

Memo

To: Rep. Jonathan C. Jordan and Sen. Andy Wells—Co-Chairs of the Joint Legislative
Administrative Procedure Oversight Committee

Rep. James L. Boles, Jr., Rep. Ted Davis, Jr., and Sen Shirley B. Randleman--- Co-Chairs of the
Joint Legislative Oversight Committee on Justice and Public Safety

From: Tammy Hatley, City Clerk

CC:

Date: November 28, 2018

Re: Section 3 of Session Law 2018-69 (House Bill 379)

All:

Please find attached, the response from the City of King, NC to the requirements set forth in Section 3 of Session Law 2018-69 for local governmental units. The attached document contains a list of all the City of King's ordinances that create criminal offenses pursuant to N.C.G.S. 14-4 (a), with brief descriptions of the prohibited conduct. Additionally, there is a link to the City of King's website for the ordinances summarized.

If you have any questions about this Memo, please contact either Edwin Woltz by email at woltz@woltzlaw.us , at the Woltz Law Firm, telephone: (336) 786-5556. Also, please acknowledge receipt of this Memo and its sufficiency in complying with Session Law 2018-69, Section 3.

Chapter 4- Animals

Section 4-2 (b)– City to be bird sanctuary *Prohibited Acts*: Prohibits any person to hunt, kill, trap or otherwise take within the sanctuary established by subsection (a) of this section, any domestic or wild bird, except any bird or bird species classed as a pest pursuant to the provisions of G.S. 113-291 et seq, or otherwise not protected by law.

Section 4-3 (b) – Restraint of dogs *On premises of owner*: Prohibits dog(s) from being left unattended outdoors unless it is restrained and restricted to the owner's property by a tether, rope, chain, fence or other device. Fencing shall be adequate in height, construction and placement to keep resident dogs on the lot, and keep other dogs and children from accessing the lot. One or more secured gates to the lot shall be provided.

Section 4-3 (c) – Restraint of dogs *Off premises of owner*: In addition to all other penalties prescribed by law, a dog is subject to impoundment and all other applicable provisions of the Stokes County Animal Control Department and the Forsyth County Animal Control Department if the dog is found off the premises of the person owning or having possession, charge, care, custody, or control of such dog and is not under the control of a competent person and restrained by a leash, chain, rope or other means of adequate physical control.

Section 4-(d) Penalties established: Penalties for violation of this section shall be as follows: (1) First violation \$50; (2) Second violation \$75; (3) Third and subsequent violations \$100.

Section 4-4 – Noisy animals and fowl: Prohibits anyone within the corporate limits, or within one mile thereof, from keeping one or more animals which habitually and regularly bark, howl, whine, or make noise so as to result to serious annoyance to neighboring residents and as to interfere with the reasonable use and enjoyment of the premises occupied by such residents.

Section 4-5 – Applicability of section 4-4 to commercial dog kennels: Prohibits lawfully used and maintained by veterinarians and operators of commercial dog kennels within the corporate limits, or within one mile thereof, from keeping one or more animals which habitually and regularly bark, howl, whine, or make noise so as to result to serious annoyance to neighboring residents and as to interfere with the reasonable use and enjoyment of the premises occupied by such residents only if such premises and the dogs thereon are used and kept in a negligent or unreasonable manner.

Section 4-6 – Keeping hogs: Prohibits any person to keep hogs, pigs, or swine within the corporate limits of the city.

Section 4-7 – Keeping ponies(a) *Definition* and (b)*Fencing and Housing*: Allows any person to keep any animal called a colt, horse or pony within the corporate limits of the city, provided they are safely and securely enclosed by fences, and provided they are properly housed.

Section 4-7 – Keeping ponies (c) *Sanitation*: Requires that the area occupied by a pony be maintained in a sanitary manner at all times. A watertight bin or pit shall be provided and so arranged that it is fly-proof, or a watertight barrel with a close-fitting lid. Manure accumulating on the premises shall be placed in the bin, pit or barrel each day, and the manure shall be removed from the premises at intervals not longer than five days beginning on March 15 and continuing until September 15 of each year, and at intervals of one week from September 16 to March 14 of each year.

Section 4-8 – Keeping rabbits (a) *Housing*: Prohibits any person within the corporate limits of the city to keep rabbits, except within sanitary hutches, which shall not be nearer than 20 feet to any property line and in no event nearer than 50 feet to the principal building on any adjoining property. Such hutches shall be so constructed that they can be easily cleaned, and they shall be so constructed as to be a minimum of 24 inches from the ground.

Section 4-8 – Keeping rabbits (b) Sanitation: Requires that the hutches and premises shall be maintained in a sanitary manner at all times. There shall be provided and so arranged that it is fly-proof, or a watertight barrel with a close-fitting lid. Manure accumulating on the premises shall be placed in the bin, pit or barrel each day, and the manure shall be removed from the premises at intervals not longer than five days beginning on March 15 and continuing until September 15 of each year, and at intervals of one week from September 16 to March 14 of each year.

Section 4-8 – Keeping rabbits (c) Number of animals: Prohibits (1) any person from keeping more than ten rabbits of breeding age within the corporate limits of the city; and (2) exempts the provisions of this subsection to the keeping or breeding of rabbits by hospitals, medical schools and laboratories.

Section 4-9 – Food for animals to be stored in ratproof containers or rooms: Requires all food and feed kept for feeding chickens, cows, horses and other animals be kept and stored in rat-free and rat-proof containers, compartments or rooms, unless kept in a rat-proof building.

