



TITLE 1: GENERAL PROVISIONS

CHAPTER 1 – USE AND CONSTRUCTION OF THE CODE

Code Section	Topic	Comments
SEC. 1-1-5	CRIMINAL PENALTY, NOT EXCLUSIVE REMEDY; CONTINUING VIOLATIONS	In accordance with G.S. 160A-175, and unless this Code of Ordinances provides otherwise, violation of any provision hereof shall be a Class 3 misdemeanor or infraction as provided in G.S. 14-4, punishable upon conviction by a fine not exceeding \$50.

TITLE 2: GOVERNMENT AND ADMINISTRATION

CHAPTER 2 – ADMINISTRATIVE ORGANIZATION

Article E – Pitt Greenville Airport Authority

Code Section	Topic	Comments
SEC. 2-3-51	REGULATORY CODE; ADOPTED BY REFERENCE	Violation of the “PGV Standard Manual of Airport Rules and Regulations” adopted by reference.

Article F – Sheppard Memorial Library Board

SEC. 2-3-61	RETURN OF LIBRARY MATERIALS	Failing to abide by the terms and conditions upon which Sheppard Memorial Library material is checked out. Failing to return library books on time or pay the fines and fees associated therewith.
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TITLE 3: FINANCIAL ADMINISTRATION

CHAPTER 2 – REVENUE AND TAXATION

Article C – Business and Occupational Taxes

Code Section	Topic	Comments
SEC. 3-2-25	APPLICATION; FALSE STATEMENT THEREON	Willfully making a false statement on a license application.
SEC. 3-2-42	UNLAWFUL TO CONDUCT BUSINESS WITHOUT A LICENSE	Engaging in a business within a city which requires a privilege license tax without having paid the tax.

TITLE 5: PUBLIC SAFETY

CHAPTER 2 – FIRE PROTECTION & PREVENTION

Article A – Fire Rescue Department

Code Section	Topic	Comments
SEC. 5-2-17	UNAUTHORIZED RIDING ON FIRE APPARATUS	It shall be unlawful for any unauthorized person to enter upon or ride on the fire truck or other apparatus of the Fire Rescue Department at any time.
SEC. 5-2-18	CONGREGATING AT FIRES RESTRICTED	No person shall congregate with others in the streets or squares adjacent to a fire so as to interfere with the operations of the Fire Rescue Department.
SEC. 5-2-19	TAMPERING, INTERFERING AND THE LIKE WITH FIRE ALARM SYSTEM	It shall be unlawful for any person to tamper or interfere with, or to render defective or inoperative, a fire alarm system.

SEC. 5-2-20	PROHIBITED ACTS RELATING TO FIRE RESCUE DEPARTMENT PROPERTY	It shall be unlawful for any person willfully or maliciously to destroy, damage, tamper with, deface or carry away any of the apparatus, equipment, vehicles or implements belonging to the Fire Rescue Department. 5-12 Greenville - Public Safety.
SEC. 5-2-21	UNAUTHORIZED INTERFERENCE WITH HOSE AND APPARATUS	It shall be unlawful for any person to disturb, remove or in any manner molest any part of the firefighting apparatus of the city or any part of the hose belonging to or being a part of the fire and rescue equipment for any purpose other than the use thereof in fighting fire or upon the written order of the Fire Rescue Chief.
CHAPTER 2 – FIRE PROTECTION AND PREVENTION		
Article B – Fire Prevention and Hazards		
Code Section	Topic	Comments
SEC. 5-2-31	FIRE PREVENTION CODE ADOPTED	Violation of the “Fire Prevention Code” incorporated by reference.
CHAPTER 3 – EMERGENCY AND RESCUE		
Article B – States of Emergency		
Code Section	Topic	Comments
SEC. 5-3-11	PROCLAMATION IMPOSING PROHIBITIONS AND RESTRICTIONS	(A) The Mayor may impose, by proclamation, the prohibitions and restrictions specified in this article. The Mayor may impose as many of the specified prohibitions and restrictions as are necessary, because of an emergency, to maintain an 5-18 Greenville - Public Safety acceptable level of public order and services, and to protect lives, safety and property. The Mayor shall recite findings in the proclamation which support the restrictions imposed. (B) The proclamation shall be in writing and the Mayor shall take reasonable steps to give notice of the terms of the proclamation to those affected by it and shall post a copy of it in the municipal building. The Mayor shall retain a text of the proclamation and furnish, upon request, certified copies of it for use as evidence.
SEC. 5-3-12	CURFEW	(A) The proclamation may impose a curfew prohibiting in certain areas and during certain periods the appearance in public of anyone who is not a member of an exempted class. The proclamation shall specify the geographical area or areas and the period during each 24-hour day to which the curfew applies. The Mayor may exempt from some or all of the curfew restrictions classes of people whose exemption the Mayor finds necessary for the preservation of the public health, safety and welfare. The proclamation shall state the exempted classes and the restrictions from which each is exempted. (B) Unless otherwise specified in the proclamation, the curfew shall apply during the specified period each day until the Mayor, by proclamation, removes the curfew.
SEC. 5-3-13	POSSESSION, CONSUMPTION OR TRANSFER OF INTOXICATING LIQUOR	(A) The proclamation may prohibit the possession or consumption of any alcoholic beverages, including beer and wine, other than on one’s own premises, and may prohibit the transfer of any alcoholic beverages. The prohibition, if imposed, shall apply to sales of intoxicating liquor by employees of Alcoholic Beverage Control stores, as

		well as by anyone else within the city. (B) If imposed, the restrictions shall apply throughout the city.
SEC. 5-3-14	POSSESSION, TRANSPORTATION AND TRANSFER OF DANGEROUS WEAPONS AND SUBSTANCES	(A) The proclamation may prohibit the possession of any dangerous weapon or substance unless it remains in a place of storage within the possessor's premises or, if the weapon or substance cannot be readily stored in the possessor's premises, unless it remains in a customary place of storage not readily available to the possessor. The proclamation may also prohibit the sale or other transfer or the transportation of any dangerous weapon or substance. The Mayor may exempt, from some or all of the restrictions, classes of people whose possession, transfer or transportation of certain dangerous weapons or substances is necessary to the preservation of the public health, safety or welfare. The proclamation shall state the exempted classes and the restrictions from which each is exempted. (B) "Dangerous weapon or substance" means: (1) Any deadly weapon, ammunition, incendiary device, or other instrument or substance designed for a use that carries a threat of serious bodily injury or destruction of property, and as defined by state law in G.S. 14-288.1(2); (2) Any other instrument or substance that is capable of being used to inflict serious bodily injury or destruction of property, when the circumstances indicate that there is some probability that such instrument or substance will be so destructively used; or (3) Any part or ingredient in any instrument or substance included above. Emergency and Rescue 5-19 (C) If imposed, the restrictions shall apply throughout the jurisdiction of the city.
SEC. 5-3-15	ACCESS TO CERTAIN AREAS	(A) The proclamation may prohibit obtaining access or attempting to obtain access to any area, designated in the manner described in this section, in violation of any order, clearly posted notice or barricade indicating that access is denied or restricted. (B) Areas to which access is denied or restricted shall be designated by the Chief of Police and his or her subordinates when directed in the proclamation to do so by the Mayor. When acting under this authority, the Chief of Police and his or her subordinates may restrict or deny access to any area, street or location within the city if that restriction or denial of access or use is reasonably necessary to promote efforts being made to overcome the emergency or to prevent further aggravation of the emergency.
SEC. 5-3-16	EVACUATION	(A) The proclamation may order the evacuation of certain areas requiring persons who are not members of an exempted class to leave and not return to the area until the evacuation order is removed. The proclamation shall specify the geographical area or areas to which the evacuation order applies. The Mayor may exempt from the evacuation order classes of people whose exemption the Mayor finds necessary for the preservation of the public health, safety and welfare. The proclamation shall state the exempted classes. (B) Unless otherwise specified in the proclamation, the evacuation order shall apply until the Mayor, by proclamation, removes the evacuation order.

SEC. 5-3-17	AMENDMENTS TO PROCLAMATION	The Mayor may amend the proclamation from time to time, and may make any modification which would have been authorized in the original proclamation. The Mayor, in his or her discretion, may invoke the restrictions authorized by this article in separate proclamations, and may amend any proclamation by means of a superseding proclamation.
SEC. 5-3-18	REMOVAL OF PROHIBITIONS AND RESTRICTIONS	The Mayor shall, by proclamation, remove the prohibitions and restrictions as the emergency no longer requires them.
SEC. 5-3-19	PENALTY FOR VIOLATION	Any person violating any prohibition, restriction or order imposed by a proclamation authorized by this article shall be guilty of a misdemeanor, punishable upon conviction by a fine of \$50 or imprisonment as provided by G.S. 14-4, or both.
TITLE 9: BUILDING, PLANNING AND DEVELOPMENT REGULATIONS		
CHAPTER 1 – INSPECTIONS AND CODE ENFORCEMENT		
Article A – Adoption of Regulatory Codes by Reference		
Code Section	Topic	Comments
SEC. 9-1-8	ELECTRICAL CODE, CONDUITS, STEEL, METALLIC TUBING OR METAL MOLDING REQUIRED IN FIRE DISTRICT AND PUBLIC BUILDINGS	Performing electrical repairs or interior work in anything other than conduit, steel or metallic tubing or metal molding.
SEC 9-1-9	TEMPORARY ELECTRIC SERVICE STRUCTURES	Failure to build temporary electric service structure according to the required specifications.
SEC. 9-1-11	COMPLIANCE WITH CODES	Failure to construct, reconstruct, erect, alter, extend, enlarge, repair, demolish, or move a building, plumbing system, mechanical system, or electrical system in accordance with the NC Residential Building Code, NC Plumbing Code, NC Mechanical Code, or NC Electrical Code.
Article E – Repair, Closing or Demolition of Abandoned Structures		
Code Section	Topic	Comments
SEC. 9-1-77	IN REM ACTION BY CODE ENFORCEMENT COORDINATOR OR OFFICER; PLACARDING	Use or occupation of a building after posting of a placard indicating initiation of an In Rem action to remove or demolish the building by the Code Enforcement Coordinator or Officer.
Article F – Minimum Housing Code		
Code Section	Topic	Comments
SEC. 9-1-93	MINIMUM STANDARDS OF FITNESS FOR DWELLINGS AND DWELLING UNITS	Failure to comply with the minimum standards of fitness for human habitation of a dwelling. Or occupying or permitting the occupation of a dwelling which does not comply with the minimum standards of fitness for human habitation.
SEC. 9-1-94	MINIMUM STANDARDS FOR STRUCTURAL CONDITIONS	Failure to comply with the minimum standards for structural conditions pertaining to foundations, floors, exterior walls, interior walls, ceilings, and roofs.
SEC. 9-1-95	MINIMUM STANDARDS FOR BASIC EQUIPMENT AND FACILITIES	Failure to comply with the minimum standards for basic equipment and facilities pertaining to plumbing systems, heating systems, and electrical systems.
SEC. 9-1-96	MINIMUM STANDARDS FOR SMOKE DETECTORS	Failure to have a UL approved smoke detector installed according to the requirements.

