (a), (b), (c) and (d) of this section shall not prohibit a person who is lawfully permitted to carry a concealed weapon, while bearing said permit in his or her possession, from securing and keeping a handgun in a locked vehicle within the trunk, glove box or other enclosed compartment or area within or on a motor vehicle.

Sec. 18-25. - Deadly weapons prohibited. *Possession.* It shall be unlawful for a person to possess, on or about his person, either concealed or otherwise, any deadly weapon while on the premises of any city-owned or operated building, including the appurtenant premises or in any city-owned park. This prohibition does not apply to such weapon which is otherwise lawfully stored within a motor vehicle.

Sec. 18-29. - Ban on registered sex offenders from city parks and recreation facilities. *Prohibition.* No person registered with the State of North Carolina and any other state or federal agency as a registered sex offender, including, but not limited to the sex offender registry established pursuant to N.C.G.S. Ch. 14, Art. 27A, shall enter into or upon any public park or recreation facility.

ARTICLE III. - OFFENSES AGAINST PUBLIC PEACE AND ORDER

Sec. 18-42. - Disturbing athletic contest. Unlawful for any person to go upon the playing area of any athletic field or court upon which an athletic contest is in progress, except the officials of the contest and persons authorized by said officials.

Sec. 18-43. - Indecent behavior in public places. Unlawful for any person to commit the act of sexual intercourse in any public park, or playground owned, leased, or operated by the city, or on any public street or on any street or roadway in any public park or playground owned or operated by the city.

Sec. 18-44. - Blocking or impeding street and sidewalk access. Unlawful for an individual to impede the use of a street or highway. Unlawful for an individual to block a sidewalk. Unlawful for an individual to block the entrance or exit to a building served by a sidewalk or street unless otherwise granted permission by the owner or tenant.

Sec. 18-45. - Urinating or defecating in public. Unlawful.

Sec. 18-46.1. - Solicitation and distribution of items in public parking garages and public parking lots prohibited. Unlawful to enter a public parking garage or parking lot for the purpose of soliciting for or distributing within the parking garage or parking lot any of the following: money, contributions, signatures, leaflets, or pamphlets for any purpose or use; and to engage in the intended solicitation or distribution.

Sec. 18-46.2. - Harassment in public spaces prohibited. *Offense.* A person is guilty of harassment in a public space if the person: Knowingly and intentionally performs either of the following with no legitimate purpose: Following an individual in or about a public space with the intent of threatening, intimidating, or causing fear for personal safety; or Surrounding an individual or intentionally and physically directing the individual's movement through or in a public space with the intent of threatening, intimidating, or causing fear for personal safety.

ARTICLE IV. - OFFENSES OF UNREASONABLE OR DISTURBING SOUND

Sec. 18-49. - Unlawful noises and sounds. Unlawful for any person or persons to make, permit, continue, cause to be made, or to create any unreasonably loud or disturbing noise in the city which does annoy, disturb, injure, or endanger the comfort, repose, health, peace or safety of persons or causes damage to property or business.

Sec. 18-50. - Unlawful noise producing activities. Blowing horns. Radios, record players, etc. Sound-producing equipment in vehicles. Pets. Use of vehicles. Blowing whistles. Compressed air devices. Building operations. Erection, demolition, alteration, or repair of any building. Noises near schools, etc. Bells or gongs. Blowers, engines. Appliances and other mechanical devices. Vehicular loudspeakers or amplifiers for commercial purposes. Street vendors.

Sec. 18-50.1. - Same—Outside sound-producing activities. Unlawful between the hours of 11:00 p.m. and 7:00 a.m. of the following day for any person, business or entity to play, operate, use or cause to be played, operated or used, any sound amplification device, amplified musical instrument or sound reproduction device which creates or reproduces audible sound outside any building or structure.

Sec. 18-51. - Sounds impacting residential life. Unlawful for anyone within the city limits to cause, or allow, the emission of sound from any source or sources which impact dwellings and other residential property.

Sec. 18-57. - Interference with enforcement officer. A misdemeanor subject to a fine of two hundred dollars (\$200.00) and any other punishment authorized by law for a Class 3 Misdemeanor to interfere with an authorized officer in the exercise of his, or her, duties including, but not limited to enforcement and taking sound level measurements.