Section 4-10 – Riding horses on public property: Prohibits anyone to ride, lead or drive any horse, mule, donkey, pony or like animal in or upon any public park, public recreation area, public schoolgrounds or other publicly owned property within the corporate limits. Exclusions are allowed in connection with the riding, leading, driving or use of such animals for (1) building, alteration or maintenance of public properties and (2) at specific locations under the jurisdiction of the parks and recreation advisory committee.

Section 4-11 – Animal sanitation: (a) (1) Requires any person owning, harboring, walking, in possession of, or in charge of a dog which defecates on public property, public park property, public right-of-way or any private property without the permission of the private property owner, shall remove all feces immediately after it is deposited by the dog. All feces removed in accordance with this section shall be placed in a suitable bag or other container that closes and disposed of in a lawful manner.

Section 4-11 – Animal sanitation: (a) (2): Requires any person, while harboring, walking, in possession of, or in charge of a dog on public property, public park property, public right-of-way or any private property without the permission of the private property owner, to have in his or her possession a bag or other container that closes, which is suitable for removing feces deposited by the dog.

Section 4-11 – Animal sanitation: (b): Provides an exemption of this section to blind persons using dogs as guides.

Section 4-11 – Animal sanitation: (d): Establishes penalties for violation of this section as follows: (1) First violation \$25; (2) Second violation \$50; (3) Third and subsequent violations \$75.

Section 4-12 – Keeping of fowl: Requires any person who owns or maintains pens, coops or shelters in which chickens, turkeys, ducks or other fowl are kept to maintain such pens, coops or shelters in a sanitary condition. No fowl shall be allowed to run loose at any time. Manure accumulating in such pens, coops or shelters shall be placed in a bin which shall be watertight and so constructed that it is fly-proof, or in a watertight barrel with a tight-fitting lid, every five days. No foul or offensive odors shall emanate from the coop/shelter so as to bother adjoining property owners. No person shall keep any fowl which by causing frequent or long continued noise shall disturb the comfort or repose of any person of ordinary sensibilities in the vicinity.

Section 4-13 – Location of fowl: Requires fowl of any kind and their pens, coops and shelters be a minimum of 150 feet from the property line of any adjoining lot or parcels of land. An exception is granted to residents with existing shelters, coops and pens unless the structure is moved or damaged so as to cause the need for replacement.

Section 4-14 – Exotic animals: Adopts the Stokes County Exotic Animal Ordinance and appendices by reference by the City of King.

Section 4-15 – Keeping of livestock (a): Prohibits any person who keeps, feeds, or maintains within the city any goat, sheep, llamas, alpacas, cattle, horses, mules, or donkeys shelter or housing for said animals within 50 feet of any adjoining property lines.

Section 4-15 – Keeping of livestock (b): Requires all animals be kept in a humane manner with respect to shelter, food and water.

Section 4-15 – Keeping of livestock (c): Prohibits any person from allowing any livestock or similar animal to run at large within the city.

Chapter 6 - Buildings and Building Regulations

Section 6-1 – Registration of contractors: Requires every person carrying on the business of building contractor, plumbing contractor, mechanical contractor or electrical contractor within the jurisdiction of the city to register at the office of the department of planning and inspections, giving their name and place of business.

Chapter 10 – Civil Emergencies

Section 10 – 33 Proclamation to impose prohibitions and restrictions: Authorizes the Mayor to impose Evacuation (Sec. 10-34); Curfew (Sec. 10-35); Restrict possession, consumption or transfer of alcoholic beverages (Sec 10-36); Restrict possession, transportation and transfer of dangerous weapons and substances (Sec. 10-37); Access to areas (Sec. 10-38); Movements of people in public places (Sec. 10-39 [1]); the operation of business establishments and other places to or from which people may travel or at which they may congregate (Sec. 10-39 [2]); and Other activities or conditions the control of which may be reasonably necessary to maintain order and protect lives or property during the state of emergency, within the area designation in the proclamation (Sec. 10-39 [3]).

Chapter 12 – Nuisances

Section 12-31 – Enumeration of certain conditions declared public nuisances:

- (1) the uncontrolled growth of noxious weeds or grass on one's business or residential lot to a height in excess of 12 inches, or to permit the lot to serve as a breeding place for mosquitoes, as a refuge for rats and snakes, as a collecting place for trash and litter, or as a fire hazard, causing or threatening to cause a hazard detrimental to the public health or safety. It shall also be the duty of the owner to cut and remove all weeds and other rank vegetation as often as necessary so as to comply with this subsection. A parcel consisting of adjacent vacant lots of less than one-acre total, under one ownership, will be considered as one lot. Except as noted below, this subsection does not apply to lots exceeding one acre in size, a parcel of adjacent vacant lots exceeding one acre in size total or lots covered with trees. However, lots exceeding one-acre, vacant lots under one ownership that are considered as one lot and that collectively exceed one acre or lots covered with trees shall be maintained in accordance with this subsection to a depth of 20 feet from the property lines, if and only if, the adjacent property is occupied by a dwelling or other structure. This subsection shall not apply to property which consists of a ravine or creek bank or other severe slope so as to make such maintenance unsafe. Property owners will be charged \$200 plus any legal fees per occurrence, when city staff mows grass or clears other vegetation on properties in violation of this subsection.
- (2) Any uncontrolled growth of shrubs, vines or other vegetation or the accumulation of rubbish, trash or junk causing or threatening to cause a fire hazard; causing or threatening to cause the accumulation of stagnant water; or causing or threatening to cause the inhabitation therein of mosquitoes, rats, mice, snakes or vermin of any kind which is or may be dangerous or prejudicial to the public health.

