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1	MOREHEAD CITY ORDINANCE VIOLATION MISDEMEANORS			
2	Code Reference	Ordinance	Description	Conduct Subject to Punishment
3	CODE OF ORDINANCES			
4	1-7	General Provisions: General Penalty	Violations of any provision of this Code shall be a misdemeanor and punishable as provided by G.S.14-4.	Adherence to Town ordinances
5	4-2	Animals: Article I. In General: Keeping Livestock	No livestock, as defined in G.S. 68-15, shall be penned or kept within the city, except on vehicles passing through.	Housing livestock within city limits
6	4-3	Animals: Article I. In General: Animal Slaughter	No livestock of any nature shall be slaughtered within the corporate limits.	Killing livestock within city limits
7	4-4	Animals: Article I. In General: Removal of Carcasses	It shall be unlawful for any occupant of any premises to fail to remove any dead animal, fowl, fish or shellfish therefrom, or to fail to dispose of same as required by law.	To prevent offensive orders and protential health threats
8	4-32	Animals: Article II. Dogs & Cats; Listing Dogs & Cats with City	Every owner of a dog/cat shall declare on oath the number of male and femal dogs /cats he may own or which may belong to any person residing or boarding with his family and list such with the chief of police or animal control officer.	To keep record of dog/cats within city limits
9	4-33	Animals: Article II. Dogs & Cats; License	(a) Registration and fee payment. Every person who owns or keeps any dogs/cats within the city shall register the same with the chief of police or animal control officer and shall then pay a license fee as provided in subsection (b) of this section. (b) Fees. The license fee to be paid shall be as provided in the most current adopted schedule on file in the office of the city clerk. (c) Issuance of tag. The chief of police or animal control officer shall provide a license tag for each animal registered. (d) Record. The chief of police or animal control officer shall keep a dog/cat registration book. (e) Attaching tag to collar. Every owner or keeper of a licensed dog or cat shall keep and maintain a collar around the neck of such dog/cat with the tag prescribed in subsection (c) of this section securely attached thereto. Every dog/cat found in the city without such tag shall be deemed an unlicensed dog/cat and shall be attended to by the chief of police or other police officer as provided in this article.	To keep record of dog/cats within city limits
10	4-34	Animals: Article II. Dogs & Cats; Inoculation for Rabies	Failure to have each dog/cat in the city inoculated for rabies and reported to the chief of police or animal control officer shall be deemed a violation of this Code.	To prevent the spread of rabies within the community
11	4-35	Animals: Article II. Dogs & Cats; Running at Large	It shall be unlawful to permit any dog or cat to be at large in the city. All dogs or cats found at large contrary to the provisions of this section shall be impounded as provided in this article. All persons who, owning, keeping or having charge, possession or control of any dog or cat suffers, permits or allows any such dog or cat to be at large contrary to the provisions of this section shall be deemed guilty of a violation of this Code. A dog or cat shall be at large if: (1) It is off the premises of its owner, keeper or custodian, unless on a leash held by a responsible person over 12 years of age; or (2) It is unlicensed.	To prevent potential harm to other citizens or animals within the city
12	4-38	Animals: Article II. Dogs & Cats; Kennels	(a) It shall be unlawful for any owner or occupant of property, either residential, business or commercial, to have, keep or maintain upon a single lot a dog or cat kennel, house or other types of habitation for dogs or cats in which there are more than two dogs or cats occupying the same at a time. (b) The terms "dogs" or "cats" as used in subsection (a) of this section shall mean adult animals as distinguished from puppies or kittens. (c) This section shall not be in lieu of any existing nuisance ordinance, but shall be in addition thereto.	To prevent offensive orders and rotential health threats
13	4-39	Animals: Article II. Dogs & Cats; Kennels - Prohibited for Commercial Districts	It shall be unlawful for any person to keep or maintain a kennel to house or confine dogs or cats being held for sale or being raised for any purpose or as a boarding kennel in any area zoned for residential purposes only.	To prevent offensive orders and potential health threats.
14	4-40	Animals: Article II. Dogs & Cats; Removal of animal Feces	(a) No person owning, harboring, keeping or in charge of any dog or cat shall cause or allow the dog or cat to defecate or otherwise commit any nuisance on any street, sidewalk, park, municipal right-of-way or other publicly owned area, or upon any private property without permission of the owner of the property, without the excrement immediately being removed by the person owning, harboring or keeping the dog or cat responsible for the excrement, and then depositing such excrement in an appropriate waste container. (b) If any person shall violate this section, he shall be guilty of a class 3 misdemeanor and shall be fined not more than \$100.00. Further, the town may assess a civil penalty in the amount of \$50.00 for the first offense, and \$100.00 for each subsequent offense for violation of said section. Payment of a civil penalty shall not be admissible as evidence in any criminal prosecution for violation of the sections of this chapter. (c) Any court costs in which a violation is judged to have occurred will be borne by the owner of the animal.	To prevent potential health threats and to insure that all public rights-of-way are presentable for use.
15	6-3	Buildings & Building Regulations: Article I. In General; Compliance with Codes	(a) All buildings or structures which are constructed, reconstructed, erected, altered, extended, enlarged, repaired, demolished or moved after January 16, 1969, shall conform to the requirements, minimum standards and other provisions of either the North Carolina State Building Code, or the North Carolina Residential Code, whichever is applicable, or to both if both are applicable. (b) Every building or structure intended for human habitation, occupancy or use shall have plumbing, plumbing systems or plumbing fixtures installed, constructed, altered, extended, repaired or reconstructed in accordance with the minimum standards, requirements and other provisions of the North Carolina Plumbing Code. (c) All mechanical systems consisting of heating, ventilating, air-conditioning and refrigeration systems, fuel-burning equipment, and appurtenances, shall be installed, erected, altered, repaired, used and maintained in accordance with the minimum standards, requirements and other provisions of the National Electrical Code. (d) All electrical wiring, installations and appurtenances shall be erected, altered, repaired, used and maintained in accordance with the minimum standards, requirements and other	To ensure that every structure intended for human habitation is safe and can withstand reasonable threats.
16	6-5.c	Buildings & Building Regulations: Article I. In General; Planning and Inspections Department	(c) Powers of inspection and code enforcement officials. Officials shall enforce all the provision of this chapter, the regulatory codes adopted in this chapter and ordinances referred to in this chapter.	To designate responsibility.
17	6-8	Buildings & Building Regulations: Article I. In General; Removal or Demotion of Property: Bond	In all cases of removal or demolition of a building or structure, a good and sufficient bond in the sum as established from time to time, shall be posted by the property owner or by his contractor at the time of application for a permit to ensure complete removal or demolition, including all rubble and debris. Failure on the part of the property owner or his contractor to completely demolish, remove and clear the premises after 30 days' notice by the building inspector shall be cause for forfeiture of such bond.	To designate and ensure responsible action.
18	6-10	Buildings & Building Regulations: Article I. In General; Oversight Not To Legalize Violation	No oversight or dereliction of duty on the part of any inspector or other official or employee of the planning and inspections department shall be deemed to legalize the violation of any provision of this chapter or any provision of any regulatory code adopted in this chapter.	To eliminate any potential misunderstanding as to responsibility of roles.
19	6-45	Buildings & Building Regulations: Article II. Permits; Application	Written application shall be made for all permits required by this article, and shall be made on forms provided by the planning and inspections department. Such application shall be made by the owner of the building or structure affected or by his authorized agent or representative. In addition to such other information as may be required by the appropriate inspector to enable him to determine whether the permit applied for should be issued, the application shall show the following: (1) Name, residence and business address of the owner; (2) Name, residence and business address of the authorized representative or agent, if any; (3) Name and address of the contractor, if any, together with evidence that he has obtained a certificate from the appropriate state licensing board for such contractors, if such is required for the work involved in the permit for which application is made.	To clearly outline mandated procedure.
20	6-46	Buildings & Building Regulations: Article II. Permits; Plans and Specifications	Detailed plans and specifications shall accompany each application for a permit under this article when required by the planning and inspections department, and for any other building or structure where plans and specifications are deemed necessary by the appropriate inspector in order for him to determine whether the proposed work complies with the appropriate regulatory codes. Plans shall be drawn to scale with sufficient clarity to indicate the nature and extent of the work proposed, and the plans and specifications together shall contain information sufficient to indicate that the work proposed will conform to the provisions of this chapter and the appropriate regulatory codes. Where plans and specifications are required, a copy of the same shall be kept at the work site until all authorized operations have been completed and approved by the appropriate inspector.	To define responsibilities, outline mandated procedure and to ensure all structures meet building and safety requirements.

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21	6-47	Buildings & Building Regulations: Article II. Permits; Issuance	When proper application for a permit has been made pursuant to this article, and the appropriate inspector is satisfied that the application and the proposed work comply with the provisions of this article and the appropriate regulatory codes, he shall issue such permit upon payment of the proper fee or fees as provided in section 6-48. Notwithstanding the foregoing, no building permit shall be issued for any proposed work or for any building or other structure where the site is located in an area under active consideration for rezoning by the planning board or city council when the result of such rezoning would be to make such building, structure or other work nonconforming or the use intended would be nonpermitted. Nor shall a building permit be issued if a proposed change in the zoning ordinance would make the proposed building, structure, other work or the use thereof nonconforming, provided such proposed change is then being actively pursued. Such proposal for rezoning or change in the zoning ordinance will be considered under active consideration or being actively pursued from the time when the planning board adopts a motion to recommend rezoning of property or to change the zoning ordinance until final action upon the rezoning or change by the city council or withdrawal of the request.	To define responsibilities, outline mandated procedure and to ensure all structures meet building and safety requirements.
22	6-48	Buildings & Building Regulations: Article II. Permits; Fees	(a) Permit fees shall be as provided in the most current adopted schedule, on file in the office of the city clerk. (b) No permit shall be issued until such time as proper fees are paid.	To define responsibilities and outline mandated procedure..
23	8-19	Businesses and Business Regulations: Article II. Shows, Show Houses and Circuses; License for Theaters, Opera Houses, Motion Picture Houses	No person shall maintain or operate any house, room, tent or other structure or part thereof as a theater or opera house or as a motion picture house in which public performances are given for profit, without a license therefor issued by the city council.	To define responsibilities and outline mandated procedure.
24	8-20	Businesses and Business Regulations: Article II. Shows, Show Houses and Circuses; License for Outside Show Required	No person shall operate or maintain any show or circus outside of any house or structure licensed under the provisions of section 8-19 without a license therefor issued by the city council; provided, amateur shows, circuses or other performances operated by any church, school or college or by any fraternal organization shall be exempt from the provisions of this section.	To define responsibilities and outlinemandated procedure.
25	8-21	Businesses and Business Regulations: Article II. Shows, Show Houses and Circuses; Application for License	Application for licenses required by this article shall be made upon a form provided by the city, made to the city council and filed with the city clerk.	To outline mandated procedure.
26	8-24	Businesses and Business Regulations: Article II. Shows, Show Houses and Circuses; Proximity to Churches, Schools	No commercial show, theater, drama, motion picture show or any other type of show shall be located nearer than 200 feet from any of the churches or the public or private schools within the city. This section, however, shall not apply to any amusement or show that the schools or churches may have to raise funds for the benefit of the schools or churches.	
27	8-53.6.c	Businesses and Business Regulations: Article III. Interant Merchant License; Peddlers	Application. It shall be unlawful for any peddler to peddle any goods within the city until such person shall have first complied with the requirements of this article and shall have annually made application to obtain a license as required by the city's Code of Ordinances and pay such administrative fees, as required, to cover cost of investigation and processing relevant to the issuance of a license.	To be aware of those doing business within the town in an effort to prohibit unethical business practices and ensure the safety of all citizens.
28	8-54.7.b	Businesses and Business Regulations: Article III. Interant Merchant License; Itinerant Merchant	Fees for itinerant merchants. It shall be unlawful for a transient merchant, itinerant merchant or itinerant vendor to engage in such business within the city without obtaining an itinerant merchant license from the city manager or his designee and license from the city clerk.	To be aware of those doing business within the town in an effort to prohibit unethical business practices and ensure the safety of all citizens.
29	8-54.7.c.1	Businesses and Business Regulations: Article III. Interant Merchant License; Itinerant Merchant	Applicants for a license under this article shall pay the fee specified in the fee schedule adopted by the city council and shall file with the city manager or his designee a sworn application in writing on a form to be furnished by the city manager or his designee which shall: a) Give the name of the business and applicant's permanent address; and b) Give the permanent name and address of the person, firm or corporation being represented; and c) Include the proposed location and written permission and/or copy of contract from the property owner or his authorized agent to use the property/place where goods or property are proposed to be sold, or orders taken for the sale thereof; and d) Provide a brief description of the nature of the business and the merchandise to be sold; and e) Provide a two-inch by two-inch head and shoulder photograph of the applicant, taken within 60 days immediately prior to the date of filing of the application; and f) Provide proof of sales tax reporting number issued by the North Carolina Department of Revenue; and g) Post a \$5,000.00 surety bond issued by a surety company licensed to do business in the state, payable to the city and approved by the city attorney as to form, to provide payment of any and all penalties provided by this ordinance and to protect members of the public by providing a fund from which payment of court orders or judgments may be made. Such bond shall be in effect for a period of one year from the date that a license is issued to the applicant.	To outline mandated procedures that ensure the safety of all citizens.
30	8-54.7.d.1	Businesses and Business Regulations: Article III. Interant Merchant License; Itinerant Merchant	Anyone holding an itinerant merchant license shall comply with the following: a) An itinerant merchant must remove his goods, trailers, trucks, buses, vehicles, tables, coolers, ice machines, tents, refrigerators, lighting, flags/pennants, signs, etc., from the premises each day by 8:00 p.m. This provision shall not apply to those itinerant merchants selling within a permanent building meeting all building, zoning and health code requirements; b) Itinerant merchants shall not place any food, wares, or articles of goods on any municipally owned or occupied property nor within the public street and highway rights-of-way, nor, without the written consent of the owner thereof, on parking lots and other outdoor areas open to the public; c) Itinerant merchants shall not place more than one freestanding sign per lot on any one street in order to advertise/identify the location of the itinerant merchant ; d) Itinerant merchants shall not sell or offer for sale any article of goods from any location prior to 4:00 a.m. or after 8:00 p.m. each day; e) Itinerant merchants shall not sell nor offer for sale any goods except in a zoning district in which itinerant merchants are permitted; f) Itinerant merchants shall not transfer a license of or to another person, firm or corporation.	To identify responsibility and outline mandated procedure that ensure the safety of all citizens.