ARTICLE V. - YOUTH PROTECTION

Sec. 18-62. - Offenses. A juvenile or any person under eighteen (18) years of age commits an offense by being present in or remaining in any public place or on the premises of any establishment within the downtown business district during the restricted hours. A parent or guardian responsible for the custody and control of a juvenile or a person under eighteen (18) years of age commits an offense if he knowingly permits to remain in any public place or on the premises of any establishment within the downtown business district during the restricted hours. The owner, operator, or any employee of an establishment within the downtown business district commits an offense if he knowingly allows a juvenile or person under eighteen (18) years of age to remain upon the premises of the establishment during the restricted hours. It shall be a violation of this article for any person eighteen (18) years of age or older to aid or abet a juvenile in the violation of subsection (1) of this section. It shall be a

violation of this article for a parent or guardian to refuse to take custody during the restricted hours of a juvenile or person under (18) eighteen years of age for whom the parent or guardian is responsible.

Chapter 19: Parks and Recreation.

Sec. 19-2. - Parks, botanical gardens and greenway operations. Alcoholic beverages. Prohibited for any person to possess, consume, or to display publicly any beer, wine, liquor or ale or any other alcoholic beverages at any park, botanical garden, or other departmental facility. It is prohibited for any person under the influence of intoxicating beverages to enter or remain in any park or botanical garden or on any greenway. To sell or dispense beer, wine, liquor, or ale within a park or botanical garden, the person or entity must obtain any permits or licenses required by the North Carolina Alcoholic Beverage Control Commission (ABC) or other local, state, or federal agencies. Beer, wine, liquor, or ale sold or dispensed from permitted vendors shall be in the original manufacturer's container or in such other containers approved by either the city manager or designee or the North Carolina Alcoholic Beverage Commission. Beer, wine, liquor, or ale purchased off-site may not be brought into the park or botanical garden without the prior written approval of the city manager or designee. Mobile food vendors. Mobile food vendors shall be subject to all requirements of division 2 of article VIII of chapter 26 of the Code of Ordinances, except as provided herein:

Sec. 19-3. - Safety equipment at city skate parks and pump tracks. No person shall ride or use a skateboard, inline skates, or freestyle bicycle at any skate park facility or pump track facility owned or operated by the city unless that person is wearing a helmet, elbow pads and knee pads.

ARTICLE III. - REGULATION OF TREES ON PUBLIC LANDS

Sec. 19-38. - Street tree standards. The parks and recreation director shall maintain the official street tree plan which incorporates the street tree species permitted, classes of size, spacing requirements and distance to be planted from curbs, curblines and sidewalks. Prior to the planting of street trees, each person must apply and obtain a written permit from the parks and recreation director, or his designee. All plantings shall be in accordance with the official street tree plan which is on file in the office of the director of parks and recreation and which is incorporated herein and made a part hereof.

Sec. 19-39. - Distance from street corners. No street tree shall be planted contrary to the provisions of section 16-88 of the Greensboro Code of Ordinances which regulates sight distance at intersections.

Sec. 19-40. - Utilities. No street trees or park trees other than those species listed in the official street plan shall be planted under or within twenty (20) lateral feet of any overhead utility wire, or over or within ten (10) lateral feet of any underground water line, sewer line, transmission line or other utility; provided, this section shall be not applicable to the Central Business District of Greensboro.

Sec. 19-42. - Tree topping. It shall be unlawful for any person, firm or city department to top any street tree or park tree without specific authorization from the director of parks and recreation, or his designee. Such authorization may be granted for trees severely damaged by storms or other causes or certain trees under utility wires or other obstructions where other pruning practices are impractical.

Sec. 19-43. - Pruning, corner clearance. Every owner of any tree overhanging any street or right-of-way within the city shall prune the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of eight (8) feet above the surface of the street or sidewalk. Said owners shall remove all dead, diseased or dangerous trees, and all broken or decayed limbs which constitute a menace to the safety of the public.

Sec. 19-44. - Dead or diseased tree removal on private property.

Sec. 19-45. - Removal of stumps. All stumps of street trees and park trees shall be ground down or otherwise partially or entirely removed so that the top of the stump shall not project above the surface of the ground.