- (3) Any accumulation of animal or vegetable matter that is offensive by virtue of doors or vapors or by the inhabitation therein of mosquitoes, rats, mice, snakes or vermin of any kind which is or may be dangerous or prejudicial to the public health.
- (4) The open storage of any abandoned ice box, refrigerator, stove, tires, glass, building material, building rubbish or similar items.
- (5) Emission or effluence of noxious or offensive particulate matter, dust, sludge, or other materials or substances which tend to pollute or contaminate land, water or air, rendering or tending to render it injurious to human health, habitation or welfare, to animal or plant life or to property, or interfering or tending to interfere with the enjoyment of life or property; provided however that this subsection shall be construed consistent with and supplementary to, and not in conflict with, applicable state and federal laws and regulations.
- (6) Any condition detrimental to the public health which violates the rules and regulations of the county health department having jurisdiction.

Sec. 12-36 – Costs: The actual cost incurred by the city in removing or otherwise remedying a public nuisance shall be charged to the owner of such lot or parcel of land, and it shall be the duty of the city manager, or his designee, to mail a statement of such charges to the owner or other person in possession of such premises with instructions that such charges are due and payable within 30 days from the receipt thereof.

Sec. 12-38 – Article provisions additional to existing remedies: Provides that in addition to any other remedies that may exist under law for the abatement of public nuisances, this article shall not prevent the city from proceeding in a criminal action against any person violating the provisions of this article as provided in G.S. 14-4.

Section 12-102 – Noise – *General prohibitions:* Prohibits any person to create or assist in creating, permit, continue, or permit the continuance of any unreasonably loud, disturbing and unnecessary noise in the city.

Section 12-103 – Noise -*Enumeration of loud, disturbing and unnecessary noises:* Prohibits the emission of noises discussed in 12-102 in the following ways: (1) Raucous language, shouting; (2) Vehicle horns; (3) Radios, phonographs, loudspeakers, sound devices or musical instruments; (4) Noisy animals and fowl; (5) Noisy vehicles; (6) Steam whistles; (7) Unmuffled exhausts; (8) Compressed air mechanical devices; (9) Noise near schools, libraries, sanitariums, institutions of learning, courts, hospitals or churches; (10) Loading or unloading; (11) Garages, filling station operations; (12) Combustible substances; and (13) Construction operations.

Chapter 12.5 Emergency Services – Alarm Systems

Section 12.5-31 - Penalty: A violation of this section or any part thereof, shall constitute a misdemeanor and shall subject the offender to a fine of not more than \$500 or imprisonment for not more than 30 days.

Section 12.5-33 (a) *Permit required:* Requires an alarm user to obtain a permit from the alarm system coordinator. No person shall use an alarm system when the alarm permit for that system has been revoked by the alarm systems coordinator.

Section 12.5-33 (b): Requires the alarm user must provide complete, accurate information on the permit application, including his name, the address of the premises upon which the system has been or will be installed, the mailing address, the telephone number, the type of alarm system and the business(s) selling, monitoring, inspecting, responding to and maintaining the alarm system.

Section 12.5-33 (c): Requires the alarm user must provide any changes from the information provided on the permit application to the alarm systems coordinator within ten business days of the change.

Section 12.5-33 (d): Requires that when the possession of the alarm system protected premises changes, the person obtaining possession of the property shall file an application for an alarm user permit with the alarm systems coordinator within ten business days of obtaining possession of the property. Alarm system permits are not transferrable. A person who violates any provision of this article is subject to a civil penalty of \$100 per violation.

Section 12.5-34 Multiple alarm systems: Requires an alarm user maintaining multiple alarm systems, whether in the same or different location, shall be required to obtain a permit for each system.

Section 12.5-35 Alarm reset device: Prohibits an alarm user from installing maintaining, or use of an audible alarm system which can sound for more than 20 minutes when activated. All alarm systems must have an automatic reset device that resets the alarm within 20 minutes.

Chapter 13 – Fire Prevention and Protection

Sec 13-5 – Congregating in streets around fires; interference with work of fire department: Prohibits congregating in areas adjacent to a fire as to interfere with the operation of the members of the fire department while executing their duties in any way at or during a fire or while answering an alarm of fire.

Sec 13-6 – Boarding apparatus going to or from fires: Prohibits riding upon any fire engine, truck or other fire apparatus en route to or from any fire, without permission of the chief of the fire department.

Sec 13-7 – Discarding burning objects: Prohibits any person, either willfully or negligently, to throw down or drop any lighted match, cigar, cigarette or other burning object in combustible material or in close proximity thereto, when such person does not remain to control such burning as may develop.

Chapter 18 – Offenses and Miscellaneous Provisions

Sec 18-1 – Public consumption of malt beverages or unfortified wine; penalty for violation of section: Prohibits the consumption of malt beverages or unfortified wine, as defined by G.S. 18B-101, on property owned or occupied by the city, as authorized by G.S. 18B-300 (c) punishable upon conviction in accordance with section 1-8.

Sec 18-2 – Discharge of firearms: Prohibits any person to discharge a firearm at any time or place within the city with the following exceptions: (1) Members of the Armed Forces of the United States, officers of the Government of the United States, the state or any political subdivision thereof, when acting in the discharge of their official duties; (2) Members of veterans' organizations, including the Veterans of Foreign Wars and the American Legion, when participating in the performance of certain ceremonial activities such as holiday celebrations and military funerals; and (3) when used in self-defense of a person or property or pursuant to lawful directions of law enforcement officers per G.S. 160A-189.