31	8-55	Businesses and Business Regulations: Article III. Interant Merchant License; North Carolina Seafood Festival Itinerant Merchant	(a) Regulations and special exemptions. Applicants for a North Carolina Seafood Festival itinerant merchant license shall be required to meet all conditions of this article, except as hereby noted: (1) Festival itinerant merchants may operate only within the boundaries of the North Carolina Seafood Festival, as identified each year by resolution of the city council; (2) Festival itinerant merchants shall only operate during the days and hours of the seafood festival as published by the festival board; (3) Festival itinerant merchants shall not keep vehicles of any nature within the boundaries of the North Carolina Seafood Festival except as provided by the festival; (4) Itinerant merchants shall not sell or distribute alcoholic beverages within the boundaries of the North Carolina Seafood Festival except as provided by the festival. (b) Application and license. Applicants for a North Carolina Seafood Festival itinerant merchant license under this article shall pay the fee specified in the fee schedule adopted by the city council and shall file with the city manager or his designee a sworn application in writing on a form to be furnished by the city manager or his designee. The application deadline shall be July 1 of each year.	To identify responsibility and outline mandated procedure that ensure the safety of all citizens.
32	8-56	Businesses and Business Regulations: Article III. Interant Merchant License; Violations; Penalty	(a) Any violation of this article shall subject the offender to a civil penalty in the amount of \$500.00. Violators shall be issued a written citation that shall be paid at the city hall within 96 hours after it is served on the applicant or his agent. (b) Each day a violation continues shall be a separate and distinct violation. (c) The provisions of this article may be enforced through equitable remedies including injunction or abatement issued by a court of competent jurisdiction or any other civil remedy provided by G.S. 160A-175. (d) It shall be the duty of the police officers of the city to enforce the provisions of this article. (e) A license may be revoked for any violation of this article. Written notification of revocation shall be sent by the city manager or his designee. Anyone aggrieved by such revocation may ask for a hearing with the city manager by filing a written request therefor with the city manager within ten calendar days of receiving notice of the revocation. The city manager shall hear the request for review of the revocation within 14 working days after the request is delivered to him, and his decision shall be final. No sales shall be made during the appeal process. (f) This article is not a criminal ordinance and shall not be enforced under the provisions of G.S. 14-4-1.	Clearly define penalty of ordinance violation.

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33	8-86.b & c	Businesses and Business Regulations: Article IV. Taxicabs; Definitions; Compliance Required	(b) Compliance required. (1) It shall be unlawful for any person to engage in the business of operating one or more vehicles for hire, or to drive any vehicle for hire, within the corporate limits of the city or within a radius of one mile beyond the corporate limits in all directions, but not including any part of this one-mile area lying within the corporate limits of another municipality, unless such person shall have complied with and shall continue to comply with the provisions of this article. (2) The provisions of this article shall not apply to: a. Any taxicab or limousine or other vehicle for hire operated between fixed termini only one of which is within the corporate limits of the city or within one mile beyond the corporate limits; b. If the owner of a vehicle has a certificate of convenience and necessity from another jurisdiction and the owner and/or driver does not solicit business within the city or within one mile thereof; and c. Only the point of origin or only the point of destination of any trip is within the corporate limits of the city or within one mile beyond in all directions, except that even such operations as these described in this subsection (b)(2) shall be subject to the following sections of this article, to wit: 8-209(a)(2), (3) and (4), 8-211, 8-212, 8-216, 8-243, and 8-244 to the extent applicable. Nor shall any of the provisions of this article apply to any taxi, limousine or other vehicle for hire operated through the corporate limits of the city without picking up and/or discharging any passenger within the city and surrounding one-mile territory. (c) Provision of service. All persons engaged in the business of operating vehicles for hire in the city shall render service to the public desiring to use such vehicles. Holders of certificates of public convenience and necessity (other than limited taxi services) shall maintain a central place of business for the purpose of receiving calls and dispatching vehicles and may provide an alternate telephone number where calls are to be received during other than business hours. All holders shall answer all calls received by them for services inside the city as soon as they can do so, and if services cannot be rendered within a reasonable time, they shall then notify the prospective passengers of how long it will be before the call can be answered and give the reason therefor. Any holder who shall refuse to accept a call anywhere within the city at any time when such holder has available vehicles, or who shall fail or refuse to give service, shall be deemed a violator of this article, and the certificate granted to such holder may be revoked at the discretion of the city council subject to the hearing requirements of subsection 8-122(b).	To identify responsibility and business practice limitations that ensure the safety of all citizens.
34	8-116	Businesses and Business Regulations: Article IV. Taxicabs; Division 2. Certificate of Convenience and Necessity; Application	Every person desiring to operate a taxicab or limousine business, other than as an employee of a taxicab or limousine business which has a certificate of convenience and necessity issued by the city, upon and over the streets of the city must hold a certificate of convenience and necessity. Each such person shall file an application or renewal application on forms supplied by the city clerk. Each application or renewal application shall be accompanied by the most currently adopted fee on file in the office of the city clerk. Each application or renewal of application shall be for a certificate to operate for a period of two years.	To identify responsibility and outline mandated procedure that ensure the safety of all citizens.
35	8-117	Businesses and Business Regulations: Article IV. Taxicabs; Division 2. Certificate of Convenience and Necessity; Public Hearing	Upon the filing of an application for a certificate of convenience and necessity, the city clerk shall be notified and shall fix a time and place for a public hearing thereon not later than 30 days after the date of a fully completed application. Notice of such hearing shall be given to the applicant and to all persons to whom certificates of public convenience and necessity have been theretofore issued by the town. Due notice shall also be given the general public by posting a notice of such hearing in the city hall and by advertising once in a local newspaper for one week not less than seven nor more than 14 days before the date of the public hearing. Any interested person may file with the city clerk a letter or memorandum in support or opposition to the issuance of a certificate. Prior to the designated date of public hearing, the chief of police or his designee shall examine the vehicle of the applicant in order to determine its condition and the applicant's eligibility for a license. In addition, the chief of police or his designee shall ascertain if the applicant has made appropriate arrangements to comply with the insurance requirements as established by the city council for the provision of taxicab or limousine service within the town.	To identify responsibility and outline mandated procedure that ensure the safety of all citizens.
36	8-118	Businesses and Business Regulations: Article IV. Taxicabs; Division 2. Certificate of Convenience and Necessity; Determination of Convenience and Necessity	(a) In determining whether the public convenience and necessity require the franchising of taxicabs or limousines, the city council shall, among other things, take into consideration the following factors: (1) Whether or not the public convenience and necessity will be favorably affected by such proposed or additional taxicab or limousine service within the town; (2) The financial responsibility of the applicant and the likelihood of the proposed service being permanent; (3) The number and condition of equipment; (4) The schedule of proposed rates to be charged; (5) The number of taxicabs or limousines now operated and the demand for increased service, if any, and whether or not the safe use of the streets by the public, both vehicular and pedestrian, will be preserved, and whether or not adequate provision has been made for off-street parking of such vehicles; (6) The experience of the applicant in the taxicab and/or limousine business; (7) Such other relevant facts as may be deemed necessary and advisable. (b) Before making any decision with respect to the issuance of a certificate of convenience and necessity, the city council, or a committee thereof, shall make a full and complete investigation of all facts, and may, if it so desires, subpoena witnesses and utilize the service of the chief of police or his designee or any other officer or employee of the city.	To identify responsibility and outline mandated procedure that ensure the safety of all citizens.
37	8-119	Businesses and Business Regulations: Article IV. Taxicabs; Division 2. Certificate of Convenience and Necessity; Issuance	The town council shall order certificates issued, refuse to issue certificates, or issue certificates for a partial exercise only of the privileges sought. It may attach to the exercise of the rights granted by such certificates such terms and conditions as in its judgment the public convenience and necessity may require.	To identify responsibility and authority.
38	8-120	Businesses and Business Regulations: Article IV. Taxicabs; Division 2. Certificate of Convenience and Necessity; Duration	A certificate shall constitute a franchise for two years from the city for the operation of taxicabs or limousines within the city, subject to the provisions of this article, unless a shorter period of time is specified in the certificate. Application for renewal shall be filed biannually, and if there have been no formal written complaints from the public received during the preceding two year period regarding the company, and with the provision of certificates of insurance, driver's license and other required elements, a renewed certificate shall be issued for the same period as the original by the city clerk. Should any formal written complaints have been received, the renewal will follow the same process as the original application, including public notice and the convening of a public hearing.	To identify authority and limitations, and outline mandated procedure that ensure the safety of all citizens.
39	8-121	Businesses and Business Regulations: Article IV. Taxicabs; Division 2. Certificate of Convenience and Necessity; Insurance Required	(a) No certificate of public convenience and necessity shall be issued or continue in effect unless there is in full force and effect common carrier insurance, if available, and if not, automobile liability insurance for all vehicles and public liability insurance for pedicabs and rickshaws authorized in the amount of \$30,000.00 for bodily injury to or death of any one person; in the amount of \$60,000.00 for injuries to or death of more than one person which are sustained in the same accident and \$25,000.00 for property damage resulting from any one accident. If the holder has in operation 15 or more taxicabs or limousines, the insurance limits shall be \$20,000.00 for bodily injury or death to one person, \$40,000.00 for injury or death to two or more persons; and \$25,000.00 for property damage. Such insurance shall inure to the benefit of any person who shall be injured and the estate of anyone dying or who shall sustain damage to property proximately caused by the negligence of a holder, his employees, servants, or agents, or by a pedicab or rickshaw owner or operator or their servants, agents or employees. The insurance shall be filed in the office of the city clerk with photostatic copies being distributed to the police department and shall have been issued by a company authorized to do business in the state. (b) If the automobile or liability insurance on any taxi, limousine or other vehicle for hire expires without a new certificate being filed with the city clerk, the city clerk shall immediately notify the chief of police or his designee in writing, and the holder's certificate or driver's permit of a limited taxi service driver shall be null and void. (c) When the city clerk notifies the chief of police or his designee that the automobile or liability insurance on any taxi, limousine or other vehicle for hire has been cancelled or has not been renewed, the chief of police or his designee shall have the certificate of public convenience and necessity canceled and ensure that the business of the uninsured does not thereafter operate any vehicle for hire until such insurance has been reinstated. (d) If the taxicab, limousine or other vehicle for hire is to be operated by a lessee, such insurance shall be posted by the owner or the lessee, or by both.	To specify insurance requirments to ensure the safety of all citizens.

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40	8-122	Businesses and Business Regulations: Article IV. Taxicabs; Division 2. Certificate of Convenience and Necessity;Revocation	(a) The town council may at any time after a hearing, at which the certificate holder may be present and may be represented by a licensed North Carolina attorney, revoke any certificate issued pursuant to this article for one or more of the following causes: (1) Failure to operate the taxicab or limousine specified in the certificate of convenience and necessity in such a manner as to serve the public adequately and efficiently. (2) Failure to maintain taxicabs and limousines equipment in good repair. (3) Failure to maintain liability insurance in force, as required by G.S. 20-280, and/or failure to file proof of financial responsibility (as defined in such statute) with the city clerk, on or before the tenth calendar day after the adoption of this article, and thereafter, annually, on or before January 31, which such proof of financial responsibility shall include the commitment of the insurance carrier to provide the city with no less than 30 days' notice prior to cancellation of said insurance for any reason whatsoever. (4) Failure to pay to the city taxes or license fees imposed upon such taxicabs or limousines. (5) Repeated and persistent violation, by the holder or by the holder's taxicab or limousine drivers, of traffic and safety ordinances, or provisions of this Code, or state or federal laws relating to alcoholic beverages, prostitution, controlled substances, prescription medication, or of driving while impaired. (6) Failure to report any accident within 24 hours from the time of the occurrence thereof. (7) The making of any false or erroneous statement with reference to: a. The ownership of the taxicabs, limousines, or the taxicab or limousine business; b. The names of those financially interested therein; c. The name of the manager in charge thereof, if the operation of the business is in the charge of a manager; and d. Any other false or erroneous statement made in the application for a certificate required by this article. (8) Failure to comply with the provisions of this article relative to transfer of the certificate of convenience and necessity. (9) Failure to give notice of any change of ownership or title to any taxicab or limousine. (10) The employment of any taxicab or limousine driver who shall not have a driver's permit issued by the city. (11) The employment or continued employment of any taxicab or limousine driver whose license shall have been revoked or suspended within five years prior to the time of his employment, or who shall have been twice convicted of any violation of any motor vehicle law within such period. (12) If the record of the holder of the certificate no longer meets the requirements to obtain a certificate of convenience and necessity. (13) The holder of the certificate or anyone financially interested in the business of the certificate holder has been convicted of a felony or violation of any federal or state law, or any provision of this article or other town ordinance, relating to the possession or sale of intoxicating liquor, prostitution, or the use, possession, or sale of controlled substances or prescription medicines not prescribed to the user or purchaser or not used in accordance to the prescription directions, has had repeated violations of traffic laws or ordinances, or has become an habitual user of intoxicating liquors or narcotic, barbiturate or hallucinogenic drugs, or prescription or over-the-counter drugs, when any of which affects ability to safely drive a vehicle. (14) Failure to comply with any provision of this article or other ordinances or state or federal laws relating to the operation of taxicabs. (b) No certificate shall be revoked, except as provided in section 8-121, until the owner has had at least five days' notice by personal delivery or registered or certified mail sent to the address designated in his application of the charges against him, and of the time, place, and date of a hearing on the revocation. If by mail, the notice shall be complete three days after posting. If, after the hearing, it is found that a holder is guilty of one or more of the offenses enumerated in this article, the city council shall have the power to revoke the certificate, or to condition a revocation upon failure to comply with its order within a time fixed by it. (c) Notwithstanding the foregoing, if the police chief finds that to allow continued operation by a holder of a certificate of convenience and necessity would constitute a clear and present danger to the public health and/or safety, he may immediately order that all operations under that certificate be suspended until the hearing called for in subsection (b) of this section and action taken thereafter. Failure to request a hearing shall cause the suspension to become a permanent revocation.	To outline responsibility, authority, and procedure providing ability to revoke license.
41	8-143	Businesses and Business Regulations: Article IV. Taxicabs; Division 3. Limited Taxi Service; Definition	Limited taxi service means a business that owns and operates one vehicle for hire which does not advertise for customers, does not solicit fares, and does not pick up or discharge passengers indiscriminately along the city streets and alleys.	Clarify purpose of a limited taxi service.