Sec. 19-45.1. - Interference with city tree policy. It shall be unlawful for any person to prevent, delay or interfere with the parks and recreation department, or any of its agents, while they are engaged in and about the planting, cultivating, mulching, pruning, spraying, or removing of any street trees, park trees, or trees on private grounds, as authorized in this article.

Sec. 19-45.2. - Arborists license and bond. It shall be unlawful for any person or firm to engage in the business or occupation of pruning, treating, or removing street or park trees within the city without first applying for and procuring a license and bond pursuant to sections 13-86 and 13-4 of the Greensboro Code of Ordinances.

Chapter 20: Reserved for future use.

Chapter 21. Personnel. Note: Not regulatory in nature. Internal policies.

Chapter 22. Reserved for future use.

Chapter 23. Railroad.

Sec. 23-2. - Consent of council to lay tracks; track specifications. No railroad company or private person shall construct any track or tracks, side track or side tracks or switches without petitioning and obtaining the consent of city council. Tracks shall be constructed of rubber or high density polyethylene or a material approved by the director of public works.

Sec. 23-3. - Relocation of tracks; cost to be borne by company. Any railroad company having tracks or switches on, across or along such street or public alley shall relocate and share equally with the city the expense of relocating such tracks or switches as directed by the public works director.

Sec. 23-4. - Tracks to be level with the street.

Sec. 23-5. - Railroads to keep crossings in good repair.

Sec. 23-6. - Streets to be kept in good repair by company.

Sec. 23-7. - Roadbed and tracks to be kept in good repair.

Sec. 23-8. - Drainage to be maintained.

Sec. 23-10. - Duty to remove obstructions to traffic.

Sec. 23-11. - Crossing to be opened in case of fire or emergency.

Sec. 23-12. - Unauthorized persons prohibited from boarding trains while in motion.

Sec. 23-13. - Playing or loitering about railroad property prohibited.

Sec. 23-14. - Bicycle riding or walking on right-of-way restricted.

Sec. 23-15. - Damaging crossing gates. Unlawful to drive into or break down or otherwise damage any railroad crossing gate.

Sec. 23-16. - Avoiding crossing gates or lights. Unlawful to avoid or attempt to avoid any railroad crossing gate or lights while the same are in operation.

Sec. 23-17. - Leaving locomotives and cars within one hundred feet of grade crossing. Unlawful.

Sec. 23-18. - Bulkheads at end of tracks. Required.

Sec. 23-19. - Signalized intersections. Railroad shall, at no cost to the city, provide an appropriate actuated train detection circuit. The railroad shall not install or cause to be installed any signs, gates, flashing lights or other equipment which obstructs the visibility of motorists to vehicular traffic signals or other official traffic-control devices.

Chapter 24. Reserved for future use.

Chapter 25. Solid Wastes. Note: *Decriminalized.*

Chapter 26. Streets and Sidewalks.

Sec. 26-4. - Temporary right-of-way (TROW) encroachments. Unlawful to obstruct or block, impede or place any object or thing having the potential to obstruct, block, or impede any city street sidewalk, or right-of-way without a written permit

Sec. 26-5. - Protection of obstructions or openings. Every person causing or allowing any obstruction or opening on any street or sidewalk shall protect the same in compliance with the city's work area traffic-control handbook published by the traffic and transportation division.

Sec. 26-6. - Openings to be filled. All openings made in any public alley, street or sidewalk shall immediately upon the accomplishment of the purpose for which the same was made, be completely filled up.

Sec. 26-7. - Permit for placing material in streets. Unlawful to place any brick, stone, lumber, sand or other building material upon any of the streets or sidewalks of the city without having first obtained permission.

Sec. 26-8. - Fences, steps and similar obstructions. Unlawful to build, erect, construct or place or maintain any fence, steps, wall or any other structures in or over any of the streets, street rights-of-way, or sidewalks of the city;

Sec. 26-10. - Protection of streets and sidewalks under construction. Unlawful to ride, lead or drive, or cause to be ridden, led or driven any horse or other animal, or drive or cause to be driven any automobile or other vehicle upon any street or sidewalk when the same is barricaded and under process of construction.