Sec 18-3 – Firearms prohibited in city-owned buildings: Prohibits firearms in city-owned buildings and their appurtenant premises, except for the concealed carry of handguns as permitted by state law.

Sec 18-4 – Sale and use of BB guns, pellet guns, air rifles, bows, crossbows and slingshots (a) Use: Prohibits anyone to fire or shoot a BB gun, pellet gun or air rifle, or bow, crossbow-like device, or to operate a slingshot, within the corporate limits of the city or on any property owned or operated by the city outside the corporate limits of the city with the following exceptions: (1) Within a completely enclosed area located at or in a private residence and against a target so placed and arranged that the projectile cannot go outside the enclosed area; (2) At an established target range which is at the time of shooting, being operated under the supervision of the recreation or police department of the city.

Sec 18-4 – Sale and use of BB guns, pellet guns, air rifles, bows, crossbows and slingshots (b) Possession by minors: Prohibits any minor person under 18 years of age, unless accompanied by a

parent, legal guardian or other adult person having custody of such child to have any rifle or shotgun, or ammunition therefor, BB gun, pellet gun, air rifle or slingshot in his possession at any place within the city, except on his own premises, or on any property owned or operated by the city outside the corporate limits of the city.

Sec 18-4 – Sale and use of BB guns, pellet guns, air rifles, bows, crossbows and slingshots (c) Report of acts of vandalism by minors: Requires any parent of a minor child or any person having the custody and control of a minor child, receiving knowledge that such child has committed an act of vandalism or malicious damage to the person or property of another by a BB gun, pellet gun, air rifle or slingshot, shall be required to report such act to the law enforcement agencies.

Sec 18-4 – Sale and use of BB guns, pellet guns, air rifles, bows, crossbows and slingshots (d) Urban archery deer hunting: Allows a person to hunt for deer within the city limits in accordance with the following: (1) Hunters shall follow all state and local laws, rules and ordinances when hunting deer within the city limits; (2) Hunters must have in their possession a valid NC hunting license showing completion of a hunting safety course; (3) Hunters are prohibited from using firearms. Only archery, using legal archery equipment (as defined by the NC Wildlife Resources Commission), is permitted; (4) Hunting is only permitted on private property. Hunters must own the property themselves or they must have, in their possession, written permission from the property owner dated within one year of the date on which they are hunting; (5) No hunting is allowed on city property or on, from or across the right-of-way of any road; (6) A bow and arrow or crossbow shall only be discharged from an elevated platform or stand located at least ten feet above the level of the surrounding grade or the target, whichever is less; (7) Hunting is only allowed on a tract or parcel of land which is greater than 1.5 acres; (8) A bow and arrow or crossbow shall not be discharged within 250 feet of a dwelling house, school, church, or any occupied building, street, road, park or recreation area; (9) The deer must be taken during the urban archery season as designated by the NC Wildlife Resources Commission; and (10) Any violation of the provision of this subsection shall be a misdemeanor and shall be punishable as provided by law.

Sec. 18-5 – Regulating begging and soliciting alms and contributions: Prohibits begging and soliciting alms and contributions within the city limits without first obtaining a permit from the City Manager's office.

Sec 18-6 – Public urination/defecation on public and private property: Prohibits urinating or defecating on any public place, sidewalk, street, alleyway or right-of-way, or in any public building, except in designated water closets or toilet facilities, or on any private property. Having the written permission of the owner or person in lawful possession of the private property shall constitute an affirmative defense to the charge of urinating or defecating on private property.

Chapter 20 – Parks & Recreation

Sec 20-1 – Speed limit and traffic regulations within city parks (a): Prohibits operation of any motor vehicle in excess of 15 miles per hour in any city park or recreation area.

Sec 20-1 – Speed limit and traffic regulations within city parks (b): Prohibits any person to drive or propel any motorized vehicle in, over, or through any park, except along and upon regularly established roadways and parking lots. This shall not include the operations of motorized vehicles and other machinery engaged in property maintenance or in other services or programs authorized by the city.

Sec 20-1 – Speed limit and traffic regulations within city parks (c): Prohibits parking any vehicle anywhere on park or recreation area property other than in designated parking areas authorized by the city manager or his designee. Overflow or additional parking areas shall be marked appropriately.

Sec 20-2 – Park hours; opening and closing: Prohibits any person not in the city's employ or authorized by the city manager or his designee, in writing, to go upon the premises of any city-owned park when the

park is not opened to the public. Any motor vehicle upon the premises of a park after the closing time shall be subject to removal by the city at the expense of the owner of the vehicle.

Sec 20-3 – Temporary closing, access limitations authorized (a): Allows the city manager or his designee to declare any section of a park or recreation area closed to the public for any interval of time, either temporarily or at regular and stated intervals when it is determined to be in the best interest of public safety, health, conduct or order.

Sec 20-1 – Speed limit and traffic regulations within city parks (b): Allows the city manager or his designee to declare any section of a park or recreation area closed to certain user(s) if the user(s) is acting in a manner that is: (1) dangerous to himself or others; (2) seriously disruptive to the peaceful enjoyment of such facilities by others; or (3) otherwise in violation of the rules or regulations for such park or recreational facilities duly adopted by the city.

Sec 20-4 – Soliciting/peddling: Prohibits soliciting, peddling, selling or to in any way distribute in commerce any article or item in any city park or recreational areas or to erect, paint, post, or otherwise affix any signs or advertisements on park or recreational area properties without written permission from the city manager or as approved by the city council.

Sec 20-4 - Soliciting/peddling (d): Requires all vendors shall have an approved permit issued by the city prior to setup regardless of whether the vending is for a special event or regular season event.