SEC. 9-1-97	MINIMUM STANDARDS FOR VENTILLATION	Failure to comply with the minimum standards for ventilation.
SEC. 9-1-98	MINIMUM STANDARDS FOR SPACE, USE AND LOCATION	Failure to comply with the minimum standards for space, use, and location pertaining to room size, ceiling height, cellars, and basements.
SEC. 9-1-99	MINIMUM STANDARDS FOR SAFE AND SANITARY MAINTENANCE	Failure to comply with minimum standards for safe and sanitary maintenance regarding exterior foundation, walls, curtain walls and roofs; interior floors, walls and ceilings; windows and doors; stairs, porches and appurtenances; bathroom floors; and supplied facilities.
SEC. 9-1-100	MINIMUM STANDARDS FOR MEANS OF EGRESS	Failure to comply with the minimum standard of means of egress.
SEC. 9-1-101	MINIMUM STANDARDS FOR PORCHES OR RAISED PLATFORMS	Failure to comply with the minimum standards for porches and raised platforms.
SEC. 9-1-102	MINIMUM STANDARDS FOR STAIRS AND STEPS	Failure to comply with the minimum standards for stairs and steps.
SEC. 9-1-103	MINIMUM STANDARDS FOR CONTROL OF INSECTS, RODENTS AND INFESTATION	Failure to comply with the minimum standards for control of insects, rodents, and infestations.
SEC. 9-1-104	MINIMUM STANDARDS APPLICABLE TO ROOMING HOUSES; EXCEPTIONS	Failure to comply with the minimum standards applicable to rooming houses.
SEC. 9-1-105	RESPONSIBILITIES OF OWNERS AND OCCUPANTS	Failure, as the owner of a dwelling containing two or more dwelling units, to maintain clean and sanitary shared/public areas. Failure, as an occupant of a dwelling or unit, to keep clean and sanitary the part of the dwelling under their control. Failure, as an occupant, to dispose of trash in a sanitary manner. Failure, as an occupant, to keep plumbing fixtures in a clean and sanitary condition. As an occupant, willfully destroying, defacing, or impairing facilities, equipment, or any part of the dwelling structure.
SEC. 9-1-106	SPECIAL HISTORIC BUILDINGS AND DISTRICTS	Failure to meet the requirements administered by the Historic Preservation Commission for the exterior repair or alteration of designated historical buildings.
SEC. 9-1-110	PROCEDURE FOR ENFORCEMENT	Occupation of a dwelling building condemned for human habitation by the Code Enforcement Officer.
SEC. 9-1-119	VIOLATIONS; PENALTY	Failure, neglect, or refusal, as an owner of any dwelling or dwelling unit, to repair, alter, or improve a dwelling, or vacate close and remove or demolish, upon order of the Code Enforcement Officer within the time frame specified in the order.
Article G – Nonresidential Building or Structure Code		
Code Section	Topic	Comments
SEC. 9-1-134	IN REM ACTION BY THE ENFORCEMENT OFFICER	Occupation of a nonresidential building declared unfit for use by the Enforcement Officer.
SEC. 9-1-142	VIOLATIONS; PENALTY	As an owner of a nonresidential building, fail, neglect or refuse to repair, alter, or improve the building, or to vacate, close, and remove or demolish same upon order of the Enforcement Officer within the time frame specified in the order.
CHAPTER 5 – SUBDIVISIONS		
Article A – General Provisions		

Code Section	Topic	Comments
SEC. 9-5-6	LOTS CREATED CONTRARY TO SUBDIVISION REGULATIONS	Offering for sale, using, or occupying a lot created in a manner contrary to the subdivision regulations without approval or recordation pursuant to the requirements provided in this chapter.
SEC. 9-5-7	LOTS CREATED PRIOR TO ENACTMENT OF SUBDIVISION REGULATIONS	Selling, offering for sale, using, or occupying a lot created prior to the existence of this chapter without proper certification and recording of the lot.
SEC. 9-5-9	APPLICATION OF SUBDIVISION REGULATIONS; EFFECT	Filing or recording a subdivision plot without having the approval of the Planning and Zoning Commission.
SEC. 9-5-10	PENALTIES FOR SELLING LOTS IN UNAPPROVED SUBDIVISIONS	As the owner or agent of an owner, subdividing, transferring, or selling land by reference to, or exhibition of, a plat showing a subdivision of the land before the plat has been approved and recorded in the office of the Register of Deeds.
SEC. 9-5-12	EFFECT OF APPLICATION OF SUBDIVISION REGULATIONS ON ERECTION OF BUILDINGS	Erecting a principal building, accessory building, or structure on a lot which does not abut an approved street.
SEC. 9-5-13	EFFECT OF APPLICATION OF SUBDIVISION REGULATIONS ON NAMING STREETS	Referencing or proposing a new street or road name on any plat, or in any deed or instrument, without first receiving approval of the Planning and Zoning Commission.
CHAPTER 6 – FLOOD DAMAGE PROVISIONS		
Code Section	Topic	Comments
SEC. 9-6-3	GENERAL PROVISIONS	Locating, extending, converting, altering, or developing land in any way without full compliance with the terms of this chapter and other applicable regulations.
SEC. 9-6-4	ADMINISTRATION	As the owner of a building or property, failure to comply with an order to take corrective action from which no appeal has been taken, or failure to comply with an order of the Board of Adjustment following an appeal.
CHAPTER 8 – SOIL EROSION AND SEDIMENTATION CONTROL		
Code Section	Topic	Comments
SEC. 9-8-5	GENERAL REQUIREMENTS	Knowingly or willfully initiating any land-disturbing activity which uncovers more than one acre, or greater than 5,000 sqft. without having an erosion control plan and land-disturbing permit approved by the city. Knowingly or willfully doing same within the special flood hazard area without a permit and an approved sedimentation and erosion control plan.
SEC. 9-8-7	MANDATORY STANDARDS FOR LAND-DISTURBING ACTIVITY	Knowingly or willfully initiating any land-disturbing activity on a tract if more than one acre is to be uncovered unless, 30 days or more prior to initiating the activity, an erosion and sedimentation control plan is filed and approved. Knowingly or willfully failing to install sedimentation and erosion control devices on a tract in excess of 5,000 sqft.
SEC. 9-8-8	DESIGN AND PERFORMANCE STANDARDS	Knowingly or willfully failing to plan, design, and construct erosion and sedimentation control measures, structures, and devices, as to provide protection from the calculated maximum peak rate of runoff from the ten-year storm.

SEC. 9-8-9	STORMWATER OUTLET PROTECTION	Knowingly or willfully failing to conduct land-disturbing activity so that post construction velocity of the ten-year storm runoff in the receiving watercourse to the discharge point does not exceed the proscribed velocities.
SEC. 9-8-12	OPERATIONS IN LAKES OR NATURAL WATERCOURSES	Knowingly or willingly failing to plan and conduct land-disturbing activity in connection with construction in, on, over, or under a lake or natural watercourse in such a manner as to minimize the extent and duration of disturbance of the stream channel.
SEC. 9-8-13	RESPONSIBILITY FOR MAINTENANCE	During the development of a site, knowingly or willingly failing to install and maintain all temporary and permanent erosion and sedimentation control measures as required by the approved plan or any provision of this chapter, the Act, or order adopted pursuant to this chapter or the Act.
CHAPTER 9 – STORMWATER MANAGEMENT AND CONTROL		
Code Section	Topic	Comments
SEC. 9-9-6	PROTECTION OF RIPARIAN AREAS	Knowingly or willfully failing to properly maintain all necessary permanent erosion and sediment control measures installed for the protection of the riparian buffers.
SEC. 9-9-8	BEST MANAGEMENT PRACTICES (BMPS) AND MAINTENANCE	Knowingly or willfully failing to abide by best management practices as set forth in this section.
SEC. 9-9-16	ILLICIT DISCHARGES AND CONNECTIONS	Knowingly or willfully causing or allowing the discharge, emission, disposal, pouring, or pumping directly or indirectly to any stormwater conveyance, the waters of the state, or upon the land in such proximity of same, of any fluid, solid, gas, or other substance other than stormwater.
TITLE 10: TRANSPORTATION AND TRAFFIC		
CHAPTER 1 – BUSES AND MASS TRANSIT SYSTEMS		
Article A – General Provisions		
Code Section	Topic	Comments
SEC. 10-1-3	SMOKING TOBACCO PRODUCTS OR CONSUMING ALCOHOLIC BEVERAGES ON CITY BUSES	(A) It shall be unlawful for any person while a passenger on any bus system operated by the city to either: (1) Smoke tobacco products, tobacco-substitute products or products similarly used or consumed through the aid of a burning or fire consuming process; or (2) Consume alcoholic beverages. (B) Violation of this section shall constitute a misdemeanor and shall be punishable as prescribed in G.S. 14-4.
CHAPTER 2 – TRAFFIC REGULATIONS		
Article D – Traffic-Control Devices		
Code Section	Topic	Comments
SEC. 10-2-32	OBEDIENCE TO SIGNS, MARKERS OR DEVICES, GENERALLY	Failing or refusing to comply with the directions indicated on any sign, marker, or device for the control of direction of traffic erected or placed in accordance with the provisions of the MUTCD.
Article E – Speed Regulations		
Code Section	Topic	Comments

SEC. 10-2-53	SPEED LIMITS IN ROAD CONSTRUCTION ZONES	(A) It shall be unlawful to operate a vehicle in excess of the posted speed limit in a road construction work zone. A “road construction work zone” is defined as the area between the first sign which informs motorists of the existence of the work zone on a street and the last sign designating the area. 10-16 Greenville - Transportation and Traffic (B) Whenever construction activity is occurring on a street not a part of the state highway system, and the Public Works Director of the city determines that the posting of signs is necessary to ensure the safety of the traveling public through the road construction work zone, he or she shall post signs designating the area as a work zone and indicating the speed limit. (C) Within a road construction work zone as posted pursuant to this section, the speed limit shall be 25 miles per hour. (D) Any person violating the provisions of this section shall be guilty of a criminal misdemeanor pursuant to G.S. 14-4(a) and shall pay a penalty of not less than \$100 and not more than \$250.
Article T – Controlled Residential Parking Areas		
Code Section	Topic	Comments
SEC. 10-2-246	RESTRICTIONS	Displaying a residential parking permit decal that doesn't match the license number of the vehicle in which it's displayed.
Article U – Temporary Closing of Streets		
Code Section	Topic	Comments
SEC. 10-2-255	DEFINITIONS; EXEMPTIONS	(A) For the purpose of this article, “temporary street closing” shall be defined as the temporary closing-off of any city street or sidewalk for a block party, local special event, festival, celebration, pep rally, or any similar activity which is sponsored for or by the owners, residents or tenants in the area, or their organization, or any civic, charitable or fraternal organization. (B) Any temporary street closing authorized by the city for municipal purposes, such as street repair or maintenance, emergencies, parades or any event of a general civic or public nature, is exempt from this article.
SEC. 10-2-256	PERMIT	Closing or blocking off a city street or sidewalk or participating in, advertising for, or in any way promoting a temporary street closing unless authorized by state or federal law or this article.
SEC. 10-2-257	REVOCATION OF PERMIT AND PENALTY FOR VIOLATION	Any permit for temporary street closing issued pursuant to this article may be revoked by the Chief of Police or any on-duty police officer, and the barricades removed at any time when, by reason of emergency, disorder, traffic conditions, violation of this article or of any permit conditions, or undue burden on public services, it is determined that the health, safety or welfare of the public or protection of property requires revocation. (B) Violation of this article shall subject the offender to a civil penalty in the amount of \$50. Violators shall be issued written citation which must be paid within 72 hours. (C) Each day’s continuing violation shall be a separate and distinct offense. (D) Notwithstanding subsection (B) above, provisions of this article may be enforced