Sec. 26-11. - Littering. Prohibited.

Sec. 26-12. - Property owners to clean certain sidewalks.

Sec. 26-13. - Overhanging vegetation; mowing of grass. Requirements.

Sec. 26-14. - Removal of ice and snow; placement on streets, etc. Required.

Sec. 26-15. - Removing dirt, sand, loam, sod, clay from streets, alleys, or sidewalks unless allowed by city.

Sec. 26-16. - Drainage across sidewalks prohibited.

Sec. 26-17. - Alleys in fire limits to have storm sewers.

Sec. 26-18. - Drainage at motor vehicle service establishments. Requirements.

Sec. 26-19. - Writing on or painting streets or sidewalks. Prohibited.

Sec. 26-21. - Taking of photographs prohibited. Unlawful to use the streets or sidewalks of the city for the purpose of operating a photographer's business

Sec. 26-22. - Public meetings on streets and sidewalks permitted; prohibited areas designated.

Sec. 26-23. - Entrance to parking lots to be kept clean.

Sec. 26-24. - Permit for planting, pruning, etc.

Sec. 26-25. - Removal of barricade prohibited.
Sec. 26-26. - Parking lot operators to provide curb, fence or other obstruction.
Sec. 26-27. - Street flushing and street sweeping fees.

ARTICLE III. - SIDEWALK OR DRIVEWAY CONSTRUCTION OR REPAIRS

Sec. 26-61. - Compliance with chapter.
Sec. 26-63. - Removal of defective work.
Sec. 26-67. - Protection when work is stopped.
Sec. 26-68. - Cleaning up.
Sec. 26-69. - Removal of unnecessary driveways.
Sec. 26-70. - Driveways to be carried to property line if curb is removed.
Sec. 26-86. - Sidewalk or Driveway Permit Required.

ARTICLE IV. - EXCAVATIONS

Sec. 26-121. - Excavation Permit Required.

ARTICLE V. - UTILITY COMPANY POLES, CONDUITS, ETC.

Sec. 26-137. - Permit for placing utilities in streets. No electric, telegraph, or telephone poles or conduits, or gas conduits shall be placed on or in any street in the city without a permit therefor obtained from the city.
Sec. 26-138. - Removal on order of city.
Sec. 26-141. - Care and inspection of poles. Keep the poles in safe condition and for that purpose to inspect the same once every three (3) months.
Sec. 26-142. - Use of poles and underground conduits for city purposes. One (1) duct in all underground conduit systems shall be provided for the city free of charge for the city's police and fire alarm telegraph system and traffic-control system

ARTICLE VI. - PARADES

Sec. 26-158. - General responsibility of participants and persons in charge. Abide by terms of permit.
Sec. 26-159. - Times allowed. Daylight hours.
Sec. 26-160. - Follow Designated Route.
Sec. 26-161. - Weapons at parades. No firearms or dangerous weapons of any kind
Sec. 26-162. - Requirements for Signs.
Sec. 26-163. - Interference. No person shall unreasonably hamper, obstruct, impede or interfere with any parade assembly or with any person, vehicle, or animal participating or used in a parade.
Sec. 26-176. - Permit Required.

ARTICLE VII. - STREET SHOWS, EXHIBITIONS, ETC.

Sec. 26-197. - Sponsor of the show to be nonprofit organization.
Sec. 26-198. - Times allowed.
Sec. 26-199. - Duration. May not extend for more than seven (7) successive days without an intervening period of at least one (1) week.
Sec. 26-200. - Traffic regulations. Requirements.
Sec. 26-211. - Permit required for exhibition shows.

DIVISION 2. - MOBILE FOOD VENDORS

Sec. 26-233. - Mobile food vendor permit required.

Sec. 26-236. - Prohibited conduct. Location requirements. Safety restrictions. Hours of operation. Proper disposal of trash. Compliance with noise ordinance. Insurance required. Compliance with federal, state, county, or city laws that pertain to food, beverages, or the preparation thereof. Unlawful to pour waste down a storm drain.

Sec. 26-238. - Safety requirements.