42	8-145	Businesses and Business Regulations: Article IV. Taxicabs; Division 3. Limited Taxi Service; Fares and Markings	Limited taxi service drivers may not solicit nor charge fares, and shall not have any marking on or about the vehicle indicating that it is a taxi or vehicle for hire other than an official taxi license plate. No phone number shall be displayed on or about the vehicle.	Outline requirements and limitations of a limited taxi service.
43	8-146	Businesses and Business Regulations: Article IV. Taxicabs; Division 3. Limited Taxi Service; Capacity	Limited taxi service vehicles may not carry more than 12 passengers.	Outline requirements and limitations of a limited taxi service.
44	8-147	Businesses and Business Regulations: Article IV. Taxicabs; Division 3. Limited Taxi Service; Required Displays	In addition to the requirement of subsection 8-209(a)(4), limited taxi vehicles shall display, inside the vehicle where visible to passengers, the owner's/driver's name and phone number, and a placard stating that pursuant to section 8-145, they cannot solicit or charge fares.	Outline requirements and limitations of a limited taxi service.
45	8-148	Businesses and Business Regulations: Article IV. Taxicabs; Division 3. Limited Taxi Service; Identifying Decal	Limited taxi service vehicles shall obtain from the police department and prominently display in a place visible from the exterior of the vehicle a decal identifying the vehicle as a limited taxicab.	Outline requirements and limitations of a limited taxi service.
46	8-180	Businesses and Business Regulations: Article IV. Taxicabs; Division 4. Driver's Permit; Required	(a) No person shall engage in the transportation of passengers in a taxi, limousine or other vehicle for hire, in the city or within one mile thereof (which is not in another municipality) unless such person shall have first applied to and secured a driver's permit from the chief of police or his designee. Permits shall be valid for one year from issuance. Renewal applications must be submitted not less than 30 days prior to the expiration of the annual permit. (b) The exceptions from compliance with the requirements of this article in subsection 8-86(b)(2) shall apply here to the requirements for a driver's permit.	To identify responsibility and outline mandated procedure that ensure the safety of all citizens.
47	8-181	Businesses and Business Regulations: Article IV. Taxicabs; Division 4. Driver's Permit; Application	Each driver, limousine driver, pedicab driver or operator, rickshaw operator, or "vehicle for hire" driver subject to the provisions of this article shall complete an application on forms furnished by the chief of police. Each applicant shall pay a nonrefundable fee to the city and shall submit from his prospective employer, or pay himself if self-employed, a nonrefundable processing fee to defray the cost of conducting the background investigation and other costs of processing the application. Both fees shall be paid at the time the application is made. (1) A person may qualify to be considered for obtaining a driver's permit upon meeting the qualifications herein and by filing, in writing, with the chief of police or his designee, a fully completed application, signed and sworn to by the applicant, which shall contain the following specific information: a. The full name, age, date of birth, place of birth and address of the applicant. b. The length of time of the applicant's residence in the city and in the state and whether or not he is a citizen of the United States. Citizens of the United States shall provide a social security card and noncitizens shall provide a current alien registration card, without which the applicant cannot receive a driver's permit. c. The applicant's full personal description; including his height, weight, sex, race, color of eyes, color of hair, complexion, body and facial marks, scars, tattoos and handicaps, if any. Race shall not be considered when passing on an application. d. The applicant's physical condition including hearing acuity and/or impairment and eyesight condition, his present and past health problems or impairment due to intoxicating liquors, alcoholic beverages and narcotic, barbiturate or hallucinogenic drugs. e. The applicant's previous places of employment for the five years immediately preceding the date of his application for a driver's permit, and his previous experience in driving taxicabs and other vehicles carrying passengers for hire. f. The applicant's complete record of criminal citations (including those for traffic violations), arrests and convictions. g. The number and date of issuance of the applicant's required state driver's license. h. Such other information as the chief of police or his designee may require. i. Whether the applicant will be a taxicab driver, limousine driver, pedicab operator or rickshaw operator. j. All places in which he has resided during the previous ten years. (2) Every application for a driver's permit shall be accompanied by the following: a. Full fingerprints of the applicant. b. Four front-view photographs of the applicant of such sizes as specified by the chief of police or his designee. c. For drivers of taxis, limousines and other motor-propelled vehicles for hire, a physical examination conducted by a licensed medical examiner. The term "medical examiner" includes, but is not limited to, doctors of medicine (MD), doctors of osteopathy (DO), physician assistants (PA), advanced practice nurses (APN), and doctors of chiropractic (DC). The physical exam is valid for up to 24 months. The medical examiner may also issue a medical examiner's certificate for less than 24 months when it is desirable to monitor a condition, such as high blood pressure. d. Additional fees to be determined by the chief of police or his designee to defray the cost of the fingerprint check. All fees are nonrefundable. e. Fees charged by the department of justice for conducting checks of criminal records. f. On forms provided by the chief of police or his designee: 1. A letter of introduction from his prospective employer unless self-employed; and 2. Consent to a check of criminal records and to use of fingerprints and other identifying information which may be required by the state or national repositories. (3) Applications for a driver's permit shall be granted or denied within 30 days of its submission, if complete when submitted, or within 30 days of when it is made complete. (4) Any material false statement or false information made or given by an applicant in applying for a driver's permit shall invalidate the permit issued to such applicant.	To identify responsibility and outline mandated procedure that ensure the safety of all citizens.

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48	8-182	Businesses and Business Regulations: Article IV. Taxicabs; Division 4. Driver's Permit; Probationary Driver's Permit	After the chief of police or his designee has become satisfied as to the qualifications of the applicant as they are indicated on the fully completed application, and after an interview with the applicant, the chief of police or his designee, after checking locally available information contained in the application, may issue a probationary driver's permit to the applicant, not to exceed 60 days in duration, pending receipt of a FBI report and other information on the applicant.	To identify responsibility and outline mandated procedure that ensure the safety of all citizens.
49	8-183	Businesses and Business Regulations: Article IV. Taxicabs; Division 4. Driver's Permit; Examination and Investigation	(a) Each applicant for a new or renewed driver's permit may be examined orally, in writing, or both, by the chief of police or his designee as to his knowledge of the provisions of this division, the traffic regulations of the state and the town, and the geography of the town. (b) It shall be the duty of the chief of police or his designee to cause a thorough investigation to be made of each applicant for a new or renewed driver's permit to determine: (1) Whether or not the information stated in the application is true. (2) Whether or not the applicant is a person meeting the qualifications required by this division. (3) Whether, as to the particular applicant, there is any basis for refusing to grant or renew a driver's permit as prescribed herein. (c) The chief of police or his designee shall conduct an investigation of an applicant for a license for a driver's permit. In checking an applicant's criminal record, the chief of police or his designee shall examine the criminal records of the city/county bureau of identification, the administrative office of the courts, the division of motor vehicles, the division of criminal information network (DCI), FBI records and the National Crime Information Center (NCIC). The applicant shall provide fingerprints and all other necessary personal identification including a birth certificate, social security number and driver's license, so that the chief of police, or his designee, may cause a thorough search to be made of local, state and national criminal history records to determine if the applicant has a history of criminal convictions of the crimes enumerated in this article by use of the DCI network and NCIC. Any fees for the record check are to be paid by the applicant. No action to issue or deny a license, except a probationary driver's permit, will be taken until the chief of police, or his designee, confirms the identity of the applicant by a match of the applicant's fingerprints to the state bureau of investigation or a certified copy of the public record document is retrieved. (d) The following factors shall be deemed sufficient grounds for refusing to issue a permit or for revoking a permit already issued: (1) Conviction of a felony against the state, or conviction of any offense against another state which would have been a felony if committed in this state; (2) Violation of any federal or state law relating to the use, possession, or sale of alcoholic beverages or narcotic, barbiturate or hallucinogenic drugs or improperly using or possessing prescription drugs; (3) Addiction to or habitual use of alcoholic beverages or narcotic, barbiturate drugs or hallucinogenic drugs or improper use of prescription drugs; (4) Violation of any federal or state law relating to prostitution; (5) Noncitizenship in the United States; (6) Habitual violation of traffic laws or ordinances.	To identify responsibility and outline mandated procedure that ensure the safety of all citizens.
50	8-184	Businesses and Business Regulations: Article IV. Taxicabs; Division 4. Driver's Permit; Denial of Permit	(a) In addition to the above, the chief of police or his designee shall refuse to grant or renew a driver's permit for any person: (1) Whose state driver's license or chauffeur's license has been revoked or suspended; provided, however, in case of a state license revocation or suspension a driver's permit may be granted or renewed at the end of the suspension or revocation period. (2) Who has accumulated a sufficient number of points against his driving record under the schedule in G.S. Ch. 20 to justify the suspension or revocation of a state driver's or chauffeur's license. (3) Who, within a period of five years immediately prior to the date of his application, has been convicted of a felony. (4) Who, within a period of five years immediately prior to the date of his application, has been convicted of driving an automobile resulting in death to any person. (5) Who, within a period of five years immediately prior to the date of his application, has been convicted of driving a motor vehicle while intoxicated. (6) Who, within a period of five years immediately prior to the date of his application, has been convicted of a violation of any town, county, state or federal law relating to the use, possession or sale of intoxicating liquors, alcoholic beverages, beer, wine, narcotic, or barbiturate or other habit-forming drugs or illegal use, possession or sale of prescription drugs. (7) Who, within a period of five years immediately prior to the date of his application, has been convicted of a violation of any town, county, state or federal law relating to prostitution, lotteries or gambling. (8) Who, within a period of five years immediately prior to the date of his application, has been an habitual user of intoxicating liquors, alcoholic beverages, narcotic, barbiturate or other habit-forming drugs, whether prescription drugs or not. (9) Who is a person of such bad character or reputation that it would be clearly contrary to the public interest, safety and welfare to permit such applicant to have a driver's permit. (10) Who has ever been convicted of any sex offense requiring him to be classified as a sex offender. (b) Subsections (a)(1), (2) and (4) of this section shall not apply to pedicab or rickshaw drivers and operators.	To outline responsibility, authority, and procedure providing ability for denying permit.
51	8-185	Businesses and Business Regulations: Article IV. Taxicabs; Division 4. Driver's Permit; Revocation	(a) A driver's permit may be revoked by the chief of police or his designee for any reason which would be sufficient for refusing to issue a license as provided in subsection 8-183(d) and in subsections 8-184(a)(1), (2), (9) and (10), and: (1) Conviction of any crime involving the driving of an automobile resulting in death to any person. (2) Conviction of any crime involving the sale, possession or use of prescription drugs unless prescribed by one authorized to prescribe or dispense such drugs. (3) Conviction for violation of any law relating to lotteries or gambling. (4) If he has become an habitual user of intoxicating liquors, alcoholic beverages, narcotic, barbiturate or other habit-forming drugs, or prescription drugs for which he has no prescription from an authorized medical professional. (5) Failure to pay any civil penalty assessed in accordance with division 3 of this article for 30 days or more after it is assessed. (6) Charging a fare or collecting any money other than tips and those fares allowed by the provisions of this article or other town ordinance. (b) Appeal. (1) Any person whose driver's permit has been revoked by the chief of police or his designee may appeal from the decision of the chief of police or his designee to the city manager provided that he files with the city clerk a notice or request for the appeal, providing the following information not later than ten days following receipt of notice of the decision of the chief of police or his designee: appellant's name, phone number, driver's permit number, North Carolina driver's license number and reason or basis for the appeal. Upon such notice of appeal, the city manager shall schedule a hearing to be held not more than ten business days from the date of such notice of appeal. (2) At the hearing, the appellant may be represented by an attorney if he notifies the city clerk of intent so to do not less than five days before the scheduled hearing. The appellant may produce such affidavits or witnesses as he may desire so long as the same are relevant to the reason for the revocation of the driver's permit. The appellant will have the right to examine any other witnesses appearing at the hearing. (3) The city manager shall reach a decision within ten days of the date of the hearing and will notify the appellant of the decision either by personal delivery or registered or certified mail, return receipt requested, to the address which the appellant shall furnish at the time of the notice of appeal. A decision of the city manager shall be final.	To outline responsibility, authority, and procedure providing ability for revoking a permit.
52	8-209	Businesses and Business Regulations: Article IV. Taxicabs; Division 5. Equipment, Vehicle Condition, Inspections and Records; Equipment Required	(a) In addition to equipment required of motor vehicles by the General Statutes, every vehicle for hire, the operation of which is subject to the provisions of this article: (1) Be equipped with a tell-tale light on top of a taxicab so designed that when the meter is engaged and the parking lights are on, the light goes out, and when the vehicle is not engaged, the light is burning. The size of the light shall be no less than ten inches across, four inches deep, and four inches high; (2) Be equipped with a standard speedometer properly installed, maintained in good working order and exposed to view. No taxicab shall be operated in taxicab service while such speedometer is out of repair or disconnected; (3) Be equipped with a heater and an air conditioner with a shutoff appliance thereon, sufficient to heat and cool the interior of the cab to a comfortable temperature in hot or cold weather; (4) Be equipped with a card frame for the proper display of the owner's permit and the driver's permit; (5) Be equipped with a single-tariff taximeter of a type approved by the chief of police or his designee, inspected for accuracy and installed according to the requirements of the chief of police or his designee unless the taxicab is to be used exclusively to provide shared taxi service; provided, no taxicab shall be operated while occupied by a person in addition to the driver with the taximeter not engaged, except when the taxicab is being used to provide shared taxi service. The taximeter shall be attached to and located within the taxicab so as to be in front of the passengers and visible to them at all times, day and night. The face of the taximeter shall be illuminated. The taximeter shall be operated mechanically by a mechanism of standard design and construction, operated either from the transmission or from one of the front wheels of the taxicab by a flexible and permanently attached driving mechanism; and (6) Have a taximeter that is sealed at all points and connections which, if manipulated, would affect its correct reading and recording. The taximeter on each taxicab shall be subject to inspection from time to time by the taxicab inspector. Any inspector or other officer of the police department is hereby authorized, either on complaint of any person or without such complaint, to inspect any taximeter, and upon discovery of any inaccuracy, to notify the owner and person operating the taxicab to cease operation on premium service; thereupon, such taxicab shall not be operated on premium service until the taximeter has been repaired and is in the required working condition, approved by the proper inspecting officer of the town. (b) Only subsection (a)(4) of this section shall apply to pedicabs and rickshaws. Only subsections (a)(2), (3) and (4) of this section shall apply to limousines.	To identify responsibility and outline mandated procedure that ensure the safety of all citizens.