		through equitable remedies issued by a court of competent jurisdiction. (E) In addition to or in lieu of remedies authorized in subsections (A), (B) and (D) above, violations of this article may be prosecuted as a misdemeanor in accordance with G.S. 160A-175. Conviction of a misdemeanor prosecution under this article shall subject the offender to a fine of \$50.
Article W – Pre-Towing Notice on Private Lots		
Code Section	Topic	Comments
SEC. 10-2-271	NOTICE REQUIRED	Towing, removing, or immobilizing by use of a wheel lock or other method a vehicle for parking on private property without the permission of the owner or lessee of the private property unless notice in accordance with this section is posted on the property.
SEC. 10-2-272	APPLICABILITY	The provisions of this article shall apply to private property as hereinafter defined. For the purpose of this article, “private property” shall mean property upon which is located a lot, garage or other parking facility not owned or leased by the City of Greenville or another governmental entity and which is located within the geographic area bounded by the following: First Street between Greene Street and Reade Street, Reade Street between First Street and Fifth Street, Fifth Street between Reade Street and Maple Street, Maple Street between Fifth Street and Tenth Street, Tenth Street between Maple Street and College Hill Road, College Hill Road between Tenth Street and the Green Mill Run, Green Mill Run between College Hill Road and Eleventh Street, extended, Eleventh Street, extended, between Green Mill Run and Anderson Street, Anderson Street between Eleventh Street and Tenth Street, Tenth Street between Anderson Street and Cotanche Street, Cotanche Street between Tenth Street and Reade Circle, Reade Circle between Cotanche Street and Greene Street and Greene Street between Reade Circle and First Street.
SEC. 10-2-273	EXCEPTIONS	Notwithstanding any other provision of this article, no notice shall be required for the towing or removal or immobilization of a vehicle: (A) If the vehicle obstructs adequate ingress and egress to businesses or residences; (B) If the vehicle has been left on the private property for a period of time greater than 48 hours; or (C) If the vehicle is being removed pursuant to the direction of a law enforcement officer or the code enforcement coordinator or officer in accordance with the provisions of the City Code or state law.
SEC. 10-2-274	ENFORCEMENT	The provisions of this article shall be enforced by a person designated by the City Manager.
SEC. 10-2-275	PENALTIES FOR VIOLATIONS	(A) Any violation of the provisions of this article or a failure to comply with any of its requirements shall subject the offender to a civil penalty as follows: (1) In the amount of \$50 for the first offense; (2) In the amount of \$100 for a second offense within a 12-month period; and (3) In the amount of \$250 for each offense when the offense is the

		third or subsequent offense within a 12-month period. (B) Violators shall be issued a written citation which must be paid within 72 hours. If a person fails to pay the civil penalty within 72 hours, the city may recover the penalty together with all costs by filing a civil action in the general court of justice in the nature of a suit to collect a debt. (C) This article may also be enforced by an appropriate equitable action. (D) Any violation of the provisions of this article shall be a misdemeanor punishable as provided by G.S. 14-4. (E) Any one, all or any combination of the foregoing penalties and remedies may be used to enforce this article. (F) The owner or lessee of the private property and any contractor, agent or other person who participates in, assists, directs or creates the violation may be held responsible for the violation and be assessed the penalties and be subject to the remedies herein provided.
TITLE 11: LICENSING AND REGULATORY		
CHAPTER 1 – VEHICLES FOR HIRE		
Article G – Penalties and Enforcement Actions		
Code Section	Topic	Comments
SEC. 11-1-140	PENALTIES AND ENFORCEMENT ACTIONS.	Operating a taxicab, limousine, contract service, transport service, or other vehicle for hire without a privilege license.
CHAPTER 2 – REGULATION OF PARADES		
Code Section	Topic	Comments
SEC. 11-2-1	DEFINITIONS	For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. City. The City of Greenville, North Carolina. Dangerous weapon. Any device designed or capable of being used to inflict serious injury upon person or property, including but not limited to firearms, knives of any kind or any type having a blade in excess of three inches in length, razors and razor blades, metallic knuckles, clubs, blackjacks, night sticks and powerful explosives. Parade. Any parade, march, ceremony, pageant or procession of any kind moving upon any public street, way, highway, road or other public place owned or under control of the city. Person. Any person, firm, partnership, association, corporation, company or organization of any kind. Working day. A weekday, Monday through Friday, inclusive, but does not include weekends (Saturday or Sunday), and does not include any day that City Hall is closed to the public for holiday, inclement weather or the like.
SEC. 11-2-2	PERMIT REQUIRED, GENERALLY	No person shall engage in or participate in, aid, form or start any parade unless a parade permit shall have been obtained from the Chief of Police or an authorized designee.
SEC. 11-2-3	EXCEPTIONS	This chapter shall not apply to: (A) Funeral processions; (B) Picketing on the sidewalks or other orderly processions on the sidewalks that do not violate any other city or state law; or (C) A governmental agency acting within the scope of its functions.

SEC. 11-2-4	PERMIT; APPLICATION	<p>A person seeking the issuance of a parade permit shall file a written application with the Chief of Police on forms provided by the city. (A) Filing period. An application for a parade permit shall be filed with the Chief of Police not less than five working days before the date on which the parade is to be conducted; provided, however, where good cause is shown, the Chief of Police shall have the authority to consider any application which is filed less than the prescribed filing period. (B) Contents. The application shall be signed by the applicant and notarized, and shall include the following: (1) The name, address and telephone number of the person seeking to conduct the parade; (2) If the parade is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization, and of the authorized and responsible head of the organization; (3) The name, address and telephone number of the person who will be the parade chairperson and who will be responsible for its conduct; (4) The date when the parade is to be conducted, and the hours when the parade will start and terminate; (5) The route to be traveled, the starting point and the termination point; (6) The approximate number of person, animals and vehicles participating in the parade; the type of animals and a description of the vehicles; (7) A statement as to whether the parade is proposed to occupy all or only a portion of the width of the streets proposed to be traversed; (8) The location by streets of any assembly areas for the parade; (9) The time when units of the parade will begin to assemble at any such assembly area or areas; and Regulation of Parades 11-19 (10) If the parade is to be sponsored by, or on behalf of, any person other than the applicant, the applicant for a permit shall file with the application a written authorization from the person proposing to hold the parade authorizing the applicant to apply for the permit on his or her behalf. (C) Fee. A nonrefundable fee shall be paid by the person applying for the parade permit at the time of application to cover expenses incidental to processing the application. The fee shall be set out in the Manual of Fees for the City of Greenville.</p>
SEC. 11-2-5	STANDARDS FOR ISSUANCE; REVOCATION	<p>The Chief of Police or an authorized designee shall issue a permit for the proposed parade unless it is found that: (A) The safe conduct of the parade will substantially interrupt the safe and orderly movement of other traffic contiguous to its route; (B) The conduct of the parade will require the diversion of so great a number of law enforcement personnel of the city to properly police the line of movement of the parade and of contiguous areas that adequate police protection cannot be provided to the remainder of the city; (C) The conduct of the parade will require the diversion of so great a number of ambulances and rescue units that adequate ambulance and rescue service to portions of the city and contiguous areas not occupied by the parade will be impeded; (D) The concentration of persons, animals and vehicles at assembly points of the parade will substantially interfere with adequate police and fire protection of, or ambulance and rescue service to, areas contiguous to the assembly areas; or (E) The</p>

		conduct of the parade will interfere with the movement of firefighting equipment to such an extent that adequate fire protection cannot be provided to the city.
SEC. 11-2-6	NOTICE OF ACTION ON APPLICATION; APPEAL PROCEDURE	(A) The Chief of Police or an authorized designee shall act upon the application as expeditiously as reasonably possible and, within 72 hours, notify the applicant in writing of his or her decision. The notice shall also inform the applicant of the appeal procedure available under subsection (B) of this section and the conference available under section 11-2-7 for an alternative permit. (B) Any person aggrieved shall have the right to appeal the denial of a parade permit by the Chief of Police to the City Manager. On appeal the City Manager shall be bound by the standards for issuance stated in section 11-2-5.
SEC. 11-2-7	ALTERNATIVE PERMIT	If the Chief of Police denies an application for a parade permit based upon one or more of the findings prescribed in section 11-2-5, the Chief of Police or an authorized designee shall, upon the request of the applicant, confer with the applicant for the purpose of trying to negotiate modifications to the planned parade that will eliminate the objections found under section 11-2-5. The Chief of Police is authorized to grant an alternative permit specifying a date, time or route different from that contained in the application. The alternative permit is valid only upon the filing by the applicant with the Chief of Police or an authorized designee of a written acceptance of the alternative permit. An alternative permit is void if not accepted in the manner prescribed in this section within three working days after its issuance. An alternative permit shall conform to the requirements of and shall have the effect of a parade permit under this chapter.
SEC. 11-2-8	DUTIES OF PERMITTEE; DUTIES OF PARADE CHAIRPERSON	(A) A permittee hereunder shall comply with all permit directions and conditions and with applicable laws and ordinances. (B) The parade chairperson or other person leading the parade shall carry the parade permit upon his or her person during the conduct of the parade. The parade chairperson shall be physically present at the parade and shall be responsible for compliance with all the provisions of the parade permit.
SEC. 11-2-9	CONDUCT DURING PARADE	(A) Interference. No person shall unreasonably hamper, obstruct or impede, or interfere with any parade or parade assembly or with any person, vehicle or animal participating or used in the parade. (B) Driving through parade. No driver of any vehicle shall drive between the vehicles or persons comprising a parade when the vehicles or persons are in motion and are conspicuously designated as a parade. (C) Parade or parade route. The Chief of Police or his or her authorized designee shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street or highway or part thereof constituting a part of the route of a parade. The Chief of Police or his or her authorized designee shall cause signs or other warning