Sec. 26-243. - Penalty. Any person violating any provision of this article shall be guilty of a misdemeanor and, upon conviction, shall be punished by fine not to exceed two hundred dollars (\$200.00), or by imprisonment for a period not to exceed thirty (30) days, or a combination of any of the penalties listed.

DIVISION 3. - SIDEWALK CAFES

Sec. 26-244 et. seq. - Downtown sidewalk cafes. Permit Required. Regulations include association with an operating restaurant. Hours of operation. Tables and chairs shall not obstruct passageways. no permanent alteration to or encroachment upon any street, sidewalk or pedestrian way. Proper trash disposal. Obey alcohol laws.

ARTICLE X. - ALTERNATIVE PASSENGER VEHICLES

Sec. 26-284. - Alternative passenger vehicle permit application. Required.

Sec. 26-287. - Driver's permit required.

Sec. 26-288. - Areas of operation. Only in designated areas.

Sec. 26-289. - Standard operating regulations. Permit required and must be prominently displayed.

No driver under 18. Must have current valid NC driver's license. Must operate in safe condition.

Limit of 15mph. Operate in designated areas. No stopping or loading in travel lanes. Stay to the far

right. Possess insurance. Operate in compliance with applicable federal, state, and local traffic laws.

No consuming alcohol. Daily inspection. Company name conspicuously displayed.

Sec. 26-290. - Additional operating conditions for pedal cars. Those consuming alcohol must be legal age. No glass. Passengers supply their own alcohol. Driver not permitted to supply alcohol. Dispose of trash properly. Safety for seating. Hours of operation. Do not operate in bicycle lanes. Fares must be pre-arranged.

Sec. 26-291. - Pedal car safety and equipment standards. Required.

Chapter 27. Reserved for future use.

Chapter 28. Taxicabs and Buses.

ARTICLE II. - TAXICABS

DIVISION 2. - CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Sec. 28-31. - Required.

Sec. 28-38. - Display. Certificate of convenience and necessity shall be prominently displayed in the taxicab to which it was issued.

DIVISION 3. - VEHICLE PERMIT ISSUED BY CITY OF GREENSBORO PRIVILEGE LICENSE OFFICE

Sec. 28-51. - Required.

DIVISION 4. - DRIVERS' PERMIT

Sec. 28-66. - Required.

DIVISION 5. - OPERATIONAL RULES AND REGULATIONS

Sec. 28-91. - Insurance. Required to have a policy or policies of liability insurance with a reliable and responsible insurance company, authorized to do business in the State of North Carolina, as required by North Carolina General Statute section 20-280.

Sec. 28-92. - Reports by certificate holder. Report to the city taxi inspector, on a quarterly basis, the following information: The total number of cabs then licensed and in actual operation on the streets. The number of filled and unfilled telephone requests for taxicab service made during average twenty-four-hour periods. The number and availability or qualified full-time and part-time drivers to operate existing taxicabs.

Sec. 28-93. - Shared taxicab service. Allowed.

Sec. 28-94. - Daily record of calls and trips. Required.

Sec. 28-95. - Limitation on hours of driving. Unlawful for any driver of any taxicab to continue on active taxicab duty for more than twelve (12) hours, meal time included, during any twenty-four-hour period. Each driver shall enter the time of commencing active duty and ending active duty upon the record provided for in section 28-94.

Sec. 28-96. - Distinctive vehicle color scheme and markings required.

Sec. 28-97. - Receiving and discharging passengers. Safety Required.

Sec. 28-98. - Two doors for passengers required. Sec. 28-99. - General prohibited practices. *Refusal to transport passengers.* Park in limited parking area. Carry *Unauthorized passengers.* *Passenger seating.* No more than two (2) passengers in the front seat or more than four (4) passengers in the rear seat at the same time. *Illegal use of a cab.* For a driver, on or off-duty, to knowingly permit a taxicab to be used for any illegal act listed in North Carolina General Statutes articles 26 and 27 [G.S. §§ 14-177 et seq., 14-203 et seq.], or to transport any person in a taxicab to any place used for such purposes, or to acquire and transport in a taxicab any alcoholic beverage for another, or to transport any person to any place where alcoholic beverages are illegally dispensed or stored. *Lost property Regulations.* *Light and ventilation.* *Deviating from direct route prohibited.* *Solicitation.* For any person to solicit passengers for a taxicab except the driver thereof when sitting upon the driver's seat of the vehicle. *Illegal rates.*

Sec. 28-100. - Vehicle upholstery. Must be in good repair.