53	8-210	Businesses and Business Regulations: Article IV. Taxicabs; Division 5. Equipment, Vehicle Condition, Inspections and Records; Vehicle Inspection	Every vehicle, or other device, operating under this chapter shall be periodically inspected by the chief of police or his designee at such intervals as shall be established by the chief of police or his designee to ensure the vehicle or other device used to transport passengers for hire is mechanically and structurally in good repair and working order and is safe to operate upon the streets of the town.	To identify responsibility and outline mandated procedure that ensure the safety of all citizens.
54	8-211	Businesses and Business Regulations: Article IV. Taxicabs; Division 5. Equipment, Vehicle Condition, Inspections and Records; Maintenance	When an owner shall find any vehicle or other device used to transport passengers for hire to be in unsafe or improper condition for operation, he shall have such repairs and alterations made as may be required and shall not operate, or cause or permit to be operated, any such vehicle or device until all such repairs and alterations have been completed. Every owner shall institute a system of regular monthly inspection of vehicles or other devices and equipment owned and operated by such owner. A record of these inspections shall be kept by each owner and shall be available to the chief of police or his designee upon request.	To identify responsibility and outline mandated procedure that ensure the safety of all citizens.

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55	8-212	Businesses and Business Regulations: Article IV. Taxicabs; Division 5. Equipment, Vehicle Condition, Inspections and Records; Sanitation	Every owner of a vehicle or other device to transport passengers for hire shall clean the exterior as needed to keep it presentable and shall clean the interior of such so that it is clean and free of trash and debris at least once in every 24 hours, and shall disinfect the interior when required by the chief of police or his designee.	To identify responsibility and outline mandated procedure that ensure the safety of all citizens.
56	8-213	Businesses and Business Regulations: Article IV. Taxicabs; Division 5. Equipment, Vehicle Condition, Inspections and Records; Identification of Taxicabs	(a) A name identifying the owner, vehicle number, and telephone number shall be painted with permanent paint on both sides and rear of each cab with letters and numbers at least four inches high or greater on sides, and with a cab number at the rear of at least four inches high at a location to be designated by the chief of police or his designee. Pedicabs and rickshaws shall identify vehicles so as to plainly and visibly disclose the owner, business name and telephone number in such size letters and numbers on the rear and/or sides of their vehicles as may be approved by the chief of police or his designee. (b) The chief of police or his designee shall issue a city decal for each vehicle covered by this section signifying that said vehicle is in compliance in all respects to this section. This includes limousines and vehicles for hire. (c) Colors of paint to be used for lettering and numbers shall be of sharp contrast with color of the surface paint to which it is applied, so as to be plainly visible at a reasonable distance during daylight and at nighttime by the light of the streetlights. No lettering or numbers will be acceptable which have been painted upon a sheet of metal or other material which can be removed or detached. (d) In lieu of paint, any material required by this section to be painted on a taxicab may be placed on the cab through the use of an adhesive decal containing the required information and name. This authorization does not include or permit the use of magnetic signs or devices to convey the required information. (e) All vehicles subject to this article must comply with the provisions of this section as they are first put into service, replaced or repainted	To identify responsibility and outline mandated procedure that ensure the safety of all citizens.
57	8-214	Businesses and Business Regulations: Article IV. Taxicabs; Division 5. Equipment, Vehicle Condition, Inspections and Records; Taximeter	(a) Each taxicab subject to this article and operated in the city shall be equipped with a taxicab meter, the make and model of which shall have been approved by the chief of police or his designee. After each meter shall have been installed, it shall be tested for accuracy by the chief of police or his designee and sealed in such a fashion that it shall be readily apparent if the meter shall have been opened and subjected to tampering. (b) Prior to use, each meter shall be set so that it registers the fares that shall have been established by ordinance of the city council.	To identify responsibility and outline mandated procedure that ensure the safety of all citizens.
58	8-215	Businesses and Business Regulations: Article IV. Taxicabs; Division 5. Equipment, Vehicle Condition, Inspections and Records; Schedule of Fares	The owners or operators of taxicabs, pedicabs and/or rickshaws shall be required to post a printed schedule of passenger fares in a conspicuous place in each vehicle where it may be seen and easily read by passengers.	To identify responsibility and outline mandated procedure that ensure the safety of all citizens.
59	8-216	Businesses and Business Regulations: Article IV. Taxicabs; Division 5. Equipment, Vehicle Condition, Inspections and Records; Receipts Required	The driver of any vehicle subject to this article shall, upon demand by the passenger, render to such passenger a receipt for the amount charged, either by a mechanically printed receipt or by a specially prepared receipt approved by the police department on which shall be the name of the owner, license number (if applicable), amount of meter reading or charges and the date of the transaction	To identify responsibility and outline mandated procedure that ensure the safety of all citizens.
60	8-243	Businesses and Business Regulations: Article IV. Taxicabs; Division 6. Miscellaneous; Enforcement	(a) In addition to civil penalties, this article may be enforced by the equitable remedies of injunction, abatement and mandamus. (b) Pursuant to G.S. 160A-175(c), and in addition to all other civil remedies and sanctions imposed under this Code, there is hereby imposed a civil penalty in the amount of \$250.00 for failure to observe the standards established, and requirements and restrictions imposed, under this article. Such penalties shall bear interest at 12 percent per annum from the tenth day after it is assessed until paid. Each day an infraction continues and each time an infraction is repeated shall be cause for the assessment of an additional penalty as provided in subsection (d) of this section. (c) The levying of civil penalties shall be initiated by any police officer giving written notice of the infraction committed to the taxicab owner or driver, along with a statement that a civil penalty is being imposed. The notice shall inform the owner or driver that he may appeal the civil penalty within ten days to the chief of police or his designee. If an appeal is made, a hearing shall be held before the chief of police or his designee, who, following the hearing, shall affirm or reverse the imposition of the penalty. (d) For the second violation of the same provision of this article during that 12 months beginning with the date of the first violation, the civil penalty shall be double that imposed for the first violation. A third violation of the same or of any provision of this article within the 12-month period will result in the revocation of the certificate of convenience and necessity or driver's permit, as applicable. (e) Civil penalties shall be paid within 30 days to the office of the tax collector. If not so paid, the city may initiate a civil action in the name of the city in the nature of debt to collect the unpaid penalties, interest and costs of court which shall include reasonable attorney's fees. (f) Any permit required to be issued and renewed under the terms of this article shall not be issued or renewed in the event civil penalties for violations remain unpaid by the applicant or by an employee of the applicant.	To identify responsibility and clearly define penalty of ordinance violation.
61	8-244	Businesses and Business Regulations: Article IV. Taxicabs; Division 6. Miscellaneous; Refusal to Pay Fare	Failure to pay the legal fare of any of the vehicles mentioned in this article after having hired the same or employing any vehicle for hire with intent to not to pay for such service shall be a misdemeanor punishable by a fine of \$500.00.	To identify responsibility and learly define penalty of ordinance violation.
62	8-269	Businesses and Business Regulations: Article V. Tow Services; Police Call List	The chief of police is hereby authorized to establish a call list of tow services desiring to provide towing services upon request of police officers. The tow services that desire to be placed upon the call list shall comply with the requirements of this article and with all other rules and regulations the chief of police may issue regarding towing services.	To identify responsibility, outline mandated procedure that ensure the safety of all citizens and provide equity for participating business.
63	8-270	Businesses and Business Regulations: Article V. Tow Services; Selection of Tow Services	In all police-initiated towing of vehicles, the operator of the vehicle, if present and not incapacitated, shall have the right to select a tow service of his choice to perform the towing service. If the operator of the vehicle to be towed is not present, or is incapacitated, or has no preference as to any specific towing service, the police officer ordering the tow shall request that the towing service be performed by the tow service then on call according to the call list maintained by the police communications center. If this tow service cannot, does not or will not answer the request within a reasonable time, the officer will call the towing service that is next in rotation. When emergency circumstances prevail, the police officer may request towing services from the tow service nearest to the scene of the accident or emergency. A police officer may also request towing services from any company operating large cranes or other heavy equipment if necessary to remove traffic obstructions involving large trucks or heavy equipment.	To identify responsibility, outline mandated procedure that ensure the safety of all citizens and provide equity for participating business.
64	8-271	Businesses and Business Regulations: Article V. Tow Services; Application for Call List Privilege	(a) Application for listing on the police call list of tow services shall be notarized and shall be made upon blank forms prepared and made available by the chief of police and shall contain the following information: (1) The name, home address and proposed business address of each owner, part owner or partner, silent or active, and if a corporation, each officer, director and shareholder; (2) The business address, business telephone number, telephone number for night calls, location and telephone number for storage area; (3) A description of the size and capacity of all tow trucks used by the tow truck operator; (4) A description of the storage area for towed vehicles; and (5) A copy of the registration card issued by the state department of motor vehicles for each tow truck used by the tow truck operator, indicating that each tow truck is registered as a wrecker as defined in G.S. Ch. 20. (b) Application payment. Every wrecker shall pay a fee as provided in the most current adopted schedule on file in the office of the city clerk. (c) The application shall be signed by each owner, part owner or partner, silent or active, and if a corporation, shall be signed by all shareholders, officers and directors	To identify responsibility, outline mandated procedure that ensure the safety of all citizens and provide equity for participating business.
65	8-272	Businesses and Business Regulations: Article V. Tow Services; Insurance	No tow service shall be added to the police call list until the applicant has deposited with the police chief proof of the following liability coverage: (1) Garage keeper's policy. A garage keeper's comprehensive facility liability policy covering fire, theft and explosion in an amount not less than \$20,000.00, together with collision liability coverage of not less than \$20,000.00, subject to a maximum deductible of \$100.00. (2) Garage liability policy. A garage liability policy, covering the operation of the applicant's business, equipment and vehicles, for any bodily injury, personal injury or property damage. This policy shall be in an amount not less than \$100,000.00 for each person and not less than \$300,000.00 aggregate. This policy shall also have not less than \$50,000.00 coverage for any damage arising out of injury to or loss of or destruction of property.	To specify insurance requirments to ensure the safety of all citizens.

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66	8-273	Businesses and Business Regulations: Article V. Tow Services; Investigation by Chief of Police	Within five business days after receipt of each application for listing on the police call list, the chief of police or his agents shall cause an investigation to be made of the applicant and of his proposed operation. Such investigation shall be made for the purpose of verifying the information in the application and to ensure compliance with the provisions of this article.	To identify responsibility and outline mandated procedure that ensure the safety of all citizens
67	8-274	Businesses and Business Regulations: Article V. Tow Services; Standards for Service on Call List	The police chief shall add a tow service to the police call list when he finds that: (1) The public convenience and necessity require the proposed tow service for which application has been submitted; (2) The tow service business location and its storage facilities are or will be located within the city limits; (3) Insurance policies as required by this article have been procured; (4) All applicants, owners, officers, directors, shareholders and partners are fit and proper persons to conduct or work in the proposed business and have never been convicted of any felony, assault, theft or any other crime involving the taking, use, tampering with or conversion of a motor vehicle; (5) The tow service will use only tow trucks equipped with an amber-colored flashing light, which shall be operating during any tow as provided by law; (6) The tow service will provide 24 hours per day, seven days per week, on-call service; (7) The tow service will arrive at the location of the vehicle to be towed within 20 minutes after receiving a request for day towing service and within a reasonable time after receiving a request for night, weekend and holiday towing from the police department; (8) The tow service will provide and use a storage area for towed vehicles that is enclosed by a chain link fence or equivalently secured fence or enclosure which shall be illuminated at night; (9) The requirements of this article and all other governing laws and ordinances have been met; (10) No applicant nor any owner, officer, director, shareholder, associate or partner of the applicant is already listed on the call list whether in his own name or as an owner, officer, director, shareholder, associate or partner of any other listed towing service.	To identify responsibility, outline mandated procedure that ensure the safety of all citizens and provide equity for participating business.
68	8-275	Businesses and Business Regulations: Article V. Tow Services; Duties of Services on Call List	A tow service shall be added to the police call list subject to the following conditions: (1) <i>Maintenance of equipment</i> . Tow services shall maintain towing equipment that is adequate to perform towing service in a reasonably workmanlike manner and is properly equipped to tow vehicles in such a manner as to minimize any damage to towed vehicles. (2) <i>Compliance with rate schedule</i> . Tow services shall not charge for their services more than the most currently adopted schedule, on file in the office of the city clerk. (3) <i>Towing involving extraordinary labor and expenses</i> . The maximum charge may be exceeded if unusual and extraordinary circumstances prevail at the scene of an emergency, but use of a dolly in making a tow of an unwrecked motor vehicle shall not be considered justification for an additional charge in the absence of unusual and extraordinary circumstances requiring an unusual expenditure of time and labor by the tow truck operator. (4) <i>Interception of police calls</i> . No tow service shall arrive at the scene of a police investigation as a result of monitored or intercepted police calls by radio or other device for the purpose of soliciting towing or repair services. (5) <i>Records</i> . Any tow service operating under this article must have the following records of any motor vehicle towed: the make and model of the motor vehicle, the license number of the motor vehicle and the date of the towing service. These records shall be maintained for one year from the date of towing by the tow service. (6) <i>Storage</i> . Any motor vehicle towed must be stored in a yard with adequate security against intruders, including chain link or equivalently secured fencing or enclosure and lighting at night. (7) <i>Availability for redemption</i> . The tow service shall post a phone number at the place of business setting forth the manner in which to redeem any towed vehicle. Such phone number shall be printed not less than three inches high and posted in a place clearly visible outside the business. The sign shall explain in what manner a stored vehicle can be redeemed. (8) <i>Damage</i> . The person operating any such tow service shall make every reasonable effort to minimize damage to towed and stored motor vehicles. Where applicable, such reasonable effort shall include, but is not limited to: the use of a dolly or carriage for towing, the disconnection of the driveshaft, release of brakes, towing at a reasonable speed, and the securing of the motor vehicle from damage by elements. (9) <i>Early surrender</i> . If the owner of a motor vehicle shall return before the hook-up is complete, the tow service shall release the vehicle to such owner or operator upon demand and shall not have the right to charge such owner or operator a fee as specified in this section. (10) <i>Securing stored vehicles</i> . No towed vehicle may be dismantled, have parts removed, or tires deflated, except as necessary for towing the motor vehicle or securing it from damage by the elements. (11) <i>Itemized statement</i> . The tow service bill for towing and storage of any motor vehicle shall be itemized to reflect services performed, labor or other materials required, and any storage or other charges.	To identify responsibility, outline mandated procedure that ensure the safety of all citizens and provide equity for participating business.