		devices to be posted to this effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof.
SEC. 11-2-10	DANGEROUS WEAPONS	(A) Restricted. No dangerous weapon of any kind may be possessed either exposed or concealed by any participant in the parade, or any person affiliated with and present at the parade, or any person upon any street, sidewalk, or other public place within 500 feet of the parade, except as stated in subsection (B). (B) Exceptions. This section shall not apply to the following persons while acting lawfully and within the scope of their duties and authority: (1) Law enforcement officers; (2) Officers and soldiers of the armed forces, militia, and National Guard; (3) Students of military science in an accredited program; and (4) Park rangers and Animal Control officers.
SEC. 11-2-11	HAND-CARRIED SIGNS	No cardboard sign or poster carried by hand in the parade shall be of greater density than eight-ply .030 thickness. No support for the sign or poster shall be of a metallic substance nor thicker than one inch by three-fourths inch.
SEC. 11-2-12	PARADE ROUSE	Every parade shall follow the route designated and approved by the Chief of Police and prescribed on the parade permit.
SEC. 11-2-13	REVOCATION OF PARADE PERMIT; PENALTY FOR VIOLATION	(A) A parade permit issued pursuant to this chapter may be revoked by the Chief of Police upon application of the standards for issuance stated in section 11-2-5. (B) It shall be unlawful for any person to violate the provisions of this chapter or the conditions of the parade permit. Violation of the provisions of this chapter or the conditions of the parade permit shall be a misdemeanor, punishable upon conviction by a fine not exceeding \$50 or by imprisonment not exceeding 30 days.
CHAPTER 3 – JUNK DEALERS		
Code Section	Topic	Comments
SEC. 11-3-1	“JUNK DEALER” DEFINED	For the purposes of this chapter, a “junk dealer” is defined to mean and shall include any person buying and selling any old metal, rope, rags, bones, cloth, old cotton or any article usually found in junk shops.
SEC. 11-3-2	LICENSE; REQUIRED; APPLICATION	Every person desiring to engage in the business of a junk dealer shall first procure a license from the city. The person shall make application, in writing, to the City Council for the license, specifying in the application the street and building in which the applicant intends to carry on the business, and, if a corporation, the names of the persons who are to actively manage the business. The application shall be signed by at least five citizens of the city certifying to the good character of the applicant or the active manager.
SEC. 11-3-3	ISSUANCE; REVOCATION; TRANSFER	Whenever the City Council shall have determined to grant a junk dealer’s license to any applicant, the Collector of Revenue shall, upon payment of the license tax provided therefor, issue to the applicant a license to carry on the business. Every license so issued shall be upon the condition, whether or not expressed in the license, that it may be revoked at any time by the City Council, upon satisfactory proof that, in conducting

		the business, the licensee or any agent or employee of the licensee has or is violating any of the provisions of this chapter, or whenever, in the conduct of the business, the licensee or any person in charge of the business shall be convicted of larceny or of receiving stolen goods knowing the same to have been stolen. No license issued under the provisions of this chapter shall be transferred, either as to parties or location, except upon application and express permission therefor given by the City Council.
SEC. 11-3-4	BOOKS TO BE KEPT; BOOKS AND ARTICLES OPEN TO INSPECTION	Each junk dealer shall keep a book in which he or she shall record all purchases and sales. Such books as well as any article or thing of value sold or acquired by a junk dealer shall, at all reasonable times, be open to the inspection of the Chief of Police or any member of the police force.
SEC. 11-3-5	PURCHASES FROM MINORS	No dealer in junk, or his or her agent or employee, shall purchase, take or acquire, in the course of business, any goods, articles or things of value whatsoever from any minor under the age of 18 years, or any goods, articles or things of value, the ownership of which is in or which is claimed by any such minor, unless the minor's parent or guardian or the relation or 11-23 11-24 Greenville - Licensing and Regulatory person in whose care or employ the minor may be at the time, shall state in writing that the transaction is made with the parent's, guardian's, relation's or employer's full knowledge and consent; and it shall be the duty of the dealer to preserve and keep on file such written statement for the purpose of subsequent reference thereto. This written permission shall be subject to inspection in like manner by the Chief of Police or any other police officer of the city as is provided for under section 11-3-4.
SEC. 11-3-6	CONDITION OF SHOPS AND PREMISES	All junk shops and the premises thereof shall be so maintained as not to permit therein or thereon the accumulation of filthy rags, filthy or offensive bones or anything else, in such a manner that may be a nuisance or detriment to health. Every license issued by the City Council is upon condition that all junk dealers' places of business shall be so constructed, maintained and conducted as to comply with health and sanitary regulations and requirements in force within the city.
SEC. 11-3-7	OFFENSES AND PENALTIES	Any junk dealer licensed under this chapter who shall violate any of the provisions thereof, or who willfully falsifies or causes or suffers to be falsified, any entry of any article required to be preserved in a book, may suffer the revocation of his or her license. Any person who shall engage in the business of a junk dealer after his or her license is revoked, or without first procuring a license, as is required in this chapter, shall, notwithstanding any penalty in any tax ordinance to the contrary, be guilty of an offense against this section.
CHAPTER 4 – PEDDLERS, SOLICITORS AND CANVASSERS		
Article A – General Provisions		
Code Section	Topic	Comments

SEC. 11-4-1	PERMIT REQUIRED	(A) It shall be unlawful for any person, without first obtaining a permit as in this chapter provided, to go in or upon or permit his or her representatives to go in or upon any private residence or premises in the city as solicitor or peddler, not having been requested or invited to do so by the occupant of the private residence or premises or having procured the occupant's permission. (B) For purposes of this section, a "solicitor" or "peddler" shall be defined as anyone soliciting or peddling orders for the sale of goods, wares, magazines, or other periodicals or merchandise.
SEC. 11-4-3	ISSUANCE OR DENIAL; POSSESSION AND EXHIBITION	If, after investigating the applicant, the Chief of Police determines that the applicant for a permit required by this chapter is qualified as a law abiding person, has good credit standing and a verifiable employment history and proposes to engage in a lawful commercial or professional enterprise during hours that will not unduly disturb the occupants of residences, the Chief of Police shall issue to him or her a permit to engage in the business, which permit shall contain substantially the information set forth in his or her application and to which shall be attached his or her photograph and fingerprints. The permit shall be carried at all times by the person to whom issued when soliciting or canvassing in the city and shall be exhibited by him or her whenever required to do so by any police officer or any person solicited. If the Chief of Police, upon investigation, determines that the applicant is not qualified as herein provided and does not propose to engage in a lawful commercial or professional enterprise during hours reasonably convenient for the occupants of residences, he or she shall refuse to issue the permit.
SEC. 11-4-5	DURATION AND RENEWAL	The Chief of Police shall determine from the application and from such facts as may be developed in connection with the application the period for which a permit under this chapter shall be approved and granted; provided, that the period shall in no case exceed 12 calendar months. Upon the expiration of the permit the Chief of Police may, upon application filed in the form and giving the information required in the original application, renew and extend the permit for additional periods not to exceed 12 calendar months for any one period.
SEC. 11-4-8	PERSONS EXEMPTED FROM PERMIT REQUIREMENT	The provisions of this article shall not apply to organizations or representatives of organizations organized and operating exclusively for educational, benevolent, religious, fraternal, charitable, patriotic or civic purposes and not operating for profit and where the solicitations or sales are made without remuneration to the solicitor.
Article B – Solicitations by Non-Profit Organizations		
Code Section	Topic	Comments
SEC. 11-4-21	APPLICATION OF ARTICLE	The rules and regulations contained in this article shall govern solicitations by charitable organizations in the city.
SEC. 11-4-22	DEFINITIONS	For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Charitable organization. Any person which is or holds itself out to be organized or operated for any charitable purpose or

		<p>any person who solicits or obtains contributions solicited from the public for charitable purposes. Charitable purpose. Any charitable, benevolent, religious, philanthropic, environmental, public or social advocacy or eleemosynary purpose for religion, health, education, social welfare, art and humanities, civic and public interest. Contribution. Any promise, gift, bequest, device or other grant for consideration or otherwise, of any money or property of any kind or value, including the promise to pay, which contribution is wholly or partly induced by a solicitation. The term "contribution" shall not include payments by members of an organization for membership fees, dues, fines or assessments, or for services rendered to individual members, if membership in the organization confers a bona fide right, privilege, professional standing, honor or other direct benefit, other than the right to vote, elect officers or hold offices; nor any money, credit, financial assistance or property received from any governmental authority. Door-to-door solicitations. Solicitations conducted from house to house in residential areas of the city. On-street solicitation. Solicitations conducted in and on the public streets, at street intersections and on traffic islands. Sale and benefit affair. Includes but is not limited to athletic or sports event, bazaar, benefit, campaign, circus, contest, dance, drive, entertainment, exhibition, exposition, party, performance, picnic, sale, social gathering, theater or variety show which the public is requested to patronize or attend or to which the public is requested to make a contribution for any charitable or religious purpose connected therewith. Sale, sell and sold. The transfer of any property or the rendition of any service to any person in exchange for consideration, including any purported contribution without which the property would not have been transferred or the services would not have been rendered. Sidewalk solicitations. Solicitations conducted on the city sidewalks, the mail, shopping centers, stores, businesses or any public place. 11-28 Greenville - Licensing and Regulatory Solicit and solicitation. (1) The request or appeal, directly or indirectly, for any contribution on the plea or representation that the contribution will be used for a charitable purpose, including without limitation the following methods of requesting the contribution: (a) Any oral or written request; (b) Any announcement to the press, over the radio or television or by telephone or telegraph concerning an appeal or campaign to which the public is requested to make a contribution for any charitable purpose connected therewith; (c) The distribution, circulation, posting or publishing of any handbill, written advertisement or other publication which directly or by implication seeks to obtain public support; (d) The sale of, offer or attempt to sell, any advertisement, advertising space, subscription, ticket, or any service or tangible item in connection with which any appeal is made for any charitable purpose; or where the name of any charitable organization is used or referred to in any such appeal as an inducement or reason for making any such sale; or when or where in connection with any such sale, any statement is made that the whole or any part of the proceeds from</p>
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		the sale will be donated to any charitable purpose. (2) "Solicitation" as defined herein shall be deemed to occur when the request is made, at the place the request is received, whether or not the person making the same actually receives any contribution.
SEC. 11-4-23	AUTHORITY TO ISSUE PERMITS	The Chief of Police is hereby authorized to issue permits to charitable organizations for solicitations in the city limits for charitable purposes.
SEC. 11-4-24	APPLICATION	(A) Every charitable organization which intends to solicit contributions within the city limits or have funds solicited on its behalf shall, at least five working days prior to the solicitation, obtain and file an application with the Chief of Police upon forms prescribed for a permit to solicit. The application shall be in writing and show the name of the applicant organization; its national, state and local headquarters addresses, if any; the names and addresses of its national, state or local officers and/or representatives; whether or not the applicant organization or its solicitors have been convicted of any offense related to solicitation in the past five years; the particular areas of the city in which solicitation shall take place and the manner in which it shall be conducted. (B) Upon receipt of an application for a permit under this article, the Chief of Police shall review each application; and if found to be accurate and in compliance with the requirements of this article, it shall be approved. (C) Notification of approval or disapproval of an application filed under this article shall be in writing to the organization filing the application.
SEC. 11-4-25	RULES AND REGULATIONS	Every charitable organization receiving a permit to solicit shall follow the following rules and regulations. Peddlers, Solicitors and Canvassers 11-29 (A) Any fund-raising activity by a charitable organization, including but not limited to a solicitation, request for contributions, sale, benefit affair and the like, shall be subject to this article; (B) On-street solicitations will not be allowed in the city limits; (C) Volunteer workers or solicitors for charitable organizations shall wear official solicitation badges as issued by the Police Department at all times while soliciting; (D) Collection containers used in solicitations must be sealed and properly identified; (E) Each contributor must be given a proper receipt as approved by the Chief of Police; (F) Sidewalk solicitors shall not interfere with the free movement of pedestrian traffic; (G) Solicitations will not be permitted after 9:00 p.m. nor before 9:00 a.m.; (H) The city will accept no liability for accidents caused directly or indirectly by any solicitation; (I) All charitable organizations conducting solicitations in the city must hold a valid solicitation license issued by the Secretary of the North Carolina Department of Human Resources in accordance with G.S. Chapter 131F or be exempt from the licensing provisions of G.S. Chapter 131F; (J) All nonprofit organizations conducting solicitations in the city must comply with all requirements of G.S. Chapter 131F as is now in existence or shall be hereafter amended; and (K) A solicitation conducted pursuant to this article shall be granted for

