

Town of Mooresville Code of Ordinance

Re: S.L. 2018-69- Misdemeanor Reporting

- **Part I Charter**
 - **Art. XI. Sec. 11-3 Bird Sanctuary Established.** It shall be unlawful for any person to kill, trap or otherwise take any birds within the corporate limits of the Town except English sparrows, crows, pigeons and starlings.
- **Chapter 1 General Penalty; enforcement of ordinances; continuing violations.**
 - Sec. 1-14. Willful failure to pay a civil penalty incurred as a violation of any provisions of the Code shall be a misdemeanor and punishable by a fine of up to five hundred dollars (\$500) and/or thirty (30) days incarceration.
- **Chapter 5 Buildings and Building Regulations**
 - **Sec. 5-32. - In rem action by inspector; placarding.** After failure of an owner of a structure to comply with an order of the inspector issued, and upon adoption by the board of commissioners of an ordinance authorizing and directing him to do so, the inspector shall proceed to cause such structure either to be repaired or else removed or demolished, and shall cause to be posted on the main entrance of such structure a placard prohibiting the use or occupation of the structure. Use or occupation of a building so posted shall constitute a misdemeanor.
- **Chapter 6 Business Regulation, Licensing and Taxation**
 - **Sec. 6-2 Carnivals, Circuses and Traveling Shows.** Prohibits the exhibition of any carnival, circus or traveling show within the town without the permission of the board of commissioners
 - **Sec. 6-6 Mobile Food Vending Services.** Required to obtain a permit and must be conspicuously displayed at all times of business.
 - **Sec. 6-67 Permit.** (6-68) (**Sec. 6-68**) (a) The practice of going in and upon the streets, sidewalks, roads, parking lots, public vehicular areas as that term is defined in G.S. 20-4.01, businesses, or private residences in the town by peddlers not having been properly permitted as set out in this article is declared to be a nuisance and is punishable as a class 3 misdemeanor and such person found in violation shall be fined in an amount greater than fifty dollars (\$50.00) but not more than five hundred dollars (\$500.00) as provided in G.S. 14-4. (b) A violation of any part of this article other than that made punishable in subsection (a) of this section shall constitute a class 3 misdemeanor and such person found in violation shall be fined an amount greater than fifty dollars (\$50.00) but not more than five hundred dollars (\$500.00) as provided in G.S. 14-4. (6-67) Peddlers are required to obtain a permit; peddlers must wear and display the permit and must have appropriate identification while peddling goods
 - **Art. VI Sexually Oriented Businesses and Trades.** Must allow representatives from the police department to inspect the premises; It shall be unlawful for an owner, operator, or employee of a sexually oriented business to knowingly, or with reasonable cause to know, permit or allow:
 - (a) Admittance of a person who is under eighteen (18) years of age to the business premises; or to remain at the business premises; or to purchase goods or services at the business premises; or to work at the business as an employee
 - **Sec. 6-142 Regulations Pertaining to Clothing Models.** Prohibits: (1) encouraging, suggesting, implying or permitting a patron to expose or display anatomical

areas, touching clothed or unclothed parts of the body below the neck or above the knee, or the breasts; (2) straddling patrons;

- [Sec. 6-143- Regulations Pertaining to Massage Businesses.](#) (1) No person shall massage or treat any person under the age of eighteen (18) years, except when the parent or guardian of the person under eighteen (18) accompanies the person under the age of eighteen (18) during the massage treatment or upon written permission of the parent or guardian of the person under eighteen (18) or upon written order of a licensed physician, osteopath chiropractor, podiatrist or registered physical therapist, such order or written permission being dated and in the possession of the massage practitioner giving the massage or treatment; (2) No person shall employ any person under the age of eighteen (18) years in the operation of a massage business; (3) It shall be unlawful for any person to massage, touch, or manipulate or offer to massage, touch, or manipulate, the private parts of another for hire. For purposes of this subsection, "private parts" shall be defined as the male or female human genitalia or the male or female pubic region; (4) must remain fully clothed while performing a massage or treatment; (5) prohibits any person to operate a massage business without having first provided to the chief of police or his designee the accurate full name, accurate date of birth, accurate current address, and accurate dated photograph (taken within fourteen (14) days of providing such information) of each person owning, operating, or working in a massage business.
- [Chapter 10- Fire Protection and Prevention. \(Sec. 10-14,15\)](#)
 - [\(10-14\)](#) No person shall deliberately, or through carelessness or negligence, set fire to or cause the burning of any material in such a manner as to endanger the safety of any person or property.
 - [\(10-15\)](#) Combustible landscaping materials prohibited. (a) No pine straw or any other material with a fire rate of spread of more than twenty-four (24) inches per minute shall be placed, kept, or stored within ten (10) feet of any part of a building having a combustible exterior construction. (b) Notwithstanding subpart (a) herein, no pine straw or any other material with a fire rate of spread of more than twenty-four (24) inches per minute shall be placed, kept, or stored within ten (10) feet of any apartments, town homes, condominiums, or multifamily buildings as those terms are defined in the Town of Mooresville zoning ordinances.
 - [\(10-77\)](#) Prohibits: (a) any person or business from violating the NC Fire Prevention Code; (b) Any person or business that shall build and maintain in violation of any detailed statement of specifications or plans submitted and approved there under or who shall build and maintain in violation of any certificate or permit issued there under; (c) Failure to secure a permit as required by the state fire code, as adopted in section 10-71A of this Code or any provision of this chapter allowing for construction or demolition of any building or any other structure for which a permit is required; (e) Violations of the state fire code, as adopted in section 10-71A of this Code or any provision of this chapter that affects the safety of any person or persons such as, but not limited to, blocking or locking of exit doorways, exit egress, and over crowding
- [Chapter 11 Flood Damage Prevention.](#) Permit required prior to any commencement of any development activities within special flood hazard areas; No structure or land shall

hereafter be located, extended, converted, altered, or developed in any way without full compliance