69	8-276	Businesses and Business Regulations: Article V. Tow Services; Revocation of Listing	The city manager will revoke a police call listing when he finds any of the following to be true: (1) The listing was procured by fraudulent conduct or false statement of a material fact, or that any fact concerning the applicant was not disclosed at the time of making application, and such fact would have constituted just cause for refusal to issue the listing. (2) The applicant illegally solicited tow or repair services at a police investigation. (3) The applicant paid any third person for information as to the location of any vehicle in compensation for calling the applicant to tow such vehicle. (4) The applicant has exceeded the fee schedule. (5) The applicant has violated any of the requirements of this article or any of the rules and regulations as established by the police chief or the city council.	To outline responsibility, authority, and procedure providing ability to revoke business from Call List.
70	8-277	Businesses and Business Regulations: Article V. Tow Services; Period of Revocation	The period of revocation of the listing of a tow service shall be as follows: (1) Thirty days' revocation for the first violation. (2) Ninety days' revocation for the second violation. (3) Such revocation as the city manager shall determine, including permanent loss of listing, for third or subsequent violations	To outline responsibility, authority, and procedure providing ability to revoke business from Call List.
71	8-278	Businesses and Business Regulations: Article V. Tow Services; Renewal	The police call list listing shall be valid for one year from the date of acceptance. Each application for renewal shall contain adequate assurances that the applicant continued to comply with all standards, rules and regulations prescribed under this article. Such renewals shall be on a form designated by the chief of police and shall contain the names of any new owners, part owners, officers, directors, shareholders or partners, and the names of any new employees.	To identify responsibility, outline mandated procedure that ensure the safety of all citizens and provide equity for participating business.
72	8-279	Businesses and Business Regulations: Article V. Tow Services; Service Call Rotation	All towing services that meet the requirements of this article to be on the police rotation list will be placed into the computerized dispatch list in consecutive repeating order. As a call for service arises the next rotation service will be contacted and given the opportunity to respond with a driver and equipment. Refusal by the tow service to respond or to respond with an inadequate driver and/or equipment will initiate contact with the next service on the list. Repeated refusals from the tow service to respond will result in a letter from the chief of police removing the service from the rotation list and the tow service must reapply for appointment.	To identify responsibility, outline mandated procedure that ensure the safety of all citizens and provide equity for participating business.
73	8-308	Businesses and Business Regulations: Article VI. Alarm Systems; Permit	(a) <i>Required</i> . No person shall operate or maintain an alarm system that automatically transmits a signal, message or warning to the city police department or fire department, without first obtaining a permit as required by this article. (b) <i>Application</i> . Applications for permits to install, maintain or operate an alarm system which is intended to transmit automatically a signal, message or warning to the city police department or fire department shall be filed with the chief of the concerned department on forms supplied by the city, together with the most currently adopted application fee, on file in the office of the city clerk. The application shall set forth the name, address and telephone number of both the installer of the system and the person on whose premises the system will be installed, as well as a description of the location where it is proposed to be installed. The chief of the concerned department shall approve such application if he finds that: (1) The use of the alarm system to transmit a signal, message or warning to a designated city police department or fire department will not interfere with the orderly conduct of city business. (2) The installer of an alarm system maintains a service organization capable of making necessary repairs within a reasonable period after notice of equipment malfunction. (3) The installer of a burglar or unauthorized entry detection system is licensed by the state under G.S. Ch. 74D. (c) <i>Right of inspection</i> . The chief of the concerned department, either police or fire, shall have the right to test any alarm system on the premises where it is intended to function prior to issuance of any permit for its operation, and he may cause a test of such system to be made at any time after issuance of a permit to determine whether it is being used in conformity with the terms of a permit and the provisions of this article. (d) <i>Revocation</i> . The chief of the concerned department may revoke any permit issued pursuant to the provisions of this article, after giving written notice to the permit holder and an opportunity for the permit holder to be heard, if he determines that the alarm installed pursuant to the permit has been installed, maintained or operated in violation of the provisions of this article, or of any term or condition of the permit.	To identify responsibility and outline mandated procedure that ensure the safety of all citizens .
74	8-309	Businesses and Business Regulations: Article VI. Alarm Systems; Restricted Numbers	It shall be unlawful for any person to install, operate or maintain an alarm system that automatically transmits a signal, message or warning to any city police department or fire department telephone line, except to such telephone number as designated by a permit issued under the provisions of this article.	To identify responsibility and outline mandated procedure that ensure the safety of all citizens .
75	8-310	Businesses and Business Regulations: Article VI. Alarm Systems; False Alarms	The chief of the department involved may order disconnected any alarm system that shall have more than four false alarm days during any consecutive three-month period. If disconnection was ordered because of repeated equipment malfunction, such disconnected alarm shall not be reconnected until the system for that alarm has been tested and any malfunctions repaired. The person responsible for using such alarm shall certify to the chief of the department concerned that he has tested the system or caused it to be tested and the problems with the system have been discovered and corrected. Thereafter, if the system causes as many as four false alarm days in any ensuing consecutive three-month period within 12 months after such reconnection, unless such false alarms are caused by acts of God, the system shall again be disconnected, tested and a certification made by a licensed installer concerning the location of the problems in the alarm system and their repair. In addition, before the system may be reconnected this second time, the person responsible for the use of the system shall pay to the city the most currently adopted penalty on file in the office of the city clerk, unless satisfactory reasons for such malfunction are provided by the maintaining company.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
76	8-311	Businesses and Business Regulations: Article VI. Alarm Systems; License Required for Companies Connecting to Police Dept.	No company shall be allowed to connect any alarm in the police department of the city unless such company shall be licensed under the provisions of G.S. Ch. 74D. Unless so licensed, no such company shall have access to any of the alarm equipment, wires, receiving panels, PBX room, or any other appurtenances to any alarm system connected to the police department.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.

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77	8-312	Businesses and Business Regulations: Article VI. Alarm Systems; Registration of Alarm Companies	No person shall install any alarm device or system in the police or fire department of the city without first registering with the city at the appropriate department. Such registration shall be upon forms supplied by the appropriate department, and shall include at a minimum the name, address, telephone number and, if an alarm connected to the police department, the license number of such alarm company. In addition, the company will list with the city the names of all employees who will be working on any alarm system connected to the police or fire department. No company not so registered and no personnel not so registered shall be permitted access to any of the equipment, wires, PBX room, terminals, alarm receiving panels or any other appurtenances of any alarm system. All personnel must carry identification satisfactory to the chief of the department involved, or his designated representative.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
78	8-313	Businesses and Business Regulations: Article VI. Alarm Systems; Contracts with Subscribers	No company shall install any alarm system connected to the police or fire department of the city unless such company shall first have a contract with the subscriber for such system. This contract shall provide that the city, its agents, servants and employees shall not be responsible for the installation, maintenance, servicing or functioning of the system, nor any failure to respond to an alarm received through such system.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
79	8-314	Businesses and Business Regulations: Article VI. Alarm Systems; Installation, Maintenance of Alarm Receiving System	The city, by whatever method or arrangement it deems best, shall provide for the receiving of alarms within the police department and the fire department. The chief of the department involved is authorized to designate one or more persons to install and maintain such receiving equipment, including without limitation, receiving alarm panels, wiring and alarm modules. No other person shall install, repair or maintain such department equipment and facilities. If any person not so authorized to install, repair and maintain such equipment desires to connect any alarm system with such equipment, that person will contact the company designated by the city to perform such functions in order to have the connection made. Notwithstanding the foregoing, if all that is necessary to connect the alarm system to the receiving equipment is the plugging in of an alarm module, then any person licensed under G.S. Ch. 74D and registered with the appropriate department as required by this article may plug in such module. All persons wishing to connect to the receiving equipment shall give the company designated by the city to make such connections reasonable notice prior to such connection being made.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
80	8-315	Businesses and Business Regulations: Article VI. Alarm Systems; Publication of Specifications	One copy of the system specifications for the alarm receiving panel and other equipment installed in the fire or police department shall be maintained in such departments. The specifications shall not be given out to any person not licensed and registered as required by this article	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
81	8-316	Businesses and Business Regulations: Article VI. Alarm Systems; Maintenance and Repair	No alarm system shall be connected to the police department or the fire department of the city unless the user of the system has a maintenance contract or written arrangement for the maintenance of such system. A certificate of the user, but not the contract, that such a contract exists shall be filed with the appropriate department. In the event of any malfunction of any alarm system connected to the police or fire department of the city that causes the alarm to sound at the police or fire department, the company having such maintenance contract or arrangement shall respond to any notice of such malfunction within 24 hours, and the alarm at the police or fire department may be disconnected until such malfunction has been identified and repaired.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
82	8-337	Businesses and Business Regulations: Article VII. Adult Establishments and Adult Live Entertainment; License Provisions	(a) <i>Required</i> . Any person desiring to open or operate an adult establishment shall obtain a license by filing an application addressed to the city council prior to commencement of the adult establishment. (b) <i>Application procedures</i> . The application shall be in writing and shall set forth the following: (1) The name and address of the applicant; and if such applicant is a corporation, the address of such corporation and its officers, directors and shareholders. (2) Qualifications and experience of the applicant, which must be plainly stated in writing. An applicant for a license required by this article, prior to making an application for such a license, must: a. Submit proof of good moral character, and in the case of applicants who are corporations, such corporation must be created in or domesticated by the laws of this state, and the affidavits of good character shall be submitted on all officers, directors and shareholders if there are less than 11 shareholders. b. Submit to the city police department: 1. The full name, address, physical description, age, driver's license number and social security number of all persons currently a part of the owners, officers, directors or shareholders (if less than 11 shareholders) of or employed by adult entertainment at the time of application. The term "currently employed" includes all persons who manage, operate or work in the adult establishment and all persons working for the adult establishment even if such persons would otherwise be considered independent contractors. 2. Within five days of any change of ownership in or officers, directors and shareholders (if there are less than 11 shareholders) of such business or of the hiring or contracting with any person to become an employee, the applicant shall also provide all information listed above concerning all persons hired or contracted for after the date of application and all new owners, officers, directors or shareholders (if there are less than 11 shareholders). (3) Each applicant shall pay a fee which must be tendered at the time the application is filed. (c) <i>Consideration of application</i> . (1) The chief of police shall investigate all applicants seeking an adult establishment business license and employees, owners, directors or shareholders (if less than eleven shareholders) of the adult establishment prior to the approval of the application. (2) Upon the completion of the investigation, the chief of police shall make a recommendation to the city council as to whether the license should be granted. The council shall vote on whether to approve or deny each application. (3) Applicants may be denied a license if anyone (employee, owner, officer, directors, or shareholders of a corporation which has less than eleven shareholders) required to be investigated has been convicted of a felony, or of a crime involving prostitution, assignation or a related offense, in the five years immediately preceding the date of the license application. (d) <i>Issuance</i> ; denial of application. (1) Issuance. If the application for a license as required by this article is submitted in proper form and is approved by the city council, the city clerk shall issue a business license to such applicant. Once issued, the license remains in effect with no renewal required so long as all provisions of this article are met. (2) Denial of issuance. If an applicant is refused a license by the city council, the applicant shall have an opportunity to review his application with the city council or its designee in order to determine the reason for denial. A license may be denied for the following reasons: a. Any person required to be investigated is convicted of any of the offenses enumerated in subsection (c)(3) of this section. b. An adult establishment continues to employ an existing employee who is convicted of any of the offenses enumerated in subsection (c)(3) of this section. c. The adult establishment hires a person in violation of any requirement of this article, if such hiring was known or should have been known by the adult establishment to be a violation. d. The adult establishment employs minors for the performance of adult live entertainment or permits minors to patronize the adult establishment. e. Any other requirement of this article is not met. (e) <i>Revocation</i> ; recommendation by the chief of police. Whenever the chief of police shall have good cause to believe there exists grounds for revocation of any license under this article, he shall submit a written recommendation of revocation to the city council and, by registered mail, forward a copy of the recommendation to the licensee. Good cause shall be any violation of any requirement of this article.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
83	8-338	Businesses and Business Regulations: Article VII. Adult Establishments and Adult Live Entertainment; Patronage of Adult Establishmen by Minors, Employment of Minors	(a) <i>Restricted</i> . It shall be unlawful for any person under 18 years of age to patronize any adult establishment. (b) <i>Duty of the owner/operator of the adult establishment</i> . It shall be the duty of the owner/operator of any such adult establishment to determine the age of the persons patronizing such establishment. (c) <i>Hiring minors</i> . It shall be unlawful for any owner/operator of any such adult establishment to hire a minor. (d) <i>Exploitation of minors</i> . It shall be unlawful to display or sell any photograph, moving picture or video tape depicting anyone under 18 years of age in any specified sexual activity or showing specified anatomical areas. (e) <i>Violations</i> . A violation of this section shall be grounds for revocation of the license of such establishment. Such revocation shall not exclude any and all other remedies, penalties or fines	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
84	8-339	Businesses and Business Regulations: Article VII. Adult Establishments and Adult Live Entertainment; Restrictions	(a) No person shall permit any building, premises, structure or other facility that contains any adult establishment to contain any other kind of adult establishment. No person shall permit any building, premises, structure or other facility in which sexually oriented devices are sold, distributed, exhibited or contained to contain any adult establishment. (b) No person shall permit any viewing booth in an adult mini-motion picture theater to be occupied by more than one person at any time.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
85	8-340	Businesses and Business Regulations: Article VIII. Adult Establishments and Adult Live Entertainment; Penalties and Enforcement	Each day on which any violation of this article shall continue shall constitute a separate and distinct violation and offense. Each offense shall be punishable by a fine of \$200.00 or imprisonment for 30 days, or both, and shall subject the offender to a civil penalty of \$500.00 per day to be collected by the city in a civil action if the offender does not pay the civil penalty within ten days of receiving a notice of the levy of the penalty by the city council. In addition, this article may be enforced by injunction or abatement by an action brought in the general court of justice as provided by G.S. 160A-175.	To clearly identify the penalty for violation of the ordinance.
86	8-369	Businesses and Business Regulations: Article VIII. Retail Short-Term Lease or Rental of Vehicles; Tax On Gross Receipts	The city hereby imposes and levies a tax of 1½ percent of the gross receipts from the short-term lease or rental of vehicles at retail to the general public, as authorized by G.S. 160A-251.1.	To identify the authority of the town to levy the specified business tax.