		a period of time not to exceed three consecutive calendar months, and can be renewed for successive three-month intervals.
SEC. 11-4-27	HEARING UPON DENIAL, SUSPENSION OR REVOCATION OF PERMIT	(A) Before any application for a solicitation permit is denied under section 11-4-26 of this article, the applicant shall be afforded an opportunity to have a due process hearing before the City Manager. The applicant will receive written notice of the Chief of Police's finding that the applicant fails to meet section 11-4-26 requirements and of the date, time, and place of the hearing. At the hearing the Chief of Police will present evidence and the applicant will have an opportunity to present his or her evidence, rebut evidence entered against him or her, and show his or her fitness to solicit within the city. 11-30 Greenville - Licensing and Regulatory (B) If a permit is suspended or revoked because of any of the reasons set out in section 11-4-26 above, the holder thereof is entitled to appeal for an administrative due process hearing before the City Manager or his or her assistant. (Ord. No. 1032, passed 12-11-1980) SEC. 11-4-28 ADMINISTRATION. The Chief of Police is hereby authorized to administer and enforce this article.
CHAPTER 5 – AUCTIONS OF GOLD, JEWELS, AND THE LIKE		
Code Section	Topic	Comments
SEC. 11-5-1	SELLERS OF GOLD, SILVER, CLOCKS, GEMS, FURS AND THE LIKE, NOT BEING ENGAGED IN PERMANENT BUSINESS TO COMPLY WITH CHAPTER	Any person, whether principal or agent, who has not engaged in any permanent business within the city for a continuous period of at least 12 months next preceding, who sells, disposes of or offers for sale in the city at public auction any gold, silver, plated ware, precious stones, semiprecious stones, watches, clocks, woolen fabrics and furs, whether the same shall be his or her own property or he or she sells the same as agent or as employee of another, shall comply with each of the regulations and conditions of this chapter.
SEC. 11-5-2	EXCLUSIONS FROM CHAPTER	This chapter shall not apply to judicial sales or sales by executors and administrators, receivers or assignees in insolvent and bankrupt estates, or licensed pawnbrokers actually selling and disposing of goods duly and regularly mortgaged, or pledges or sales by mortgagors duly authorized by the terms of bona fide mortgages or pledges.
SEC. 11-5-3	LICENSE; FEE	Each person referred to in section 11-5-1 shall procure a license from the city, paying therefor such sum as may be required by section 3-2-44 for each year or fraction thereof, as a license tax, that the person may be engaged in conducting the auction sale.
SEC. 11-5-4	BOND	Each person referred to in section 11-5-1 shall file with the City Clerk a bond in the sum of \$1,000, with good and sufficient surety, for the purpose of guaranteeing compliance with the terms of this chapter and the faithful performance of any contract made with the customers and purchasers at the auction sale. The bond shall remain in full force and effect for a term of 60 days after the close of the auction sale for the purpose herein provided.

SEC. 11-5-5	INVENTORY	Each person referred to in section 11-5-1 shall file with the City Clerk a complete inventory of all the goods, wares and merchandise to be offered at public auction, to be verified under oath.
SEC. 11-5-6	SALES TO BE ON SUCCESSIVE DAYS; HOW LONG TO CONTINUE	Sale at public auction of the stock of any person, as referred to in section 11-5-1, whether principal or agent, shall not be held on other than successive days, Sundays and legal holidays excepted, and shall continue not more than 30 days in all within the period of one fiscal year.
SEC. 11-5-7	SALES PROHIBITED AT NIGHT	It shall be unlawful for any person within the city to sell, dispose of or offer to sell or to dispose of at public auction any of the goods, wares or merchandise set forth in section 11-5-1 between the hours of 6:00 p.m. and 9:00 a.m. the following morning.
SEC. 11-5-8	FALSE ADVERTISEMENTS OR REPRESENTATIONS	It shall be unlawful for any person running or conducting a public sale within the city of any goods, wares or merchandise described in section 11-5-1 to falsely advertise or represent the same to be bankrupt stock, or falsely to advertise or represent the same as being imported, or falsely to represent the same as to brand, trademark, quality, weight or texture.
SEC. 11-5-9	FALSE OR FRAUDULENT BIDS	It shall be unlawful for any person at any public auction of the goods, wares and merchandise described in section 11-5-1 to act as what is commonly known as a "capper," "booster" or "shiller," or offer to make any false bid or falsely pretend to buy any article offered at such auction sale for the purpose of deceiving the persons attending the sale; and it shall also be unlawful for any person conducting the auction sale to receive knowingly or to permit to be made any false or "boosting" bids by the "booster," "bybidder," "shiller" or other such person bidding for the purpose of boosting the price of articles sold or offered for sale at the auction sale.
SEC. 11-5-10	FORFEITURE OF LICENSE FOR VIOLATION OF CHAPTER	Any person licensed to conduct any auction sale under this chapter, convicted for the violation of any provision of this chapter, or whose agent, employee or servant engaged in conducting the sale shall be convicted of violating any provision of this chapter, shall forfeit the license to further conduct the auction sale, as the court or the City Council.

CHAPTER 11 – TRANSIENT MERCHANTS, ITINERANT MERCHANTS AND ITINERANT VENDORS

Code Section	Topic	Comments
SEC. 11-11-1	LICENSE REQUIRED	It shall be unlawful for a transient merchant, itinerant merchant or itinerant vendor as defined in section 11-11-2 to engage in that business within the city without first obtaining a license in compliance with the provisions of this chapter.
SEC. 11-11-2	DEFINITIONS	(A) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Transient merchant, itinerant merchant or transient vendor. Any person, firm, corporation, whether as owner, agent, consignee or employee, whether a resident of the city or not, who engages in a temporary business of selling and delivering goods, wares and merchandise within the

		<p>city, and who in furtherance of that purpose hires, leases, uses or occupies any building, structure, motor vehicle, tent, railroad boxcar, car, boat, public room in a hotel or restaurant, lodging house, apartment, shop, any street or alley, or other place within the city, or goes door to door for the exhibition and sale of the goods, wares and merchandise, whether privately or at public auction; provided that the definition shall not be construed to include: (a) Any person selling edible farm produce, such as fruits and vegetables; (b) Any person selling at a “flea market;” (c) Any person regulated under Chapter 4 of Title 11 of this Code; (d) Any person, firm or corporation who, while occupying the temporary location, does not sell from stock, but exhibits samples only for the purpose of securing orders for future delivery only; (e) Any person selling at the farmer’s market sponsored by Pitt County; 11-61 11-62 Greenville - Licensing and Regulatory (f) Any person, firm or corporation who otherwise meets the definitions above but who is part of a group of ten or more merchants selling at a shopping area or trade show, and is selling at the invitation of the shopping area or trade show, and where the sales activities do not last longer than seven days; (g) Any person or organization selling on the campus of East Carolina University if the sale is sponsored or approved by the university; (h) Any person selling Christmas trees and holiday decorations; (i) Licensed automobile dealers selling new automobiles; or (j) Any auctioneer licensed and acting under the provisions of G.S. Chapter 85B. (B) No person, firm, or corporation so engaged shall be relieved from complying with the provisions of this chapter merely by reason of associating temporarily with any local dealer, trader, merchant or auctioneer, or by conducting the transient business in connection with, as a part of, or in the name of any local dealer, trader, merchant or auctioneer.</p>
SEC. 11-11-3	APPLICATION	<p>Applicants for license shall file a written sworn application signed by the applicant, if an individual, by all partners if a partnership, and by the president if a corporation, with the Police Department showing: (A) The name or names of the person or persons having the management or supervision of applicant’s business during the time that it is proposed that it will be carried on in the city; the local address or addresses of such person or persons while engaged in the business; the permanent address or address of the person or persons; the capacity in which the person or persons will act (that is, whether as proprietor, agent or otherwise); the name and address of the person, firm or corporation for whose account the business will be carried on, if any; and if a corporation, under the laws of what state the corporation is incorporated; (B) Proof of a state sales tax reporting number issued by the North Carolina Department of Revenue; (C) The place or places in the city where the applicant proposes to conduct business. (1) The categories under which locations should be classified are as follows: (a) Single fixed site or multiple fixed sites on private property; or (b) Door-to-door or public rights-of-way. (2) Other information which should also be stated includes: the length of time during which it is proposed that the business shall be conducted; proof</p>