- [Chapter 15 Offenses and Miscellaneous Provisions.](#) Prohibits the discharge of firearms, air rifles within the limits of the town except at an indoor firing range or in the protection of a human life; prohibits possession of air rifle, or air pistol on town property.
- [Chapter 17 Parks and Public Places.](#)
 - Prohibits: (1) riding a horse, minibike, motorcycle, automobile or other motorized vehicle in any public park, except on roadways; (2) consuming alcohol on any public road, street, highway, sidewalk, parking area, building, facility, park recreation facility, or any other Town owned property without an event permit; (3) consuming alcohol in a private parking lot or area, or inside a building open to the public, or private commercial establishment without the permission of the property owner; (4) hosting a special event where alcohol will be served without obtaining a permit; (5) selling alcoholic beverages before 10:00a.m. on Sunday
- [Chapter 23 Stopping, Standing and Parking.](#)
 - [Sec. 23-5 Load Limits.](#) (a) It shall be a misdemeanor for any person driving a truck or other vehicle with a load capacity of more than one and one-half (1½) tons engaged in through traffic while passing through the town to enter upon and pass over any street in the town except state highways; provided that this section shall not apply to a person entering upon and passing over other streets in the town for the purpose of making delivery of merchandise or other articles. Any person violating this section shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than fifty dollars (\$50.00) or imprisoned not more than thirty (30) days.
 - [Sec. 23-83 Work Site Vehicles and Equipment to be Marked.](#) Any vehicle or equipment located upon or within a town right-of-way or located upon or within either: (i) the edge of a platted right-of-way; (ii) the area of any overhead utility poles; (iii) the back of a sidewalk running adjacent to a street, roadway, or highway; (iv) the back of any ditch running adjacent to a street, roadway, or highway, either of which that is furthest from the edge of any street, roadway, or highway, within the territorial limits of the Town of Mooresville for the purpose of: (a) any kind or form of construction; (b) any kind or form of maintenance; (c) any kind or form of improvements; or (d) any kind or form of installation of any pipe, line, or conduit, shall be legibly marked, or have the work site marked
 - [Sec. 23-106 Lodging on Public Property.](#) (c) It shall be unlawful for any person to maintain or lodge in any tent, hut, or temporary shelter of whatever nature or kind in or on any public street, public park area, public way, public alley, public right-of-way, public parking lot, or other public property, improved or unimproved, within the town limits of Mooresville, North Carolina.
 - [Sec. 23-107 Storage of Personal Property on Public Property.](#) (a) It is unlawful and a public nuisance for any person to store personal property on any public street, public park area, public way, public alley, public right-of-way, public parking lot, or other public property, improved or unimproved, within the town limits of Mooresville, North Carolina. (b) Any personal property found to be

stored as prohibited by this section is subject to removal, storage, or disposal by the town or its agents.

- [Sec. 23-108 Permit for Special Events Required.](#) A permit may be issued to temporarily permit lodging in a public place in connection with a special event. The temporary permit is required to be posted at all times during the event. Failure to do so will result in a Class 3 misdemeanor.
- [Sec. 23-177/178. Soliciting or Attempting to Solicit from any Street, Highway, or Right-of-Way.](#) It shall be unlawful for any person to stand, sit, or loiter, in or on any street or highway, including the shoulders or median strip, or right-of-way of any such street or highway, but excluding sidewalks, while soliciting or attempting to solicit any employment, business, or contributions from the driver or occupants of any vehicle.
- [Sec. 23-222. Parking in Front of Theatres.](#) Any person who parks or leaves a bicycle in the spaces in front of the theatres in the town which have been marked off and in which the parking of motor vehicles is forbidden shall be guilty of a misdemeanor.
- [Chapter 24 Water and Sewers. Art. III Emergency water Conservation Plan.](#)
 - [Sec. 24-80 Enforcement.](#) During a water shortage event it shall be unlawful to use or permit the use of water from the water system or from a water system served by the town (compliance is determined by the level/stage of the of the event)
- [Chapter 24A Delegated Permit Authority. Art. I. Water Main Extensions](#)
 - [Sec. 24A-5 Enforcement.](#) A permit is required to construct, operate, alter, extend, change the construction or method of operation, or enter into a contract for the construction and installation, or the alteration or extension of any proposed or existing water distribution system within the town's utility service area; (a) a permit may be suspended, revoked, or modified for good cause; (b) "stop work orders" may be issued; (c) civil engineer may assess a civil penalty for anyone who fails to apply for or secure a permit or who violates or fails to act in accordance with the terms, conditions, or requirements of a permit
- [Chapter 25 Post Construction and Illicit Discharge and Connection Art. VI Enforcement.](#) (Stormwater)
 - Prohibits: (1) Illicit discharges directly or indirectly to any stormwater conveyance, the waters of the state, or upon the land in manner and amount that the substance is likely to reach a stormwater conveyance or the waters of the state, any liquid, solid, gas, or other substance, other than stormwater... (2) illicit discharges