Sec 20-4 - Soliciting/peddling (d) (1)- Vending during regular season: Requires vendors to preregister with the events coordinator/city at least five business days prior to the event or start of the season. Prior to applying to the city, prior agreements must be obtained from the league having control during any given season. Vendors shall not sell items that are offered at the park concessions building. Permits may be denied to vendors who have violated this article within the previous 12 months.

Sec 20-4 - Soliciting/peddling (d) (2) - Fees: Requires each vendor to pay a registration fee per the city's schedule of fees and charges.

Sec 20-4 – Soliciting/peddling (d) (3)- Location: Requires each events coordinator/applicant to provide to the city clerk a sketch map/plan showing the location of each vendor in the park, if requested. The city shall approve each location prior to the event as appropriate.

Sec. 20-5 – Special event prohibited without permit: Requires that a special event, assemblage, or gathering in a public park or recreation area that (a) exceeds 300 people or that; (b) significantly alters normal operations of the park shall be held, organized or sponsored for a city park unless a special events parks and recreation permit has been requested and granted by the police chief.

Sec 20-6 – Special event parks and recreation permit applications (a) – Application: Requires that an application for a special event permit be completed and submitted to the public works department not less than 12 months prior to the proposed activity.

Sec 20-10 – Prohibited acts relating to the use of public parks and recreation facilities: Specifically prohibits the following acts; however, such prohibition shall not apply to the servants, employees or officers of the city actually and necessarily engaged in the duties of their office or employment: (1) No person shall willfully mark, deface, disfigure, damage, tamper with or without the authorization of the town, displace or move any structure, equipment, facility, or any other real or personal property that is the property of or under the control of the city; (2) No person shall willfully damage, cut, carve, transplant or remove any tree, shrub, bush or plant within any park; (3) No person shall drive, park or ride any motorized vehicle in any park except in areas so marked, signed or designated for motorized vehicular traffic, and except in motorized wheel chairs for the disabled or in a golf cart where the driver and/or passenger is handicapped and holds a valid NC handicapped parking placard or license plate issued in accordance with G.S. 20-37.5 or a valid handicapped parking placard or license plate from another state;

(4) No person shall dump, deposit, leave or place trash, garbage ashes, wastes, broken glass or other rubbish within any park, except in garbage, trash recycling or other proper receptacles provided for the purpose. No person shall dispose of garbage or rubbish within any park; (5) No person shall camp or stay overnight in any park, except with written permission from the city council or its designee; (6) No person shall erect or use a tent, camper, canopy, hut, bedding, or portable heater/fireplace, or make use of the city's electricity, in any city park except: [a] In conjunction with city-sponsored events, [b] When such person has submitted a reservation request and paid a reasonable usage fee in compliance with section 20-7; or [c] When such person has obtained a special events permit and paid a reasonable usage in compliance with section 20-6. Any usage of city electricity may occur only at the park shelter where a reservation has been made or at such areas as are designated in a special event permit) and where one or more electrical outlets are located. The use of one or more electrical extension cords more than 20 feet from an outlet is prohibited; (7) No person shall enter any park or remain in any park during the hours the park is closed to the public; (8) Dogs and horses are allowed within the public parks, subject to the provisions of the city's animal control regulations in chapter 4, except in those areas specifically marked and designated that no dogs or horses shall be allowed, provided, however, that horses are not allowed on public greenways within the city's municipal corporate limits. Service animals are exempt from this section. Dog and horse manure must be removed and placed in an appropriate designated area; (9) Reserved; (10) No person shall carry, possess or use any firearms or other dangerous weapons within any park except that a person may carry a concealed handgun provided they possess a concealed handgun permit in accordance with G.S. Ch 14, art 54B; (11) No person shall use, consume or possess any alcoholic beverages, beer or wine within the park; no person shall use, consume or possess any narcotic drug or hallucinogen or any other controlled substance within any park; (12) All persons in any park shall obey all posted traffic regulations, signs and directions; (13) No person shall hit golf balls in park areas except as where permitted; (14) No person shall engage, either verbally or physically, in any loud, indecent acts, disruptive or offensive conduct, or engage in any activity or sport in a manner which threatens the safety or welfare of other patrons of the park, or which unreasonably impairs the public's opportunity to use and enjoy the park; (15) No person shall operate a bicycle, skateboard, scooter, or roller blades on a public trail or within a designated park area within the city unless they are wearing a protective helmet on his or her head, with the chin strap fastened under the chin. Said helmet shall be fitted to the size of the operator and shall meet or exceed the ANSI (American National Standards Institute) z90.4 or subsequent bicycle helmet standards, or the Snell Memorial Foundation's 1984 Standard for Protective Headgear for Use in Bicycling or subsequent standards; (16) No person shall or attempt to trap, catch, wound, kill or cause to be injured, treated cruelly, tease any form of wildlife in or upon any land owned leased or operated by the city. No person shall release any form of wildlife in or upon any land owned, leased or operated by the city; (17) No person shall place, maintain or erect any sign, poster, notice or advertising device within any park; (18) No person shall fish at the city pond within Central Park unless they comply with the following conditions: [a] Fishing is only allowed from the banks of the pond or from the pier; [b] Fishing is only allowed between 5:30 a.m. to 9:00 p.m., or for such shorter times as the city park may be open; [c] The city is not responsible for any fishing license required by the NC Wildlife Commission; and [4] Any fish caught from the pond must be returned to the pond in such a manner as not to harm the fish; (19) All starting or kindling of fire may be prohibited by the city manager or his designee if weather conditions occur that would make such activity unduly dangerous or risky. No person shall leave a picnic area before the fire is completely extinguished. No person shall drop throw or otherwise scatter lighted matches, burning cigarettes, or cigars, tobacco paper or other inflammable material within any park area; (20) No person shall practice, play or use horseshoes, spears, javelins, archery, discus, or similar items in park areas except in areas specifically designated or provided for such activities; (21) It shall be unlawful to possess or set off, discharge, explode or burn any firecrackers or other forms of fireworks within park settings unless a special events permit is acquired from the fire chief; (22) No person shall conduct or carry on any game of chance at which money, property, or any other thing(s) of value is wagered, whether such money, property or other thing of value is present in the park (in stake) or located elsewhere; (23) No person shall swim, bathe or wade in any ponds, waterways or fountains within any park, except in such waters and at such places as are provided for such activity; (24) No child or children, 12 years old and under, shall be on any city park property, including the "Skate Park", without being supervised by an adult (over 18 years of age) at all times..