		<p>of permission from the owner or lessee of the property to be used allowing the applicant to conduct business at the proposed location(s); and, if applicable, a zoning compliance permit from the Community Development Department of the city stating that the proposed sales activity is a permitted use in the proposed location. (D) The place or places, other than the permanent place of business of the applicant, where the applicant was conducting business within the last six months; (E) A statement of the nature, character and quality of the goods, wares or merchandise to be sold or offered for sale by the applicant, the invoice value and quality of the goods, wares and merchandise, whether the same are proposed to be sold from stock in possession or from stock in possession and by sample; at auction, by direct sale or by direct sale and by taking orders for future delivery; where the goods or property proposed to be sold are manufactured or produced and where the goods or products are located at the time the application is filed; Transient Merchants, Itinerant Merchants and Itinerant Vendors 11-63 (F) A brief statement of the nature and character of the advertising done or proposed to be done in order to attract customers, and copies of all the advertising whether by handbills, circular, newspaper advertising, or otherwise, shall be attached to the application; (G) Whether or not the person or persons having the management or supervision of the applicant's business have been convicted of a crime or the violation of any municipal ordinance, the nature of the offense and the punishment assessed thereof; (H) Credentials from the person, firm or corporation for which the applicant proposes to do business, authorizing the applicant to act as such representative; and (I) Such other reasonable information as to the identity or character of the person or persons having the management or supervision of applicant's business or the method or plan of doing such business as the City Clerk may deem proper to fulfill the purpose of this chapter in the protection of the public goods.</p>
SEC. 11-11-4	INVESTIGATION AND ISSUANCE OF LICENSE	<p>(A) Upon receipt of the application, the Police Department shall conduct an investigation. The Police Department should complete the investigation within 21 days. All applicants, as part of the investigation, will be required to submit to a fingerprinting to be conducted by the Police Department. This fingerprinting check will include state and federal authorities. As a part of the investigation, the Police Department will also perform a computerized criminal check. (1) The application will be reviewed by the planning staff of the city for any fixed site or sites proposed by the applicant. (2) The application will also be reviewed by the Finance Department of the city to determine what, if any, appropriate privilege licenses apply to the application. (B) (1) If, as a result of the investigation, the applicant's character and business responsibility are found to be unsatisfactory, the application shall be denied. The Police Department also reserves the right to revoke any license already issued at any time if unsatisfactory information is discovered about the applicant through the fingerprinting or computerized criminal process. (2) If, as a result of the investigation, the character and business reputation</p>

		appear to be satisfactory, the Police Department shall so certify in writing, and a license shall be issued by the Police Department. The Police Department shall keep a full record of all licenses issued. The license shall contain the number of the license, the date it was issued, the nature of the business authorized to be carried on, the amount of the license fee paid, the expiration date of the license, the place where the business may be carried on under the license, and the names of the persons authorized to carry on the business.
SEC. 11-11-5	BOND	Before any license shall be issued under the provisions of section 11-11-4 for engaging in a transient business as defined in section 11-11-2, an applicant shall file with the Police Department a bond running to the city in the sum of \$1,000 executed by the applicant, as principal, or a surety upon which service of process may be made in the state; the bond to be approved by the office of the City Attorney, conditioned that the applicant shall comply fully with all of the provisions of the ordinances of the city, and the statutes of the state, regulating and concerning the sale of goods, wares and merchandise, and will pay all judgments rendered against the applicant for any violation of the ordinances or statutes, together with all judgments and costs that may be recovered against him or her by any person for damages arising out of any misrepresentation or deception practices on any person transacting such business with the applicant, whether the misrepresentations or deceptions were made or practiced by the owners or by their servants, agents or employees, either at the time of making the sale or through any advertisement of any character whatsoever, printed or calculated with reference to the goods, wares and merchandise sold 11-64 Greenville - Licensing and Regulatory or any part thereof. Action on the bond may be brought in the name of the city to the use of the aggrieved person. The bond required by this section shall be posted and remain in effect for a period of one year from the date of application, and one year from the date of any renewal, of any license issued under this chapter. The bond must be approved by the office of the City Attorney, both as to form, and as to the responsibility of the surety.
SEC. 11-11-6	SERVICE OF PROCESS	Before any license may be issued for engaging in business as an itinerant merchant, the applicant shall file with the Police Department an instrument appointing a person, firm or corporation located in Pitt County to be the agent of the applicant for service of process with respect to any matters connected with or arising out of the business transacted under the license given and the bond required by this chapter. The Police Department may be named as the agent for service of process by the applicant.
SEC. 11-11-7	EXHIBITION OF LICENSE	The license issued under this chapter shall be posted conspicuously along with any applicable privilege license in the place of business(es) named therein, or must be carried with the person at all times if going door to door or on public rights-of-way.

SEC. 11-11-8	FEES	(A) Before issuing a license under this chapter, the Police Department shall collect an administrative processing fee at an amount set by the City Council, and which is stated in the Manual of Fees. This fee is to cover the administrative costs of processing the application required by this chapter and shall not be considered a tax, nor shall it relieve the applicant of paying any other state or local taxes required by law. (B) The Police Department shall collect a nonrefundable administrative processing fee for each renewal issued under section 11-11-13 at an amount set by the City Council, and which is stated in the Manual of Fees.
SEC. 11-11-9	LICENSE NOT TRANSFERABLE	No license issued under this chapter shall be transferable.
SEC. 11-11-10	DUTY OF POLICE TO ENFORCE	It shall be the duty of the police officers of the city to enforce the provisions of this chapter.
SEC. 11-11-11	REVOCATION OF LICENSE	(A) Any licenses issued pursuant to this chapter may be revoked by the Police Department, after notice and hearing, for any of the following causes: (1) Any fraud, misrepresentation or false statement contained in the application for license; Transient Merchants, Itinerant Merchants and Itinerant Vendors 11-65 (2) Any fraud, misrepresentation or false statement made in connection with the selling of goods, wares or merchandise; (3) Any violation of this chapter; (4) Conviction of the licensee of any felony or of a misdemeanor involving moral turpitude; or (5) Conducting the business licensed under this chapter in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public. (B) Notice of hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. The notice shall be mailed, postage prepaid, to the licensee, at his or her last known address, at least five days prior to the date set for the hearing.
SEC. 11-11-12	APPEAL	Any person aggrieved by a decision of the Police Department to deny an application for a license or to revoke a license may appeal to the City Council. The appeal shall be taken by filing with the Council, within 14 days after notice of the decision by the Police Department has been mailed to the person's last known address, a written statement setting forth the grounds for the appeal. The Council shall set the time and place for a hearing on the appeal and in section 11-11-11 for notice of hearing or revocation. The order of this Council on the appeal shall be final.
SEC. 11-11-13	EXPIRATION AND RENEWAL OF LICENSE	(A) All licenses issued under the provision of this chapter shall expire 90 days after the date of issuance unless an earlier date is stated on the license. (B) Any license issued under the provisions of this chapter may be renewed any number of times upon the following conditions: (1) The applicant makes a written application for renewal stating that the person or persons managing the business are the same as those listed in the original application, that the place or places where the applicant proposes to conduct business have not changed, and a statement explaining any material change in

		circumstances from the information given in the original application; (2) The applicant must show to the satisfaction of the office of the City Attorney that the bond covering the applicant's business will be valid for at least one year from the date of any license renewal; and (3) That the Police Department be satisfied that there is no cause for revocation under § 11-11-11.
SEC. 11-11-14	PENALTY	(A) Any violation of this chapter shall subject the offender to a civil penalty in the amount of \$500. Violators shall be issued a written citation which must be paid within 72 hours. (B) Each day's continuing violation shall be a separate and distinct offense. (C) Notwithstanding subsection (A) above, provisions of this chapter may be enforced through equitable remedies issued by a court of competent jurisdiction. (D) In addition to or in lieu of remedies authorized in subsections (A) and (C) above, violations of this chapter may be prosecuted as a misdemeanor in accordance with G.S. 160A-175. Conviction of a misdemeanor prosecution under this chapter shall subject the offender to a fine of \$50.
TITLE 2: OFFENSES AND PUBLIC NUISANCES		
CHAPTER 1 – SPECIFIC OFFENSES		
Code Section	Topic	Comments
SEC. 12-1-2	CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC	Consumption of alcoholic beverages on any public street or any public space owned, occupied, or controlled by the city. Possession of an open container in same.
SEC. 12-1-3	DISCHARGE OF FIREARMS AND OTHER WEAPONS	Discharge of a firearm within the city except by any law enforcement officer, authorized employee of the Division of Animal Control, or a citizen lawfully defending person or property.
SEC. 12-1-4	LITTERING PROHIBITED	Littering upon any public street or sidewalk, or upon any private property except with written permission of the owner or occupant of the private property.
SEC. 12-1-6	INJURING OF CITY PROPERTY	Injuring, damaging, defacing, trespassing on, or break any property belonging to the city.
SEC. 12-1-7	URINATING, DEFECATING IN PUBLIC	Urinating or defecating in public or on any private property.
SEC. 12-1-8	MOTORIZED VEHICLES ON GREENWAYS	No person shall drive, park, or ride a motorized vehicle in or on any greenway except for law enforcement, emergency or public service vehicles, vehicles utilized for activities under the direction of the city, and motorized wheelchairs by a person requiring the use of a motorized wheelchair.
SEC. 12-1-10	LOITERING FOR PURPOSE OF ENGAGING IN DRUG RELATED ACTIVITY	(A) For the purposes of this section, "public place" means any street, sidewalk, bridge, alley or alleyway, plaza, park, driveway, parking lot or transportation facility, or the doorways and entranceways to any building which fronts on any of those places, or a motor vehicle in or on any of those places, or any property owned by the city. 12-12 Greenville - Offenses and Public Nuisances (B) It shall be unlawful for a person to remain or wander about in a public place in a manner and under circumstances manifesting the purpose to engage in a violation of any subdivision of the North

		<p>Carolina Controlled Substances Act, G.S. Chapter 90, Article 5. Such circumstances shall include: (1) Repeatedly beckoning to, stopping or attempting to stop passers-by, or repeatedly attempting to engage passers-by in conversation; (2) Repeatedly stopping or attempting to stop motor vehicles; (3) Repeatedly interfering with the free passage of other persons; (4) The person repeatedly passes to or receives from passers-by, whether on foot or in a vehicle or by courier, money or objects; and/or (5) The person takes flight upon the approach or appearance of a police officer. (C) Violation of any provision of this section shall be a misdemeanor as provided by G.S. 14-4</p>
SEC. 12-1-11	UNLAWFUL ASSEMBLY ON CITY-OWNED PARKING LOT AND TRESPASS UPON PRIVATELY OWNED PARKING LOT	<p>(A) City-owned parking lot. It shall be unlawful for any person to assemble with one or more other persons on a city-owned or controlled parking lot except for the purpose of lawfully parking a vehicle in the lot. It shall not be a violation of this section to lawfully park a vehicle in a city parking lot and leave the lot without delay, or go upon a city parking lot and without delay proceed to a lawfully parked vehicle and then leave. (B) Constitutional exception. The prohibition in subsection (A) above shall not apply to a congregation of persons pursuant to any lawfully issued permit for a parade, demonstration, picketing or other event or congregation protected under the Constitution of the United States or this state. (C) City parking lot defined. The term “city parking lot,” as used in this section, shall mean any parking lot owned or controlled by the city and maintained for public or public and leased space parking. (D) Privately owned parking lot. It shall be unlawful for any person to enter or remain upon any privately owned parking lot or publicly owned lot owned by a governmental entity other than the city after normal working hours and on weekends when the owner, lessee or authorized agent has posted a sign or signs clearly stating the prohibition. The sign(s) shall be placed in a position where it is clearly visible and shall contain the following language: NO PARKING OR TRESPASSING BETWEEN _____ P.M. and _____ A.M. VIOLATORS WILL BE PROSECUTED Signs may be obtained from the Public Works Department of the city or shall meet the specifications for those signs as directed by the Director of Public Works for the city. (E) Exceptions. The prohibitions in subsections (A) and (D) shall not apply to: (1) Temporary entrance to the parking lot in an emergency or to avoid an accident; (2) Entrance by police officers or city officials in the course of duty; (3) Entrance by fire, ambulance and other emergency personnel and equipment, in the course of duty; (4) Turning around to travel on the same street in the opposite direction; Specific Offenses 12-13 (5) Entrance by the owner, occupant or the employees and agents of the owners or occupant; or (6) The congregation of persons to observe a parade or publicly sponsored or sanctioned event (such as a festival, celebration, fireworks display or other similar event). (F) Special events. The owner or person in charge of any privately owned parking lot may grant temporary permission to use the lot during any specified hours, when parking or trespassing is normally prohibited, by posting temporary signs or posters to that effect. The owner or person in charge shall</p>