Sec. 28-101. - Taximeter—Required; specifications; operation.

Sec. 28-102. - Taximeter—Repair and inspection. Required.

Sec. 28-103. - Rates and charges. Regulated.

DIVISION 6. - DOWNTOWN LOW SPEED VEHICLE TAXICABS

Sec. 28-104. - Low speed vehicle taxicabs business licenses and vehicle permits. A person shall not operate a LSV taxicab company in the city without having first obtained a business license from the city.

Sec. 28-105. - Area of operation. Only on streets designated in traffic schedule 12A.

Sec. 28-106. - Storage of low speed vehicle taxicabs. Comply with all applicable zoning regulations and restrictions.

Sec. 28-107. - Fare charged for services. On a per person, per ride basis and shall be clearly posted.

Sec. 28-108. - Driver's permit. No person shall operate a LSV taxicab unless they have obtained a driver's permit issued pursuant to division 4, taxicab driver's permit, of this chapter.

Sec. 28-109. - Low speed vehicle identification and equipment. Requirements. Each LSV taxicab must registered with the North Carolina Department of Motor Vehicles and shall comply with the safety standards in 49 C.F.R. § 571.500 and shall be equipped with: Headlamps; Turn signal lamps (front and rear); Tail lamps; Stop lamps; Reflex reflectors; Mirrors on the driver's side and either exterior on passenger's side or interior; A parking brake; A windshield; A Vehicle Identification Number (VIN); Seat belts; and An alert sound.

Sec. 28-110. - Conduct of drivers. Act in a reasonable, prudent, safe and courteous manner; Not permit a person not possessing a vehicle for hire license to operate the LSV taxicab or exercise control over the LSV taxicab; Not permit more passengers to be carried in an LSV taxicab than the number of approved seatbelts installed in the LSV taxicab, and at no time shall the driver allow passengers to ride in any area of the LSV taxicab not specifically designed or designated as a seat; Not permit any passenger twelve (12) years of age or younger to ride in the LSV taxicab unaccompanied by an adult; Travel only roads with speed limits that do not exceed thirty-five (35) miles per hour as shown on Traffic Schedule 12A; Not operate an LSV taxicab in excess of the posted speed limit; Not operate an LSV taxicab while under the influence of intoxicating beverages or drugs; Observe and obey all state and local traffic laws and regulations; Not permit a passenger to stand or ride on any part of the LSV taxicab other than the designated seating area while the LSV taxicab is motion, and to advise the passengers that they must be seated with seat belts fastened except when loading or unloading; Wear a seatbelt at all times the LSV taxicab is operation; Not permit the consumption of alcohol, or possession of open containers by passengers.

ARTICLE III. – BUSES

Sec. 28-133. - Failure to pay fare.

Sec. 28-134. - Smoking. Unlawful.

Sec. 28-135. - Explosives, etc., prohibited in buses.

Chapter 28.1. Telecommunications.

Sec. 28.1-4. - Grant of franchise. Shall obtain a franchise from the city, pursuant to section 28.1-9 of this chapter, within one hundred and twenty (120) days, unless such timeframe is extended by the city.

Sec. 28.1-9. - Franchise required. No telecommunications system shall be allowed to occupy or use the streets and public rights-of-way of the city or be allowed to operate within the city without a franchise.

Sec. 28.1-14. - Removal or abandonment. Upon denial of renewal, revocation, or expiration of the franchise, grantee shall remove all supporting structures, poles, transmission and distribution systems, and all other appurtenances from the streets and public rights-of-way and shall restore any property, public or private, to their original condition prior to the installation

Sec. 28.1-16. - Transfer of ownership or control. Requirement to notify and receive city approval.

Sec. 28.1-20. - Equal opportunity policy. Required.

Sec. 28.1-45. - Performance bond and letter of credit. Required.

Sec. 28.1-46. - Liability and insurance. Required.

Sec. 28.1-47. - Indemnification. Required.

Sec. 28.1-59. - Construction and technical standards. Must comply with standards.