Sec 20-12 – Duties of persons involved in hazardous recreation activities (7): Prohibits skateboarding, roller blading, or roller hockey except in designated areas with any city park. Skateboarding and roller blading are prohibited on city sidewalks and public streets.

Sec 20-13 - Compliance with regulations; enforcement: Requires all persons entering or using any park, playground, recreation or community area or center, or facility (collectively “park” owned or operated by the city to be obedient to the rules and regulations governing the use of such park.

Sec 20-16 – Presence of registered sex offender on or about public parks: Prohibits any person or persons registered as a sex offender with the State of North Carolina and or any other state or federal agency to knowingly enter into or on any public park owned, operated or maintained by the City of King.

Chapter 21 – Events and Public Assemblies Outside City Parks

Sec 21-3 – Open-air public meetings held outside city parks: Requires a permit for meetings on a public street, sidewalk, alley or mall.

Sec 21-4 – Parades: Requires a permit for any parade upon the public ways used primarily for vehicular parking or moving traffic.

Sec 21-5 – Picketing (b) : Requires a written notice of intent to picket to the Chief of Police at least 3 business days prior to the picket containing the following information (1) The name and address of the organization, group, persons or persons sponsoring or participating in the picketing; (2) The location or locations in the city where the pickets propose to assemble and demonstrate; (3) Name and contact information of the person who will hold the receipt issued by the police chief or designee; (4) The time and date on which the picketing is to occur; (5) The anticipated duration of the picketing; and (6) The purpose and manner of the proposed picket.

Sec. 21-5 – Picketing (e): Requires written or printed placards or signs made of cardboard no thicker than one-fourth inch with supports made of nonmetallic material no wider than 3-1/2 inches and no thicker than ¾ inch. All supports must have blunt ends.

Sec 21-5 – Picketing (f): Restricts picketers to the use of the outermost half of the sidewalk or other public way nearest the street and prohibits obstructing, interfering with or at any time, or in any way, blocking persons entering or exiting from vehicles, persons crossing streets or otherwise using the public way, the entrance or exit to any building or access to property abutting the street or sidewalk, or pedestrian or vehicular traffic.

Sec 21-5 – Picketing (g): Prohibits any person to conduct or participate in any picket or to unreasonably hamper, obstruct, or interfere with any picket so as to create a public nuisance or endanger the public peace or constitute a substantial hazard to public safety. Prohibits any person to physically interfere with pickets in the use of the sidewalk or to address profane, indecent, abusive, or threatening language to or at those pickets which would tend to provoke the pickets or others to a breach of the peace.

Sec 21-5 – Picketing (h): Allows city police officers, in the even of the assemblage of persons in such numbers as to tend to intimidate pickets pursuing their lawful objective through numbers alone or through use of inflammatory words, direct the dispersal of persons so assembled and may arrest any person who fails to absent himself from the place of such assemblage when so directed by the police. Whenever the free passage of any street or sidewalk in the city shall be obstructed by a crowd, whether or not the crowd assembles as a result of or in connection with picketing, the persons composing such crowd shall disperse or move on when directed to do so by a police officer. It shall be unlawful for any person to refuse to so disperse or move on when directed by a police officer.

Sec 21-5 Picketing (i): Prohibits any person to picket solely in front of, before or about the residence or dwelling of an individual.

Sec 21-5 Picketing (k): Requires all spectators, participants and persons affiliated or associated with a picket to comply with G.S. 14-277.

Chapter 22 – Planning and Development

Sec 22-45 – Enforcement:(a): Authorizes general authority for enforcement of planning ordinances and regulations.

Chapter 23 – Sidewalks and Other Public Places

Sec 23 –6. - Obstruction of streets, sidewalks by persons prohibited—General: Requires the streets, parking areas, and sidewalks of the city be kept free of all obstructions and open to public traffic at all times, and it shall be unlawful for any person to deposit any article or do any act which obstructs such streets, parking areas and sidewalks.

Sec 23 – 6 Obstruction of streets, sidewalks by person prohibited (b):Prohibits any person, individually or in a group, to: (1)Obstruct or cause to be obstructed vehicular or pedestrian traffic on the streets or sidewalks or in parks or other public areas within the corporate limits of the city; or (2)Obstruct or cause to be obstructed stairways or doorways to prevent or hamper free access by members of the public to private buildings fronting streets, sidewalks, parks or other public areas or to public buildings within such corporate limits.