		notify the Police Department of any such temporary permission. (G) Penalty for violation. Violation of subsection (A) shall be a misdemeanor as provided by G.S. 14-4. Violation of subsection (D) shall be a misdemeanor as provided by G.S. 14-159.13.
SEC. 12-1-12	"AGGRESSIVE PANDHANDLING" WITHIN THE CITY PROHIBITED	<p>(A) Definitions. Aggressive manner. For the purposes of this section, any of the following: (a) To approach, speak to or follow any person(s) in such a manner that would cause a reasonable person to fear bodily harm or the commission of a criminal act upon the person, or upon the property in the person's immediate possession; (b) To touch another person(s) without his or her consent in the course of asking for alms; (c) To continuously ask, beg or solicit for alms from a person(s) after the person(s) has responded in a negative manner; or (d) To intentionally block or interfere with the safe or free passage of a person(s) by any means up to and including causing a person(s) to take evasive action to avoid physical contact. To ask, beg or solicit alms. For the purpose of this section, "asking, begging or soliciting alms" includes any spoken, written, printed or other such means conducted with the purpose of obtaining an immediate donation of money or other thing of value. (B) Prohibited acts. (1) It shall be unlawful for any person to ask, beg or solicit alms, including money and other items of value, in an aggressive manner in any place open to the general public including sidewalks, streets, alleys, driveways, plazas, parking lots, parks, buildings, doorways and entrances to buildings, and the groundways which enclose buildings. (2) It shall be unlawful for any person to ask, beg or solicit alms, in an aggressive manner, in any public transportation vehicle, or at any bus stop. (3) It shall be unlawful for any person to ask, beg or solicit alms from any operator or occupant of a motor vehicle that is in traffic on a public street. (4) It shall be unlawful for any person to ask, beg or solicit alms from any operator or occupant of a motor vehicle on a public street in exchange for the reservation or direction to a public parking space. (5) It shall be unlawful for any person to ask, beg or solicit alms in exchange for cleaning (including windows), protecting, watching, washing, repairing, painting a motor vehicle that is in traffic or parked on a public street. 12-14 Greenville - Offenses and Public Nuisances (6) It shall be unlawful for any person to ask, beg or solicit alms on private property or residential property, without first obtaining permission from the owner or occupant of the property. (C) Permitted activity. All acts authorized as an exercise of a person's constitutional right to picket, protest or speak, and acts that are permitted by a permit issued by the city shall not constitute unlawful activity under this section. (D) Penalties. (1) Any violation of any provision(s) of this section of the City Code shall be a misdemeanor as provided by G.S. 14-4, and punishable by the maximum penalty of \$500 as provided by G.S. 14-4(a).</p>
SEC. 12-1-14	CONCEALED HANDGUNS PROHIBITED; PUBLIC BUILDINGS, GROUNDS AND RECREATIONAL FACILITIES	<p>SEC. 12-1-14 CONCEALED HANDGUNS PROHIBITED; PUBLIC BUILDINGS, GROUNDS AND RECREATIONAL FACILITIES. (A) Prohibition in buildings and appurtenant premises. The carrying of a concealed handgun is prohibited, by the posting of signs indicating that the carrying of a concealed handgun is prohibited, in or on each building or</p>

		<p>portion of building now or hereafter owned, leased, operated, managed or controlled by the city and the appurtenant premises to the building. (B) Prohibition in recreational facilities. The carrying of a concealed handgun is prohibited, by the posting of signs indicating that the carrying of a concealed handgun is prohibited, in or on the following recreational facilities owned, leased, operated, managed or controlled by the city: (1) The athletic field at Andrew A. Best Freedom Park at 315 Oakdale Road; (2) The Bradford Creek Golf Course at 4950 Old Pactolus Road; (3) The soccer fields at the Bradford Creek Soccer Complex at 4523 Old Pactolus Road; (4) The Greenville Community Pool at 2113 Myrtle Avenue; (5) The Greenville Aquatics and Fitness Center at 921 Staton Road; (6) The Drew Steele Center, Elm Street Center, tennis courts, Stallings Stadium baseball field, Sara Vaughn Field of Dreams baseball field, shuffleboard courts, horseshoe pits and bocce courts at Elm Street Park at 1058 and 1055 South Elm Street; (7) The tennis courts, softball fields, and archery range at Evans Park at 625 West Arlington Blvd; (8) The basketball court at Greenfield Terrace Park at 120 Park Access Road; (9) The Guy Smith Stadium baseball field, baseball fields and batting cages at Guy Smith Park at 1000 Moye Boulevard; (10) The Boyd Lee Center, softball fields, and cricket field at H. Boyd Lee Park at 5184 Corey Road; (11) The tennis courts, extreme park, inline hockey rink, softball/baseball field and athletic field at Jaycee Park at 2000 Cedar Lane; (12) The soccer field, softball field, baseball field, and disc golf course at Matthew Lewis Park at West Meadowbrook at 900 Legion Street; (13) The baseball fields, batting cage, and volleyball courts at the Perkins complex at 1703 E. 14th Street; (14) The volleyball court at River Park North at 1000 Mumford Road; (15) The South Greenville Recreation Center, athletic field, and baseball field at South Greenville Park at 851 Howell Street; (16) The Sports Connection at 1701 E. 14th Street; (17) The Eppes Recreation Center, tennis courts and baseball field at Thomas Foreman Park at 400 Nash Street; (18) The athletic field at Westhaven Park on Cedarhurst Drive; and (19) The basketball court and volleyball court at Woodlawn Park on Woodlawn Avenue. 2014 S-5 12-16 Greenville - Offenses and Public Nuisances The prohibition for a recreational facility designated herein as either an athletic field, baseball field, softball field, softball/baseball field, or cricket field shall apply during an organized athletic event when the field has been scheduled for use with the recreation and parks department and shall include appurtenant facilities to said field. The prohibition for the recreational facility designated herein as the Greenville Community Pool includes the swimming pool and any appurtenant facilities used for dressing, storage of personal items, and other uses relating to the swimming pool. (C) Application of provisions. The provisions of this section shall also apply to buildings and appurtenant premises leased, operated, managed or controlled by the Greenville Utilities Commission and Sheppard Memorial Library. (D) Persons excepted. The provisions of this section shall not apply to the carrying of a concealed handgun by</p>
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		those persons enumerated in G.S. 14-269(b). (E) Violations. Violations of the prohibitions authorized by this section are punishable as provided in G.S.14-269(c). (F) Exemptions. (1) Notwithstanding any other provision of this section, upon obtaining the appropriate permit required by law, the possession of a concealed handgun shall be permitted at a convention center owned, leased, managed, operated or controlled by the city, by vendors or exhibitors at an event where the display, sale or exhibition of handguns is permitted or by individuals who have or possess a handgun for the sole purpose of sale or trade at an event where the display, sale or exhibition of handguns is permitted. Such persons shall be required to display their permit upon entrance into the convention center and have the handgun checked, inspected and disabled upon entrance into the convention center. (2) Notwithstanding any other provision of this section, upon obtaining the appropriate permit required by law, the possession of a concealed handgun shall be permitted provided that the concealed handgun permittee secures the handgun in a locked vehicle within the trunk, glove box or an enclosed compartment or area within or on the motor vehicle.
SEC. 12-1-15	PITT-GREENVILLE AIRPORT	(A) Posting of signs required. The City Manager, in consultation with the Pitt-Greenville Airport Manager, shall cause to be posted appropriate signs in or on each building or portion of building now or hereafter owned, leased, operated, managed or controlled by the Pitt-Greenville Airport Authority, as well as the appurtenant premises to the building, indicating that the carrying of concealed handguns is prohibited therein. (B) Location of signs. Signs shall be posted in a manner so as to be visible to the general public prior to entering the building or appurtenant premises. The City Manager, in consultation with the Airport Manager, shall exercise discretion in determining the necessity and appropriate location for other signs within the building or appurtenant premises. (C) Applicability. The provisions of this section shall not apply to the carrying of concealed handguns by those persons enumerated in G.S. 14-269(b). 2014 S-5 Specific Offenses 12-16A (D) Violations. Violations of the prohibitions authorized by this section are punishable as provided in G.S. Chapter 14, Article 54B.
SEC. 12-1-17	USE OF LASER POINTERS AND OTHER SIMILAR DEVICES	Using a laser pointer to harass, annoy, or place any person in fear of bodily harm.
SEC. 12-1-20	BOWS AND ARROWS AND CROSSBOWS	Discharge of any bow and arrow within the city unless carried out under the restrictions and conditions listed.
CHAPTER 2 - ANIMALS		
Code Section	Topic	Comments
SEC. 12-2-14	VICIOUS/DANGEROUS ANIMALS	(A) It shall be unlawful for any person(s) to own, keep, have charge of, shelter, feed or harbor any vicious or dangerous animal within the city limits. (B) (1) The Animal Protective Services Officer of the Greenville Police Department shall enforce this section, and it shall be the duty of the Animal Protective Services Supervisor to initially