Sec. 28.1-62. - Use of streets. Comply with requirements for underground installation, pedestals, permits, construction notices, safety, protection of public property, easements.

Sec. 28.1-63. - Erection, removal and common use of poles. No new poles shall be installed by the grantee without the prior approval of the city.

Sec. 28.1-64. - Conduit in downtown area. No conduit shall be installed by the grantee in the downtown area without prior approval of the city.

Sec. 28.1-76. - Rights of individuals. Shall not deny service, deny access, or otherwise discriminate against subscribers, channel users or general citizens on the basis of race, color, religion, national origin, age, sex, or physical or mental handicaps. *Protection of subscriber privacy mandatory.* Protect the privacy of subscribers. *Service standards.* Franchisee shall maintain and operate its communications system and business in an efficient manner and shall provide adequate, efficient and reasonable service to its customers in the city.

Sec. 28.1-89. - Reports required. Facilities report, proof of bonds and insurance, financial reports.

Chapter 29. Water, Sewer, Waste Disposal.

Sec. 29-5. - Tampering with valves and hydrants. It shall be unlawful for any person to open, close, operate or otherwise tamper with any valves or hydrants which are a part of the water system of the city without first notifying and receiving the prior approval of the director of water resources of the city, or his designated agent; provided, that upon conviction of any contractor or employee of any contractor acting on behalf of such contractor for violation of the provisions of this section, the privilege license of such contractor may be revoked or suspended by the city council of the city in its discretion for a period of not more than six (6) months.

Sec. 29-6. - Rules and regulations for operation of water and sewer systems. The city manager shall establish rules and regulations for the operation of the municipal water and sewer system. Upon approval by the council, it shall be unlawful for any person to violate any rule or regulation established by the city manager.

Sec. 29-30. - Drainage systems to conform to city design. It shall be the duty of all property owners, in order to abate and prevent nuisances resulting from improper drainage, to provide at their own expense a proper and adequate drainage system of their respective premises, such drainage system to conform to the design established by the city.

Sec. 29-58. - Penalty for tampering with water meters. Tampering with or relocating a water meter to an authorized address will result in a charge as hereinafter set out. There shall be a charge of two hundred fifty dollars (\$250.00) for the first offense, five hundred dollars (\$500.00) for the second offense and criminal penalties instituted thereafter.

Chapter 29.5. Emergency Water Conservation and Restriction Plan. Note: *De-criminalized except for Non-permitted use of water after service is discontinued.*

Sec. 29.5-9. - Criminal fines. Non-permitted use of water after discontinuance of service pursuant to section 29.5-10 shall constitute a class 3 misdemeanor punishable by a fine not exceeding a maximum of five hundred dollars (\$500.00) as provided by G.S. § 14-4 and in addition thereto such violation may be enjoined and restrained as provided in G.S. § 160A-175.

Chapter 30. Land Development Ordinance.

Article 5. Enforcement.

30-5-1 Violations. Any of the following are violations of this ordinance and are subject to the remedies and penalties provided by this Article and by state law.

- Development without a permit, Development inconsistent with permit, Violation by act or omission, Use in violation, Subdivide in violation, Continue a violation, Violation of referenced manuals, Violations of conditions of approval.

30-5-4.3 Available Remedies. Any or all of the following may be used to enforce the provisions of this ordinance. Injunction, Civil Penalties, Conditional Permit or Temporary Certificate, Stop Work Orders, Revocation of Permits or Certificates, State and Common Law Remedies, and Criminal Penalties:

1. Any violation of this ordinance may be enforced as a misdemeanor as provided for by Sections 14-4, subject to a maximum fine of \$500, and [113A-64](#) of the North Carolina General Statutes, subject to a maximum fine of \$5,000.
2. Any person who knowingly or willfully violates any soil erosion and sedimentation control provision of this ordinance, or rule or order adopted or issued pursuant to the soil erosion and sedimentation control provisions, or who knowingly or willfully initiates or continues a land-disturbing activity for which a soil erosion and sedimentation control plan is required, except in accordance with the terms, conditions, and provisions of an approved plan, is guilty of a misdemeanor punishable by imprisonment not to exceed 90 days, or by a fine not to exceed \$5,000, or both.