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87	8-370	Businesses and Business Regulations: Article VIII. Retail Short-Term Lease or Rental of Vehicles; Administration	The city through the county tax collector will administer and collect from operators of leasing and rental entities the tax levied hereby. The county tax collector may promulgate additional lawful rules and regulations necessary for implementation and collection of the tax.	To identify authority, responsibility and to outline mandated procedures for levying the specified business tax.
88	8-371	Businesses and Business Regulations: Article VIII. Retail Short-Term Lease or Rental of Vehicles; Payment of Tax and Filing of Returns	The taxes levied hereby are due and payable to the county in monthly installments on or before the 15th day of the month following the month in which the tax accrues. Every entity required to collect the tax shall, on or before the 15th day of each month, prepare and render a return to the county. The county shall design, print, and furnish to all such entities the necessary forms for filing returns and instructions to ensure the full collection of the tax. These tax proceeds shall be placed in a segregated account by the collecting entity and are the property of the town. A return filed for this purpose is not a public record as defined by G.S. 132-1 and may not be disclosed except as provided by law.	To identify authority, responsibility and to outline mandated procedures for levying the specified business tax.
89	8-372	Businesses and Business Regulations: Article VIII. Retail Short-Term Lease or Rental of Vehicles; Penalties	In case of failure or refusal to file a return or pay the tax for a period 30 days after the time required for filing the return or paying the tax, there shall be an additional tax, as a penalty, of five percent of the tax due, with an additional tax of five percent for each additional month or fraction thereof until the tax is paid. The county board of equalization and review, for good cause shown, may consider appeals and adjust any penalty or additional tax imposed hereunder.	To clearly define the penalty for violation of the ordinance.
90	8-373	Businesses and Business Regulations: Article VIII. Retail Short-Term Lease or Rental of Vehicles; Misdemeanor for Willful Violation	Any person, firm, corporation or association who willfully attempts in any manner to evade a tax imposed herein or who willfully fails to pay the tax or make and file a return shall, in addition to the penalties provided by law and herein, be guilty of a misdemeanor punishable as provided by law.	To clearly define the penalty for violation of the ordinance.
91	8-374	Businesses and Business Regulations: Article VIII. Retail Short-Term Lease or Rental of Vehicles; Delegation of Powers	The county tax collector shall exercise the powers authorized to the city by G.S. 160A-215.1(l) with the county board of equalization and review exercising the powers of the tax review board.	To identify authority, responsibility and to outline mandated procedures for levying the specified business tax.
92	8-393	Businesses and Business Regulations: Article IX. Levying a Tax On Ross Receipts Derived From Retail Short-Term Lease or Rental of Heavy Equipment; Levy of Tax	A tax is hereby imposed and levied in an amount equal to eight-tenths percent of the gross receipts derived from the short-term lease or rental of heavy equipment at retail.	To identify authority, responsibility and to outline mandated procedures for levying the specified business tax.
93	8-394	Businesses and Business Regulations: Article IX. Levying a Tax On Ross Receipts Derived From Retail Short-Term Lease or Rental of Heavy Equipment; Collection of Tax	Every person whose principal business is the short-term lease or rental of heavy equipment at retail shall collect at the time of the lease or rental, or at the time of the payment of the consideration therefor, the tax herein levied. A person is not considered to be in the short-term lease or rental business if the majority of the person's lease and rental gross receipts are derived from leases and rentals to a person who is a related person as defined under G.S. 105-163.010. The tax so collected shall be placed in a segregated account, and thereafter remitted to the finance officer in accordance with the provisions of this article. The taxpayer shall include a provision in each retail short-term lease or rental agreement, or other documentation evidencing the transaction, stating that the percentage amount enacted by this resolution of the total lease or rental price, excluding sales tax, is being charged as a tax on gross receipts. The amount of the tax shall be stated separately from the lease or rental and shown separately on the taxpayer's records. The tax shall be paid by the customer to the taxpayer as trustee for and on account of the town. The taxpayer shall be liable for the collection thereof and for its payment to the finance officer and the taxpayer's failure to charge or to collect said tax from the customer shall not affect such liability.	To identify authority, responsibility and to outline mandated procedures for levying the specified business tax.
94	8-395	Businesses and Business Regulations: Article IX. Levying a Tax On Ross Receipts Derived From Retail Short-Term Lease or Rental of Heavy Equipment; Report and Payment of Tax	Taxes levied under this article are due and payable when a return is required to be filed. Every taxpayer shall, within the time specified, submit a return to the finance officer on the form prescribed by the finance officer. A return must be signed by the taxpayer or the taxpayer's agent. Returns of taxpayers are due to the finance officer for each calendar quarter on or before the last day of the month following the end of the quarter in which the tax accrues. As provided in G.S. 160A-208.1, a return shall not be considered a public record and information contained in a return may be disclosed only in accordance therewith.	To identify authority, responsibility and to outline mandated procedures for levying the specified business tax.
95	8-396	Businesses and Business Regulations: Article IX. Levying a Tax On Ross Receipts Derived From Retail Short-Term Lease or Rental of Heavy Equipment; Taxpayer to Keep Records	The taxpayer shall keep and preserve suitable records of the gross receipts received by such taxpayer in the conduct of business and such other books or accounts as may be necessary to determine the amount of the tax for which such taxpayer is liable under the provisions of this article. It shall be the duty of the taxpayer to keep and preserve for a period of three years all such records of gross receipts and other books and accounts described. All records, books and accounts herein described shall be open for examination at all reasonable hours during the day by the finance officer or the finance officer's duly authorized agent	To identify authority, responsibility and to outline mandated procedures in regard to the specified business tax.
96	8-397	Businesses and Business Regulations: Article IX. Levying a Tax On Ross Receipts Derived From Retail Short-Term Lease or Rental of Heavy Equipment; Finance Officer to Provide Forms	The finance officer or designee shall design, prepare, print and make available to all taxpayers operating within the municipal boundaries of the city, forms and instructions for filing returns to ensure a full collection of and an accounting for taxes due. The failure of any taxpayer to obtain or receive forms shall not relieve such taxpayer from the payment of the tax at the time and in the manner provided.	To identify authority, responsibility and to outline mandated procedures for levying the specified business tax.
97	8-398	Businesses and Business Regulations: Article IX. Levying a Tax On Ross Receipts Derived From Retail Short-Term Lease or Rental of Heavy Equipment; Situs	Gross receipts from the short-term lease or rental of heavy equipment are subject to the tax imposed by this article if the place of business from which the heavy equipment is delivered is located within the municipal boundaries of the town. (G.S. 160A-215.2(b))	To identify authority, responsibility and to outline mandated procedures for levying the specified business tax.

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98	8-399	Businesses and Business Regulations: Article IX. Levying a Tax On Ross Receipts Derived From Retail Short-Term Lease or Rental of Heavy Equipment;Penalties and Remedies	The provisions with respect to penalties and collection remedies that apply to the payment of sales and use taxes under G.S. Ch. 105, Art. 5 shall be applicable in like manner to the tax authorized to be levied and collected under this resolution, to the extent that the same are not inconsistent with the provisions hereof. The finance officer may exercise any power the secretary of revenue may exercise in imposing these penalties and remedies. (G.S. 160A-215.2(d))	To clearly define the penalty for violation of the ordinance and the responsibilities for collection of the tax.
99	8-401	Businesses and Business Regulations: Article IX. Levying a Tax On Ross Receipts Derived From Retail Short-Term Lease or Rental of Heavy Equipment;Administration	The city may contract with the county to implement the provisions as outlined above. The city may compensate the county for their services in a manner consistent with other tax collection agreements.	To clearly define the responsibilities for collection of the tax.
100	10-2	Cemeteries: Burial and Disinterment; Authorization; Restrictions	(a) <i>Burial</i> in cemetery only. No person shall bury or cause to be buried any dead human body in any place within the city other than a properly established cemetery. (b) <i>Disinterment</i> . No person shall disinter the remains of any human body buried within the city without first having obtained written permission from the health director and the city or as otherwise provided by law. (c) <i>Grave depths</i> . All graves over four and one-half feet in length shall be a minimum of six feet in depth.	To protect the health and welfare of all citizens.
101	10-3	Cemeteries: Sale of Lots	(a) The city shall have the power to make contracts for the sale of lots in the public cemeteries of the city, at prices prescribed by the city council. The size of lots sold shall be in accordance with the cemetery plots. Deeds for cemetery lots shall be executed by the mayor and attested by the city clerk and no deed shall be delivered until the city has received in full the purchase price of the lot conveyed. Prices shall include perpetual care. (b) Nonresidents of the city shall be required to pay a purchase price of 50 percent per plot more than the price established for residents. (c) The city will consider purchase of cemetery lots from individuals who wish to sell their lots back to the city at the price originally sold.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
102	10-4	Cemeteries: Transfer by Private Owner	(a) No deed for a burial space or section in any cemetery maintained by the city may be transferred or assigned to any third person except by the written consent of the city manager or his designee. (b) Such transfer shall not be sold for profit to exceed the original purchase price on any burial space or section	To identify responsibility and to outline mandated procedures.
103	10-5	Cemeteries: Prices and Fees for Burial in Municipal Cemetery	All prices and fees, as associated criteria, shall be as established from time to time and are listed on the fee schedule on file in the city clerk's office.	To identify responsibility and to outline mandated procedures to ensure equity for all.
104	10-6	Cemeteries: Enclosure of Lots and Placement of Grave Markers in Greenwood Park	(a) The owner of any cemetery lot shall not have the right to enclose such lot with a railing, fence or other similar device in Greenwood Park Cemetery. The only exception permitted will be brick walls to a height of 18 inches or less. (b) Aboveground grave markers and mausoleums will be permitted in Greenwood Park Cemetery.	To identify responsibility and to outline mandated procedures for the benefit of all citizens.
105	10-7	Cemeteries: Use; Maintenance; Care; Specifications	(a) No person shall do any work of any kind on any lot in a cemetery belonging to any other person without first notifying the superintendent thereof, and presenting to him an order in writing from the owner or authorized agent of the owner of the lot authorizing the bearer thereof to do such work in Bayview Cemetery. (b) The border or perimeter property not otherwise designated on the cemetery plot for the Bayview Cemetery may be used for interment of infants. (c) No planting of any kind shall be made in any cemetery without the permission of the superintendent of cemeteries. (d) Specifications for the foundations of monuments, tombstones and markers must meet the approval of the superintendent of cemeteries. (e) All interments in city cemeteries shall be in vaults. (f) More than one adult burial grave space shall be prohibited. (g) Square number 184 in the Greenwood Park Cemetery is hereby designated as "baby square" and shall be divided into four spaces per lot. (h) The mausoleum area in Greenwood Park Cemetery is hereby constituted as the area south of Myrtle Street, and burial space therein, four feet by ten feet, shall be sold as such. (i) Planting in the cemeteries that may be deemed detrimental to other property or operations of the cemeteries may be removed at the discretion of the director of public services, or the director's designee.	To identify responsibility and to outline mandated procedures for the benefit of all citizens.
106	10-8	Cemeteries: Removal of Trash, Debris, Building Materials, Etc.	In the cemeteries that permit markers above the ground, all monument, tombstone and curb builders shall remove from the cemetery grounds any trash and unused materials.	To identify responsibility and to outline mandated procedures for the benefit of all citizens.
107	10-9	Cemeteries: Destroying, Injuring, Tampering with Monuments, Flowers, Trees, Etc.	No person shall destroy, mutilate, deface, injure or remove, without permission of the cemetery superintendent, any fence, railing or other work built for the protection or ornamentation of any tomb, monument or gravestone, or for the adornment or protection of a cemetery; or willfully pluck any flowers or shrubs, or cut, destroy, break, remove or injure any tree, shrub or plant in any city cemetery; or commit any other trespass in any city cemetery.	To identify responsibility and to outline mandated procedures and limitations for the benefit of all citizens.
108	10-10	Cemeteries: Sale of Merchandise	No person shall sell or offer for sale any article of merchandise or any fruit drink or beverage or any other thing of value within the limits of cemeteries.	To identify responsibility and to outline mandated procedures and limitations for the benefit of all citizens.
109	10-11	Cemeteries: Speed Limit; Firearms; Driving on Walks	(a) No person shall drive, ride or lead any horse or vehicle in any cemetery in the city at a speed of more than six miles per hour. (b) No person shall discharge any firearms in any cemetery within the city except in the case of a military burial. (c) No person shall drive any vehicle over any walks or drives of a cemetery, or allow any vehicle to stand thereon, if forbidden by the superintendent or cemetery authorities	To identify responsibility and to outline mandated procedures and limitations for the benefit of all citizens.
110	10-12	Cemeteries: Use As Playground	No person shall use any part of any cemetery within the city as a playground.	To identify responsibility and to outline mandated procedures and limitations for the benefit of all citizens.
111	12-1	Emergency Management: State of Emergency; Curfew Authorized	(a) A state of emergency shall be deemed to exist whenever, during times of great public crisis, disaster, rioting, catastrophe, or similar public emergency, for any reason, city public safety authorities are unable to maintain public order or afford adequate protection for lives or property. (b) In the event of an existing or threatened state of emergency endangering the lives, safety, health and welfare of the people within the city, or threatening damage to or destruction of property, the mayor is hereby authorized and empowered to issue a public declaration declaring to all persons the existence of such a state of emergency, and, in order to more effectively protect the lives and property of people within the city, to place in effect any or all of the restrictions hereinafter authorized. (c) The mayor is hereby authorized and empowered to limit by the declaration the application of all or any part of such restrictions to any area specifically designated or described within the corporate limits of the city and to specific hours of the day or night; and to exempt from all or any part of such restrictions law enforcement officers, firefighters and other public employees, doctors, nurses, employees of hospitals and other medical facilities; on-duty military personnel whether state or federal; on duty employees of public utilities, public transportation companies, and newspaper, magazine, radio broadcasting, and television broadcasting corporations operated for profit; and such other classes of persons as may be essential to the preservation of public order and immediately necessary to serve the safety, health, and welfare needs of the people within the city. (d) The mayor shall declare the end of such state of emergency or all or any part of the restrictions imposed as soon as circumstances warrant or when directed to do so by the board. (e) During the existence of a declared state of emergency, the mayor may impose by declaration any or all of the following restrictions: (1) Prohibit or regulate the possession off one's own premises of explosives, firearms, ammunition, or dangerous weapons of any kind, and prohibit the purchase, sale, transfer or other disposition thereof; (2) Prohibit or regulate the buying or selling of beer, wine, or intoxicating beverages of any kind, and their possession or consumption off one's own premises; (3) Prohibit or regulate any demonstration, parade, march, vigil, or participation therein from taking place on any of the public ways or upon any public property; (4) Prohibit or regulate the sale of gasoline, kerosene, naphtha, or any other explosive or inflammable fluids or substances; (5) Prohibit or regulate travel upon any public street, alley, or roadway or upon any other public property, except by those in search of medical assistance, food, or other commodity or service necessary to sustain the well-being of themselves or their families or some member thereof; (6) Prohibit or regulate the participation in or carrying on of any business activity, and prohibit or regulate the keeping open of places of business, places of entertainment, and any other places of public assembly. (f) Any declaration may be extended, altered, or repealed in any particular manner during the continued or threatened existence of a state of emergency by the issuance of a subsequent declaration. (g) During the existence of a state of emergency, it shall be unlawful for any person to violate any provision of any restriction imposed by any declaration authorized by this article.	To identify responsibility and to outline mandated procedures and limitations for the benefit of all citizens.