		<p>determine if an animal is vicious or potentially dangerous in accordance with this section. 2016 S-8 12-26 Greenville - Offenses and Public Nuisances (2) If an animal that has been declared "vicious," or if an animal has been declared "potentially dangerous" under this section, attacks or bites a person or domesticated animal without provocation, the Animal Protective Services Division Supervisor will direct the animal be confiscated, and the animal will be deemed "vicious" and will be confiscated by the Animal Protective Services Division. The animal will then be placed in quarantine, if necessary, for the proper length of time, or impounded and held for ten business days after the owner is given written notification. If no action is taken by the owner of the animal within the time prescribed, then the animal will be humanely destroyed in a manner prescribed by law. (C) (1) When an animal is initially determined to be vicious or potentially dangerous, the Animal Protective Services Division is authorized and directed to seize the animal and confine it in a place determined by the Animal Protective Services Division Supervisor. The owner of the animal, if known, shall be notified in writing that the Animal Protective Services Division seized the animal, and where the animal will be held pending the outcome of the hearing. The written notification shall state the facts that lead the Animal Protective Services Division Supervisor to determine the animal vicious or potentially dangerous. A hearing will be set with the Animal Protective Services Division Supervisor within seven days. The written notification will state the time, date and purpose of the hearing. (2) If the owner of the animal elects to appeal the Animal Protective Services Division Supervisor's initial determination, the owner shall file a notice of appeal in writing to the Chief of Police through the Animal Protective Services Division Supervisor within 72 hours of the initial hearing. (3) If the owner of the vicious or potentially dangerous animal does not appear for the hearing, it shall be the duty of the Animal Protective Services Division Supervisor to order the humane destruction of the vicious or potentially dangerous animal. (D) The penalty for violation of this section shall be considered a civil penalty. If the owner refuses to comply with the surrender order of the Animal Protective Services Division within 24 hours of the surrender order, the amount of the civil penalty shall be \$250. If the owner fails to surrender the animal after the initial 24-hour period, the owner is subject to an additional civil penalty in the amount of \$250 for each 24-hour period that the owner refuses to surrender the animal in addition to any criminal penalties that may be imposed, including arrest. (E) An animal impounded under this section shall be at the expense of the owner, keeper or harborer of the animal. Cost would include impoundment at the local animal shelter, veterinary center or kennel. In no event shall the city be liable for or pay for impoundment at a private or public facility. (F) (1) If the owner of the animal appeals the Animal Protective Services Division Supervisor's initial decision, the Chief of Police shall conduct a hearing and make a ruling based on the guidelines set forth in this</p>
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		<p>section. (2) Should the Chief of Police sustain the ruling by the Animal Protective Services Division Supervisor and determine the animal to be vicious or potentially dangerous, the Animal Protective Services Division shall take the appropriate enforcement action as set forth in this section. Should the Chief of Police overrule the decision of the Animal Protective Services Division Supervisor and determine the animal not to be vicious or potentially dangerous, the animal will be returned to its rightful owner. The Chief of Police shall have the final decision in the appeals process. (G) The Animal Protective Services Division, with the approval of the Chief of Police, may establish procedures and regulations implementing this section to provide for public safety and protection. Failure of owners and keepers to comply with the regulations shall subject the owner and keeper to a civil penalty for a first finding of noncompliance in the amount of \$50. For second and subsequent violations of the regulations, the owner and keeper may be subject to an additional civil penalty in the amount of \$50 per day that the owner and keeper fail to comply. Owners and keepers will be provided a copy of the implementing regulations. Penalties assessed for violations of this section shall be in addition to the civil penalties assessed for violations of the surrender order for a dangerous or vicious animal. (H) Failure to pay any civil penalty assessed under this section will subject the owner and keeper to additional penalties and interest as provided in the Manual for Fees of the city and attorneys' fees and costs if a civil action is filed to enforce this section or collect any civil penalty. 2016 S-8 Animals 12-27 (I) Exceptions. (1) A law enforcement animal or guard dog used by a law enforcement officer or bona fide professional security guard to carry out law enforcement officer's or security guard's official duties or professional responsibilities. (2) An animal that causes injury to a person who, at the time of the injury, was tormenting, abusing or assaulting the animal or was committing or attempting to commit a crime. (J) Nothing in this section shall be construed to prevent an Animal Protective Services Officer or any other person from pursuing remedies under G.S. Chapter 67, Article 1A.</p>
SEC. 12-2-43	PENALTIES	<p>(A) Any violation of this chapter shall subject the offender to a civil penalty in the amount stated in the Manual of Fees for the city. Violators shall be issued a written citation which must be paid to the revenue division of the Finance Department within five days. (B) Notwithstanding subsection (A) above, provisions of this chapter may be enforced through equitable remedies issued by a court of competent jurisdiction. (C) In addition to or lieu of, remedies authorized in subsections (A) and (B) above, violations of Section 12-2-14 may be prosecuted as a misdemeanor in accordance with G.S. 160A-175.</p>
SEC. 12-2-44	BIRD SANCTUARY	<p>Hunting, killing, trapping, or otherwise take any protected bird within the corporate limits of the city except pursuant to a permit issued by the North Carolina Wildlife Resources Commission.</p>
CHAPTER 3 – WEEDS, VEGETATION AND OTHER PUBLIC HEALTH NUISANCES		

Article C - Graffiti		
Code Section	Topic	Comments
SEC. 12-3-23	GRAFFITI PROHIBITED	Without the express permission or authority or the owner of the property, defacing with graffiti any governmental, commercial, or residential property or any other real property or personal property.
CHAPTER 7 – YOUTH PROTECTION		
Code Section	Topic	Comments
SEC. 12-7-1	DEFINITIONS	For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Curfew hours. (1) 11:00 p.m. on any Sunday, Monday, Tuesday, Wednesday or Thursday until 6:00 a.m. of the following day; and (2) 12:01 a.m. until 6:00 a.m. on any Friday or Saturday. Direct route. The shortest reasonable path of travel or a commonly used route to reach a final destination without any detour or stop along the way. Emergency. An unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes but is not limited to a fire, natural disaster or automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life. Establishment. Any privately-owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement, entertainment or eating place. Guardian. (1) A person who, under court order, is the “guardian” of the person of a minor; or (2) A public or private agency with whom a minor has been placed by a court. Juvenile or minor. Any person under the age of 16 years. Operator. Any individual, firm, association, partnership or corporation operating, managing or conducting any establishment, including the members or partners of an association or partnership and the officers of a corporation. 12-65 12-66 Greenville - Offenses and Public Nuisances Parent. (1) A natural parent, adoptive parent or step-parent of another person; or (2) A person 18 years of age or older who has written authorization by a parent, guardian or the courts to have the care and custody of a minor. Public place. Any place to which the public has access, including but not limited to streets, highways, alleys, rights-of-way, schools and school grounds, hospitals, apartment houses, office buildings, transport facilities, shops, theaters, bowling alleys, arcades, playgrounds, parks and eating places, the common areas of any of the above-mentioned locations, and other establishments open to the public for the conduct of business. Remain. To linger or stay or to fail to leave the premises when requested to do so by a police officer or the operator of the premises. Serious bodily injury. Bodily injury that creates a substantial risk of death, serious permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.
SEC. 12-7-2	CURFEW FOR JUVENILES	It shall be unlawful for a juvenile to be present in or remain in any public place within the city or on the premises of any establishment within the city during curfew hours.

SEC. 12-7-3	EXCEPTIONS	<p>EXCEPTIONS. The following shall constitute valid exceptions to the operation of the provisions of this chapter: (A) When a juvenile is accompanied by a parent or guardian of the juvenile; (B) When a juvenile is accompanied by an adult 18 years of age or older who has written authorization by a parent or guardian of the juvenile to take the parent's place in accompanying the juvenile for a designated period of time and purpose within a specified area; (C) When a juvenile is exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech and the right of assembly; (D) When a juvenile is on the property where the juvenile resides or on the sidewalk immediately adjacent to the property where the juvenile resides; (E) When a juvenile is returning home by direct route (without any unnecessary detour or stop) from and within one hour of the termination of an activity conducted or sponsored by a public or private school, such as a sporting event, play, concert or dance; (F) When the juvenile is engaged in a lawful employment activity or using a direct route to and from a place of employment; (G) When the juvenile is, with parental consent, engaged in normal interstate travel through the city or originating or terminating in the city; (H) When the juvenile is married or emancipated; (I) When the juvenile is reacting or responding to an emergency; Youth Protection 12-67 (J) When authorized, by special permit from the Chief of Police carried on the person of the juvenile thus authorized, as hereinafter provided. When necessary night-time activities of a juvenile may be inadequately provided for by other provisions of this chapter, then recourse may be had to the Chief of Police, either for a regulation as provided in subsection (K) or for a special permit as the circumstances warrant. Upon the findings of reasonable necessity for the use of a public place to the extent warranted by a written application signed by a juvenile and by a parent or guardian of the juvenile, if feasible, stating the criteria set forth in subsections (J)(1) through (6) below, the Chief of Police may grant a permit in writing for the juvenile's use of a public place at such hours as in the opinion of the Chief of Police may reasonably be necessary and consistent with the purposes of this chapter. In an emergency this may be handled by telephone or other effective communication, with a corresponding record being made contemporaneously to the Chief of Police or to the person designated by the Chief of Police to receive the record: (1) The name, age and address of the juvenile; (2) The name, address and telephone number of a parent or guardian thereof; (3) The height, weight, sex, color of eyes and hair and other physical characteristics of the juvenile; (4) The necessity that requires the juvenile to remain upon a public place during the curfew hours otherwise applicable; (5) The public place; and (6) The beginning and ending of the period of time involved by date and hour. (K) When authorized, by regulation issued by the Chief of Police in other similar cases of reasonable necessity, similarly handled but adapted to reasonably necessary night-time activities of more juveniles than can readily be dealt with on an individual special</p>
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		<p>permit basis. Normally such regulation by the Chief of Police permitting use of public places should be issued sufficiently in advance to permit appropriate publicity through news media and through other agencies such as the schools, and shall define the activity, the scope of the use of the public places permitted, the period of time involved not to extend more than one hour beyond the time for termination of the activity, and the reason for finding that the regulation is reasonably necessary and is consistent with the purposes of this chapter.</p>
SEC. 12-7-4	PARENTAL RESPONSIBILITY	<p>As a parent or guardian, knowingly permitting or by inefficient control allowing the juvenile to remain in any public place or on the premises of any establishment during curfew hours.</p>
SEC. 12-7-5	OPERATOR RESPONSIBILITY	<p>As an operator of an establishment, knowingly permitting a juvenile to remain at the establishment under circumstances not constituting an exception to this chapter, unless the operator notifies police that the juvenile was present and refused to leave.</p>
SEC. 12-7-6	AIDING AND ABETTING	<p>It shall be unlawful for any person 16 years of age or older to aid or abet a juvenile in the violation of this chapter.</p>
SEC. 12-7-7	ENFORCEMENT	<p>Before taking any enforcement action for curfew violations under this chapter, a police officer shall ask the apparent juvenile offender's age and reason for being in the public place or establishment during curfew hours. The officer shall notify the parent or guardian that there has been a curfew violation, and request the parent or guardian to take custody of the juvenile. The officer shall document this accordingly. If the parent or guardian is not available or refuses to take custody of the juvenile, then, the officer, consistent with the provisions of G.S. Chapter 7B, may proceed to place the juvenile in temporary custody and initiate such actions that may be necessary for placement of the juvenile.</p>
SEC. 12-7-8	PENALTIES	<p>(A) A juvenile who violates any provision of this chapter shall be guilty of a misdemeanor as provided in G.S. 14-4 and is subject to being adjudicated delinquent. The court may, in its discretion, impose any dispositional alternatives that are provided in the North Carolina General Statutes for a juvenile who is delinquent. (B) Any person other than a juvenile who violates any provision of this chapter shall be guilty of a misdemeanor as provided in G.S. 14-4. (C) In addition to any other penalty provided by this section, the parent or guardian having custody of a juvenile subject to this chapter shall be liable and responsible for all costs incurred by the city for providing personnel to remain in the company of the juvenile who has been detained as a curfew violator where the parent or guardian does not pick up the juvenile within one hour after receiving notice from the city that the city is detaining the juvenile for a curfew violation. The amount to be paid by the parent or guardian shall be based on the hourly wage of the city employee who is assigned to remain with the juvenile plus the costs of the benefits for that employee. The city may collect the amounts due by any manner provided by law, including initiation</p>

		of litigation to recover such amounts due and owing, plus reasonable attorneys' fees and costs incurred.
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To review any or all of the City of Greenville’s ordinances, they can be found online at:
http://library.amlegal.com/nxt/gateway.dll?f=templates&fn=default.htm&vid=codeofordinance:greenville_nc