Sec. 23-7. - Cleaning of sidewalks and gutters (a): Assigns duty to every occupant or tenant of improved property and of the owner of every such vacant property within the city, in front of which the sidewalk has been improved, to keep such sidewalk clean and to do such sweeping and scraping as may be necessary to keep such sidewalk clean and free from snow, ice, dirt and trash and to render the sidewalk passable, comfortable and sightly and the gutter, if any, next to and along such sidewalk open and free from obstructions for the full width of the front; provided, however, the city manager, through a department designated by him, may undertake to keep such sidewalks clean and to do such sweeping and scraping as may be necessary to keep such sidewalks clean and free from snow, ice, dirt and trash.

Sec. 23-7. - Cleaning of sidewalks and gutters (b): Requires all persons who now have or who may hereafter have any dangerous pole or post standing in the streets or sidewalks of the city, shall remove the same within two days after notice from the city engineer requiring them to make such removal.

Sec. 23-9. - Same—Awnings and signs/height: Requires that All awnings and signs that extend over the sidewalk shall be suspended from buildings at a height of not less than eight feet from the sidewalk.

Sec. 23-10. - Structures.: Prohibits any person from maintaining, erecting or permitting the erection of any permanent or temporary building, tent or other structure under his or her control upon any street, sidewalk, alley or other public way within and under the control of the city and open to public use unless in accordance with this article.

Sec. 23-11. - Use of skateboards, coasters, play vehicles or similar devices on city streets/sidewalks: Prohibits any person to skate on any roller skates, skateboard, play vehicle or other similar device upon any public street, right-of-way, sidewalk, park or other public property located in the corporate limits of the city. These types of activities may only occur in skate park areas or other areas so designated by the city council.

Sec. 23-12. - Burning leaves, etc., on paved streets/sidewalks: Prohibits any person to burn, or cause to be burned, any leaves, trash or rubbish on any paved street or sidewalk.

Sec. 23-13. - Items on sidewalks in the downtown business district: Prohibits any person, business owner, occupant, or property owner to place any items on the sidewalk in the downtown business district area except as follows: (1) Any items placed on the sidewalk in the downtown business district may not extend more than two feet onto the public sidewalk from the front of the building. Any such items so displayed must be placed on that portion of the public sidewalk immediately in front of that business; (2) All items placed on the public sidewalk in the downtown business district may only be displayed during the time that the subject business is operating and must be removed at all other times; (3) One freestanding sign per building, not exceeding 20 square feet, may be placed on the public sidewalk in the downtown business district but shall not be placed in a location or in such a manner as to unreasonably interfere with pedestrian use of the sidewalk. Signs shall also comply with subsection (2) listed above

Sec. 23-14. - Deposit in street of substances injurious to pavement or vehicle tires: Prohibits any person to throw or scatter upon any street any stones, tacks, glass or other hard substances which may damage the tires of any vehicle or the pavement of such street.

Chapter 24 – Solid Waste

Sec 24-35 – Location of bins containers and bags for collection: One residential refuse container is provided by the contractor at each residence within the city limits and every occupant must dispose of all solid wastes in a clean and safe manner that is in accordance with the City Code

Sec 24-46 – Nondiscrimination by contractor: Prohibits the contractor from discrimination against any person because of race, sex, age, creed, color, religion or national origin.

Chapter 26 – Subdivisions

Sec. 26-14. - Penalties for violation of chapter: States: (a) Any person who, being the owner or agent of the owner of any land located within the territorial jurisdiction of this chapter, thereafter subdivides his land in violation of this chapter or transfers or sells land by reference to, exhibition of, or any other use of a plat showing a subdivision of the land before the plat has been properly approved under the terms of this chapter and recorded in the office of the county register of deeds, shall be guilty of a misdemeanor. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from the penalty. The city, through its attorney or other official designated by the city council, may enjoin illegal subdivision, transfer or sale of land by action for injunction. Further, violators of this chapter shall be subject, upon conviction, to a fine and/or imprisonment as provided by G.S. 14-4.; (b) The violation of any

provision of this chapter shall subject the offender to a civil penalty in the amount of \$1,000.00, to be recovered by the city. Violators shall be issued a written citation which must be paid within ten days. Each day's continuing violation of this chapter shall be a separate and distinct offense; (c) Notwithstanding the civil penalty, this chapter may be enforced by appropriate equitable remedies issuing from a court of competent jurisdiction; (d) Nothing in this section shall be construed to limit the use of remedies available to the city. The city may seek to enforce this chapter by using any one, all or a combination of remedies.

Chapter 28 – Traffic and Vehicles

Sec. 28-56. – Parking on Privately Owned property upon request of the owner - Division provisions authorized: Allows upon the written request (on an approved form) of the owner or person in general charge of the operation and control of any parking areas or driveways of a privately owned hospital, shopping center, apartment house, condominium complex, commercial office complex or other privately owned public vehicular area, as defined in G.S. 20-4.01(32), the city council may regulate or prohibit, during specified hours, the stopping, standing or parking of motor vehicles.

Sec. 28-59. – Parking on Privately Owned property upon request of the owner - Regulations adopted: (a) no person shall stop, leave standing or park a motor vehicle in the areas specified in this section in violation of posted signs, when signs are placed, erected or installed giving notice that stopping, standing or parking is regulated, prohibited or prohibited during certain hours, in that space or area; (b) the locations that are designated as "no parking" spaces are listed in section 28-60 and shall be updated from time to time when a request is made for enforcement.