112	12-3	Emergency Management: Penalty for Violation	The violation of any provision of this chapter, or of any provision of any restriction imposed by any declaration authorized by this chapter, shall constitute a misdemeanor, punishable upon conviction by a fine not exceeding \$50.00 or imprisonment not exceeding 30 days, as provided by G.S. 14-4.	To clearly define the penalty for violation of the ordinance.

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113	14-1	Fire Prevention and Protection: Article I. In General; Street Naming and Numbering	(a) Purpose and authority for enactment. Since the display of street numbers would greatly enhance the ability of the city police, fire and rescue department personnel to rapidly respond to law enforcement, fire, rescue and other emergency calls to residents and businesses within the city and its extraterritorial jurisdiction by assisting these agencies with regard to properly locating the exact location of the request for assistance, and since G.S. 160A-174, 160A-193, 160A-194, 160A-296 and 160A-300 authorize the city to adopt ordinances promoting the health, safety and general welfare of property owners, residents and the general public with regard to traffic and the use and the control of streets, therefore, the board of commissioners of the city ordains the provisions set out herein. (b) City to make street numbers available; written notification. The city shall make available to each owner of a building, structure or premises within the city or its extraterritorial jurisdiction, upon request, the street number assigned to such building, structure or premises by the town. Additionally, the city shall forward to each owner of the building or structure, written notification as to the assigned street numbers for all structures or buildings not having street numbers prominently displayed in a readily visible location at or near the street right-of-way on the front of such property or on the front of such building or structure. As used herein, the term "front" shall mean the property line or wall of the building closest to the street on which the lot, building or structure faces. In the case of a corner lot, the term "front" shall mean the property line or wall of the building or structure on which the principal entry and exit to the building or structure faces. (c) Numbers to be affixed and readily visible. Each street number assigned for a building or structure by the city shall be affixed or displayed prominently and in a readily visible location by the owner on the front of such building, structure or premises or on or near the front street lot line at a location perpendicular to the main entrance to such building or structure. (d) Numbers to contrast with front of building. The numbers used by each owner shall be at least four inches tall for residential properties, six inches tall for commercial properties and shall be painted, tinted or colored so that the numbers contrast with the front of each building, structure or premises, so that the numbers are readily, clearly and reasonably visible from the street right-of-way. For example, white or other pastel colors shall be used on the front wall of buildings having a dark color or tint and darker letters shall be used on the front wall of buildings or structures having a lighter color.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
114	14-30.b.	Fire Prevention and Protection: Article II. Fire Department; Equipment	(b) Housing to be safe and convenient places as designated; entry by nonmembers. (1) All equipment of the fire department shall be safely and conveniently housed in such places as may be designated by the city council. (2) No person shall enter any place where fire apparatus is housed or handle any apparatus or equipment belonging to the department unless accompanied by, or having the special permission of, an officer or authorized member of the department. (c) Using without authority; concealing. No person shall use any fire apparatus or equipment for any private purpose, nor shall any person willfully and without proper authority take away or conceal any article used in any way by the fire department. (d) Taking out of city; use for other than firefighting. No fire engine, fire truck or other fire apparatus of the city shall leave the city without the consent of the fire chief or his designee, and no fire apparatus shall be used for other than fire purposes without the consent of the chief of the fire department or his designee.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
115	14-31	Fire Prevention and Protection: Article II. Fire Department; Suppressing Arson	The fire chief is hereby required to assist the proper authorities in suppressing the crime of arson by investigation, or causing to be investigated, the cause, origin and circumstances of all fires.	To identify responsibility .
116	14-32	Fire Prevention and Protection: Article II. Fire Department; Abatement of Hazards	The fire chief and his designated representatives are hereby empowered to enter any and all buildings and premises at any reasonable hour for the purpose of making inspections and to serve written notice upon the owner or occupant to abate, within a specified time, any fire hazards that may be found. Any person served with such a notice shall comply therewith and promptly notify the chief or fire marshal.	To identify authority, responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
117	14-33	Fire Prevention and Protection: Article II. Fire Department; Interference with Firefighters or Apparatus	No person shall interfere with a firefighter in the discharge of his/her duties, or hinder him/her in the performance of his/her duties; nor shall any person other than members of the fire department loiter about any fire station or change, handle or meddle in any manner with any fire engine or any other fire apparatus.	To identify access limitations to ensure the safety and functionality of city personal.
118	14-34	Fire Prevention and Protection: Article II. Fire Department; Unauthorized Rideing on Apparatus	No person other than a bona fide member of the fire department shall mount any fire engine, wagon or apparatus before it leaves the station or while on its way to or from a fire, or at any other time, unless by permission of the driver or officer in command of such engine, wagon or other apparatus	To identify access limitations in regard to emergency equipment.
119	14-35	Fire Prevention and Protection: Article II. Fire Department; Protection of Hose	It shall be unlawful for any person to in any way damage or mutilate any fire hose while in use at a fire or otherwise.	To identify access limitations in regard to emergency equipment.
120	14-36	Fire Prevention and Protection: Article II. Fire Department; Obstructing Hydrants	It shall be unlawful for any person to obstruct any hydrant or fireplug in such manner as to interfere with or obstruct the easy approach to or the convenient use of the same by the fire department. A three-foot clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.	To identify access limitations in regard to emergency equipment.
121	14-37	Fire Prevention and Protection: Article II. Fire Department; Interference at Fires	(a) The fire department or the police may lay off, by rope or otherwise, such portions of the street and lots adjacent thereto as may be deemed necessary for fighting any fire, and it shall be unlawful for any person to cross over or enter such enclosure without the permission of the police or firefighters. (b) No person shall stand or be in any street, alley or square where, or near where, a fire is in progress in such a way as to interfere with the duties of the fire department.	To identify access limitations to ensure the safety and functionality of city personal.
122	14-62	Fire Prevention and Protection: Article III. Fire Prevention Code; Volume V Fire Prevention Code	There is hereby adopted by the city, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the "North Carolina State Building Code, Volume V, Fire Prevention," adopted as of July 1, 1992, or subsequently amended.	Establishes building code with regard to fire prevention
123	14-63	Fire Prevention and Protection: Article III. Fire Prevention Code; Schedule of Inspections	It is the intent of the city fire department to inspect all commercial buildings on an annual basis. If for some reason this cannot occur, the state's minimum schedule will be met.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
124	14-64	Fire Prevention and Protection: Article III. Fire Prevention Code; Burning Refuse; Bonfires	No person shall kindle or maintain a bonfire or open burning as defined by the North Carolina State Fire Code, or burn or cause to be burned any trash, refuse, shavings, paper, leaves, litter or other material of any kind outside any house, on or in any street, sidewalk, alley or other public way, or on any lot or yard within the city.	To identify responsibility and limitations to ensure the safety and/or welfare of all citizens.
125	14-65	Fire Prevention and Protection: Article III. Fire Prevention Code; General Penalty; Enforcement	(a) Unless otherwise provided in the inspection fees and penalties schedule, violations of the provisions of this article shall subject the offender to a civil penalty of \$100.00 for each violation. Any civil penalty, if not paid at the tax office for the town, 706 Arendell Street, within 15 days of the issuance of a citation, shall be doubled up to a maximum of \$1,000.00 and may be recovered by the city in a civil action in the nature of debt with interest at the rate of ten percent per annum from the date of the citation until paid, together with all costs and reasonable attorney's fees. Unless otherwise provided by a specific provision of this Code, such civil penalty shall be assessed for each violation. Each calendar day that any such violation occurs or continues shall constitute a separate and distinct violation. (b) The fire prevention inspection fee and penalty schedule is in the most recent city fee schedule on file in the city clerk's office. (c) The provisions of this article may also be enforced by any remedy provided in Chapter 1, General Provisions, section 1-7(a), of this Code and by injunction or abatement.	To clearly define the penalty for violation of the ordinance.

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126	14-66	Fire Prevention and Protection: Article III. Fire Prevention Code; Rapid Entry Key Box System	<p>(a) The following structures shall be equipped with a "rapid entry key box" at or near the main entrance or such other location as required or approved by the fire chief or his designee: (1) All new businesses. (2) All new multifamily residential structures that have restricted access through locked doors and have a common corridor or stairs for access to the living units. (3) All new construction and all structures required to have a lock box, and buildings or other wholly or partially enclosed structures being renovated or remodeled. (4) Other properties or structures where fire department access would be significantly delayed as determined by the fire chief or his designee. (b) All newly constructed structures subject to this section shall have the key lock box installed and operational prior to the issuance of a certificate of occupancy. (c) The fire chief or his designee shall designate the type of key lock box system to be implemented within the city and shall have authority to require all structures as outlined in this section to use the designated system. Unless the fire chief or his designee designates a different system, the city adopts the use of the "Supra's Rapid Entry Key Boxes" system. (d) The owner or operator of a structure required to have a key lock box shall, at all times, keep a key in the lock box that will allow for access to the structure. (e) The fire chief shall be authorized to implement rules and regulations for the use of the lock box system. (f) Box contents. The lock box shall contain keys or key cards for the following: (1) The main entrance door. (2) Fire alarm control room (if one exists). (3) Mechanical rooms, sprinkler and riser control rooms. (4) Fire alarm control panel. (5) Electrical rooms. (6) "Special" keys (if required) to restore pull-stations or other fire protection devices to the "normal operation" position following activation. (7) Elevator keys, if required. (8) All other rooms in new construction and buildings being renovated or remodeled as specified/identified by the plans review process. (g) Any person who owns, occupies or operates a structure subject to this section shall be subject to the penalties set forth in section 14-65 for any violation of this section. (h) Notwithstanding the foregoing any building, structure or business may be exempted from the provisions of this section if the owner and each occupant, tenant and lessee: (1) Executes a waiver and indemnity agreement provided by the fire department relieving the city and its employees, staff, officers and officials, including, without limitation, all members of the fire department, from any and all liability for loss or damage to property (real or personal) and injury to or death of any person which may result from the absence of a key lock box and agreeing to indemnify and save harmless the city and all of its employees, staff, officers and officials, including, without limitation, all members of the fire department, from all claims, demands, and actions for all expenses and costs, actually or allegedly resulting from the absence of a key lock box. This waiver and indemnity shall contain such other provisions as the fire chief may require; (2) Notifies the insurance company providing any insurance coverage for the building, structure or business of this decision to refuse the placement of a key lock box and providing all such insurance companies with a copy of the waiver and indemnity agreement and furnishing the fire department with evidence of acknowledgement of the receipt of this notice by the insurance company or companies and a certification by each of coverage of casualty loss to the premises and business and liability coverage for loss or damage, including injury to and death of any person resulting from the absence of a key lock box; (3) Agrees that upon notification from any member of the fire, police or planning and inspections department of the city that entry into the building, structure or business is necessary or advisable because of an alarm or detectible smoke, fire or damage, the signer of such waiver and indemnity agreement, or a representative with the means and authority to provide entry, will be on the site of the building, structure or business within 15 minutes of the notice. If such person does not arrive within 15 minutes, the fire department personnel on site may gain entry by any means possible without liability for damage. Any delay and damage and/or injury (including death) caused by the absence of a key lock box and/or waiting for a responsible person to arrive on scene shall be the sole responsibility of the owner, tenant and/or operator of the building, structure or business.</p> <p>Upon one failure to arrive within 15 minutes of notice, the waiver and indemnity agreement above described shall automatically be void. Thereupon, a key lock box shall be ordered on the next day that is not a Saturday, Sunday or holiday and thereafter properly installed within 30 calendar days of such failure. Failure to install a key lock box within 30 days will constitute a violation and will be subject to the penalties set forth in section 14-65.</p>	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
127	16-1	Health: Article I. In General; Health Director	The county health director and his assistants are authorized to act as agents for the city, to assist in the enforcement of any provisions of this chapter. When so authorized, their acts shall be of the same force and effect as regularly appointed and employed officials of the city.	To identify authority and responsibility regard to health and welfare of citizens.
128	16-2	Health: Article I. In General; Sanitary Facilities for Gatherings	Any group or organization holding a tent meeting, or meeting of any sort, outdoors or indoors, whether business, fraternal, social or religious, where more than 100 persons are permitted to gather, shall furnish sanitary facilities to the groups assembled. Such sanitary facilities shall consist at a minimum of a type of toilet approved by the health authorities.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
129	16-3	Health: Article I. In General; Depositing Dishwater, Other Slops Into Streets	No person shall convey out of his kitchen any dishwater or other slops into any of the streets or alleys of the city. No person shall throw filth of any kind or conduct any such slops by drains into the streets, ditches or gutters of the city.	To prohibit actions that might create public health concerns.
130	16-4	Health: Article I. In General; Depositing Deleterious Matter Along Shoreline or Into Town Slough	It shall be unlawful for any person to deposit or cause to be deposited on or along the shoreline (south side) of the city or in that body of water known as Town Slough, fish or fish offal or other foreign or deleterious matter, which deposit is forbidden by the sanitary regulations prescribed by the state commission for health services or other state authority with such jurisdiction.	To prohibit actions that might create public health concerns.
131	16-5	Health: Article I. In General; Depositing Fish Offal Around Wharves	It shall be unlawful to drop or throw fish offal of any kind upon the land or in the water about the wharves in front of the city where it will drift ashore or ebb out so as to become offensive.	To prohibit actions that might create public health concerns.
132	16-6	Health: Article I. In General; Composting Fish or Fish Offal	It shall be unlawful to compost fish or fish offal in the corporate limits.	To prohibit actions that might create public health concerns.