Sec. 28-60. - – Parking on Privately Owned property upon request of the owner No parking locations: No parking locations are as follows: (1) King Shopping Center; (2) Boyles Lawnmower, Inc.; (3) Kwik Lube King, Kwik Wash King; (4) Colony Shopping Centre; (5) Stokes Tire and Automotive, Inc.; (6) Calvary Baptist Church; (7) Stokes Medical Center Park, Dr. J.R. Jones Medical Center

Sec. 28-86. – Parking in the traveled portion of a public street - prohibited parking: Prohibits any person from parking or to leave standing any vehicle, whether attended or unattended, upon the traveled portion of any public street, alley or highway or on any public sidewalk within the corporate limits of the city, unless the vehicle is disabled to such an extent that it is not reasonably practical to avoid stopping and temporarily leaving the vehicle upon the traveled portion of a public street or highway or on a sidewalk, or unless parking or standing is specifically authorized by the city and is so indicated by officially posted signs while exempting the following: (1) vehicles associated with trash pick-up; (2) vehicles engaged in delivery of packages or services; (3) United States Post Office vehicles; (4) Commercial vehicles engaged in construction, demolition or renovation/repair of real property or improvements upon real property; and (5) vehicles associated with a private gathering on a short-term basis including, but not limited to, social gatherings, funerals, sporting events and educational gatherings. For this section to apply, vehicles must have two wheels (front and back) off the paved portion of

the road, highway or alleyway, unless there is a curb and gutter, in which case, front and back wheels shall be within the gutter.

Sec. 28-87. - Driving on sidewalks prohibited: Prohibits any person to operate any motor vehicle upon the public sidewalks within the corporate limits of the city.

Chapter 29 - Utilities

Sec 29-61 – Removing or repairing fixtures: Prohibits any person to deface, damage, tamper with or work on any structure, reservoir, valve cock, wheel, fireplug, pipe or other fixture connected with or pertaining to the water system, or place any pollutant or other matter or substances in the water system.

Sec. 29-61. - Unlawful to damage or obstruct water system: Prohibits any person from defacing, damaging, tampering or working on any structure, reservoir, valve cock, wheel, fireplug, pipe or other fixture connected with or pertaining to the water system, or place any pollutant or other matter or substances in the water system.

Sec. 29-62. - Removing or repairing fixtures: Prohibits any person, except an officer or agent authorized by the director, shall remove or undertake to repair or in any manner interfere with the water meters or fixtures of the water system. Further, no person shall place within the water system any valve, stopcock, meter box, water main or service pipe, or obstruct access to any fixture connected with the water system or any easement of the water system, or remove or damage any pipe, fireplug, hydrant, valve or cock or open or close any of them, except when due authority has been given therefor by the director.

Sec. 29-63. - Use of bypasses: Prohibits (a) any person from having a bypass around any water meter without written permission from the director; installation of such bypasses shall be performed or supervised by the city; and (c) no person having a bypass shall open or use such bypass except when permitted to do so by the director.

Sec. 29-64. - Opening fire hydrants for private use: Prohibits the use of public fire hydrants for construction purposes but allows special exceptions with permission from the director with completion of a permit process and deposit.

Sec. 29-91. - Permit required to connect with water system; application: Requires completion of a permit from the public utilities department before connecting any premises to the city's water system.

Sec. 29-92. - Contents of application; fees; issuance of permit: Lists the information required for all applications for permits to connect to the city's water system.

Sec. 29-93. - Premises with public sewer connections required to have public water connections; right of city to disconnect public sewer for failure to connect to water system: Requires the owner of any premises connected to the city sewer system to make immediate application in writing for connection with the city water system.

Sec. 29-94. - Compelling water connections: Requires the owner of any improved lot which is located within 300 feet of a water main from which city water service is available shall connect

such improved lot to the water main unless such lot is served by a properly functioning well, which well was in existence and functioning as of the date of the adoption of this article

Sec. 29-95. - Pressure regulating valves: Requires the property owner to provide and maintain at his own expense such pressure regulating valves as may be prescribed from time to time by the director.

Sec. 29-96. – Repairs: Requires the piping and connections from the meter to the property owner's premises, including those within the meter box, be kept in repair by the owner of the property being served, and the city shall have the right to discontinue service to any property when the owner or occupant does not maintain the plumbing as required by construction standards established and maintained by the city. All other components of the water system shall be maintained by the city.

Sec. 29-97. - City to make and maintain connections: Prohibits anyone other than the city to make and maintain the connection from the water main to the meter box and meter.

Sec. 29-98. - Title to water meters and connections: States that the title and ownership of the water meters and connections are retained by the city.

Sec. 29-126. - Cross connection, backflow, and backflow control: Requires that approved backflow prevention device be installed as directed by the director and at the expense of the consumer on each service line where, in the judgment of the director, a health or system hazard to the water system exists and lists the premises which are required to have a backflow device in place.

Sec. 29-127. - Cross-connection with source other than city prohibited: Prohibits cross-connections to any sources other than the city connection.

Sec 29-237 – Utility Extensions – penalties: Prohibits violation of provisions under general policies regarding extensions, financing, laying of water or sewer lines in the streets to connect to the city mains, reimbursement policy or extension to subdivisions or falsification of any information or data in any application, plans, reports, or other documents given to the city.

Chapter 30 – Vehicles for hire

Sec 30-36 – Required by Drivers: Prohibits any person to operate a motor vehicle for hire in the city without obtaining a permit and requires all drivers have a photo ID taken at the King Police Department.

Chapter 32 – Zoning

Sec 32-42 – Building and zoning permit requires: Prohibits the erection, moving, extension, enlargement or structural alteration of any building, sign or other structure until the zoning officer has issued a zoning permit and the inspection department has issued a building permit.

Sec 32-44 – Certificate of Occupancy: Requires a certificate of occupancy be issued by the zoning enforcement officer before (1) occupancy or use of a building subsequently erected, altered or moved; and (2) a change of the use of any building or land.