133	16-7	Health: Article I. In General; Expectorating on Sidewalks, Other Public Ways	It shall be unlawful for any person to expectorate upon any paved sidewalk, public platform or on the floor or steps of any public building or on the walks around any of the churches or passenger stations in the city.	To prohibit actions that might create public health concerns.
134	16-8	Health: Article I. In General; Smoking in Municipal Buildings and Vehicles	<p>(a) <i>Definitions</i>. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning: Smoking means the inhaling, exhaling, burning or carrying of a lighted pipe, cigar, cigarette or other combustible tobacco product. The term "smoking" also means the use of vaping devices and e-cigarettes, devices which do not use tobacco.(b) <i>Smoking regulated in municipal buildings</i>. It shall be unlawful for any person to smoke in any building or facility or portion of a building or facility now or hereafter owned, leased, operated, occupied, managed or controlled by the city, except in specially designated smoking areas. The city manager shall have the authority to designate smoking areas within each city building or facility. An area within any building or facility may be designated as a smoking area only if the ventilation of such area is sufficient, any adverse impact on municipal employees and members of the public is minimal and no fire or other safety hazard will be created by smoking in such area. (c) <i>Smoking prohibited in municipal vehicles</i>. It shall be unlawful for any person to smoke in any vehicle now or hereafter owned or leased by the city except as so designated by the city manager. The city manager shall have the authority to prohibit smoking in such vehicles based upon the degree of ventilation of such vehicle, any adverse impact on municipal employees and members of the public is minimal and no fire or other safety hazard will be created by smoking in such vehicle. (d) <i>Exemptions</i>. (Reserved for future use.) (e) <i>Penalty</i>. Violation of this section shall constitute a misdemeanor punishable in accordance with G.S. 14-4. (f) Conflict of laws. If any portion of this section or the enforcement thereof is found to be pre-empted by state or federal law, such pre-emption shall not operate to invalidate the rest of the section and the same shall remain in full force and effect. All ordinances or parts of ordinances in conflict with this section are hereby repealed.</p>	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
135	16-9	Health: Article I. In General; Sanitary Facility Requirement for Businesses Operating from a Permanent Location	(a) No place of business shall operate, be open for business or be open for customers, clients or employees, nor shall the owner, tenant, lessee, manager or operator of such place allow the same to be operated, open for business or be open for customers, clients, members or employees until such place shall provide operable sanitary facilities. The minimum facilities required under this section shall be one restroom containing an operable toilet and a wash basin or sink. This section shall not apply to itinerant merchants/transient merchants/itinerant vendors. For purposes of this section, the term "operable" shall mean connected to an approved water and sewer system and maintaining an active service to the facility. (b) Nothing herein shall exempt a business from providing the minimum number of operating sanitary facilities as required by the North Carolina State Building Code. (c) It shall be the duty of the building inspector of the city, once notified, to investigate and take necessary actions to remedy a business from operating without proper necessary sanitary facilities by first notifying the property owner, business owner, or manager of the violation and allowing ten days for the correction to be made. If not corrected the inspector shall revoke the certificate of occupancy/compliance and have the electrical service terminated.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
136	16-39	Health: Article II. Mosquito Control; General Provisions	All premises within the city shall be maintained inasmuch as possible to prevent the breeding of mosquitoes on the premises. Artificial containers, ditches, streams, flooded areas, and all other such sources of standing water or other liquid where mosquitoes are breeding, must be removed, drained, treated, altered, maintained, or otherwise eliminated by the occupant/owner of the premises, in such a manner as to prevent the breeding of mosquitoes. Where there is evidence of mosquito breeding, effective methods of eliminating and treating mosquito breeding sources shall be instigated within 48 hours after discovering or being informed of the evidence of mosquito breeding on the premises.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.

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137	16-40	Health: Article II. Mosquito Control; Methods of Eliminating and Treating Mosquito Breeding Sources	Breeding sources for mosquitoes shall be eliminated or treated by one or more of the following methods as shall be approved by the director: (1) Filling, draining, removing, or otherwise eliminating the breeding source. (2) Completely emptying the breeding source of all water at least every seven days, or as approved by the director. Where an artificial container is a water basin (e.g. swimming pool) designed to hold water, such containers shall be maintained or altered to prevent mosquito breeding or be removed. (3) Treating the breeding source with an effective insecticide and/or larvicide approved by the director. (4) Completely emptying artificial containers of all liquid and storing in an enclosed structure which is constructed in such a manner as to prevent the permanent collection of liquid in said containers. (5) Maintain all natural or manmade storm or surface water drainways in a manner to prevent the ponding of water sufficient to provide breeding for mosquitoes. (6) Other methods proven to be effective in controlling mosquitoes and as approved by the director.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
138	16-41	Health: Article II. Mosquito Control; Right of Entry; Inspections	The director shall have the right of entry upon any premises where entry is necessary to carry out the provisions of this article. If consent for entry is not given or obtained, an administrative search and inspection warrant shall be obtained pursuant to G.S. 15-27.2. However, if an imminent hazard exists, no warrant shall be required for entry upon the premises.	To identify authority and responsibility.
139	16-42	Health: Article II. Mosquito Control; Penalties and Remedies	(a) Any owner/occupant who violates any provision of this article shall be provided written notification of such violation by the director and shall be given three days to comply. If the person in violation shall fail to remedy the offending condition upon the premises within five days of such notification, the owner and occupant shall be jointly and severally subject to a civil fine not to exceed \$500.00, each day after written notice that the offending condition shall continue to exist upon the premises being a separate offense. Such fines may be collected by the city in an action to collect a debt. (b) After three days written notice of violation as provided in subsection (a) of this section, the director may bring a civil proceeding in the Carteret County Superior Court requesting an order of abatement of the offending condition, or in the alternative, the director may enter upon the premises of the owner/occupant and summarily remove, abate or remedy the offending condition pursuant to the city's authority under G.S. 160A-193. Any costs associated with such removal, abatement or remedy and/or the costs of any court action, including reasonable attorney's fees, shall be payable by the owner and occupant and shall be a lien upon the premises, said lien being in the nature of unpaid ad valorem taxes. (c) The remedies available herein shall be cumulative.	To clearly define the penalty for violation of the ordinance.
140	18-6	Law Enforcement: Designation of Police Officers as Agents of Property Owners	The present and future members of the police department (including auxiliary police officers) are authorized to act as agents for property owners and tenants to enforce regulations against trespassing on private property located within the corporate limits of the city upon specific request by such property owners or tenants and shall be made in accordance with the terms of an agency agreement.	To identify authority and responsibility.
141	18-7	Law Enforcement: Police Authority Regarding Criminal History for ABC Permits	The police department shall be authorized to seek state access to SBI/DCI criminal history record information to obtain criminal history information on all persons applying for ABC permits for proposed locations within the city.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
142	20-1	Offenses and Miscellaneous Provisions: Interfering, Etc with Police or Other Officer	It shall be unlawful for any person to assault, oppose, resist or in any manner abuse an officer of the city or member of the police while in the discharge of his duties. Speech-only communications intended to assert rights, clarify misunderstandings, or gain information in a peaceable or orderly manner, without conduct, shall not constitute a violation of this section.	To identify access limitations to ensure the safety and functionality of city personal.
143	20-2	Offenses and Miscellaneous Provisions: Security of Crime Scenes	(a) Police officers shall have the authority to establish perimeter boundaries of a crime scene by setting up signs, ropes, police lines, vehicles or other necessary means around the scene and such adjacent roadways as necessary to protect themselves and the public from harm or to ensure the security of evidence or to prevent the interference by nonpolice personnel with the police in the performance of their duties. (b) It shall be unlawful for any person not a police officer or person not authorized by law or police authority to enter into, intrude upon, cross over or trespass within or upon a boundary of a designated crime scene.	To identify authority and responsibility.
144	20-3	Offenses and Miscellaneous Provisions: Breach of Peace	It shall be unlawful to commit a breach of the peace or engage in riotous or disorderly conduct within the city.	To identify responsibility and limitations to ensure the safety and/or welfare of city employee and all citizens.
145	20-4	Offenses and Miscellaneous Provisions: Weapons; Use; Sale	It shall be unlawful to discharge or use any slingshot or air rifle; or to sell or offer for sale any slingshot; or to fire guns, rifles or pistols within the corporate limits. This section shall not apply to law enforcement officers while discharging their duties.	To prohibit actions/behavior that threaten the safety and/or welfare of citizens.
146	20-5	Offenses and Miscellaneous Provisions: Indecent Exposure; Obscenity	It shall be unlawful to expose one's genitals in any place where the general public has access or which may be viewed by the general public or to shout or write obscene language or make obscene marks or drawings on any fence or wall in any public place or a place open to view by the public. For purposes of this section, the term "obscene" shall be defined as provided by section 14-190.1 of the General Statutes of North Carolina (G.S. 14-190.1).	To prohibit actions/behavior that threaten the safety and/or welfare of citizens.
147	20-6	Offenses and Miscellaneous Provisions: Congregating or Loitering to Obstruct Passage	It shall be unlawful for persons to assemble or loiter upon the streets in sufficient number or in such manner as to be an obstruction to the streets, sidewalks or crossings or in such manner as to interfere with the free passage into or out of any business enterprise or private property.	To prohibit actions/behavior that threaten the safety and/or welfare of citizens.
148	20-7	Offenses and Miscellaneous Provisions: Loitering at Schools	It shall be unlawful to loiter in or around any school within 100 feet of the outermost boundary of the school property, between sunset and sunrise.	To prohibit actions/behavior that threaten the safety and/or welfare of citizens.
149	20-8	Offenses and Miscellaneous Provisions: Disturbing Public Meetings	It shall be unlawful for any person to be disorderly at any exhibition or public meeting, at any public hall, at any church or place of worship, or any other place, or in any way disturb the audience.	To prohibit actions/behavior that threaten the safety and/or welfare of citizens.
150	20-9	Offenses and Miscellaneous Provisions: Damage to Property	(a) <i>Generally</i> . It shall be unlawful to injure, deface, paint, carve or mutilate in any way whatsoever any sign, post, lamppost, wire, apparatus, building, residence, wall or fence. (b) <i>Water, sewer or alarm system</i> . No person shall injure or interfere with any valve, valve box, meter, meter box, storm or sanitary sewer manhole cover, storm sewer catch basin cover, fire hydrant, police or fire alarm box, traffic signal or any other property used in the city water, sanitary or storm sewer, or police or fire alarm system. (c) <i>Water and sewer pipes</i> . It shall be unlawful for any person to injure, break or destroy, or in any manner interfere with any of the water pipes, mains or other appliances used in connection with the water or sewerage plants of the city, whether the same shall be laid in the streets or connected with any private or public lot. It shall be unlawful for any person to trespass upon any exposed water and sewer pipe or appurtenance thereof. (d) <i>Electric utility and fire alarm facility</i> . It shall be unlawful for any person to injure, cut, break, damage or destroy any of the electric lights, poles, wires or other fixtures or appliances used in connection with the electric light plant or fire alarm system, whether the same is the property of the city or any person, and whether the same is located on public or private property. (e) <i>School property</i> . It shall be unlawful for any person to injure, deface or destroy any property owned, occupied or used by or for any of the public schools.	To prohibit actions/behavior that damage or destroy city property.
151	20-10	Offenses and Miscellaneous Provisions: Illegal Use of Whistles, Horns, Sirens	No person, without special authority from the police department or fire department, shall carry or use any whistle, horn or siren similar in appearance or sound to the whistles, horns or sirens used by the police department, fire department, ambulances or rescue squad emergency service vehicles.	To prohibit actions/behavior that threaten the safety and/or welfare of citizens.
152	20-11	Offenses and Miscellaneous Provisions: Public Trees; Landscaping Improvements	It shall be unlawful to remove, destroy, cut, prune, trim, disfigure or cause herbicide to be placed or sprayed in or around trees, shrubbery, bushes, hedges, and/or landscaping, either planted or naturally occurring, within the public areas of the city including, but not limited to, street rights-of-way, cemeteries, parks, public accesses, bikeways and properties belonging to the city. Nothing in this section shall prohibit the city from pruning, cutting, or removing trees and landscaping as a part of its maintenance and construction activities. Each tree, bush, hedge plant, landscaping plant removed, destroyed, pruned, trimmed, disfigured or on, in or around which any herbicide has been placed or sprayed shall be a separate offense and every day that this section is violated again shall be a separate offense. In addition to criminal and civil penalties and remedies for violation of this section, the violator shall be liable to the city for the value of the tree or plant which is the subject of the violation and the cost associated with its replacement.	To prohibit actions/behavior that damage or destroy city property.

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153	20-12	Offenses and Miscellaneous Provisions: Begging	<p>(a) <i>Definitions.</i> The following terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: Aggressive manner means and includes the following conduct: Beg, solicit, or ask means to request an immediate donation of money or other thing of value from another person, regardless of the solicitor's purpose or intended use of the money or other thing of value. The begging, solicitation, or asking may be, without limitation, by the spoken, written or printed word, or by other means of communication. (1) Intentionally or recklessly making any physical contact with or touching the other person in the course of the solicitation without the person's consent; (2) Following the person being solicited, if that conduct is intended to or is likely to cause a person to fear bodily contact or imminent bodily harm or the commission of a criminal act upon or contact with property in the person's possession; or is intended to or is likely to intimidate the person being solicited into responding affirmatively to the solicitation; (3) Intentionally or recklessly blocking the safe or free passage of the person being solicited or requiring the person, or the driver of a vehicle, to take evasive action to avoid physical contact with the person asking the solicitation; (4) Intentionally or recklessly using obscene or abusive language or gestures; or using words or gestures intended to or likely to intimidate the person into responding affirmatively to the solicitation; (5) Approaching the person being solicited in a manner that is intended to or is likely to cause a person to fear bodily contact or imminent bodily harm or the commission of a criminal act upon or contact with property in the person's possession; or is intended to or is likely to intimidate the person being solicited into responding affirmatively to the solicitation; or (6) Continuing to solicit from a person after such person has given a negative response to such solicitation. Automated teller machine means any device or machine, linked to a financial institution's account records, which is able to carry out transactions, including, but not limited to, account transfers, deposits, cash withdrawals, balance inquiries, and mortgage and loan payments, and includes an automated banking device as defined by G.S. 14-113.8(1a). Automated teller machine facility means the area comprised of one or more automated teller machine, and any adjacent space which is made available to customers of such machines during and after regular business hours. False or misleading solicitation means and includes, but is not limited to, the following: (1) Stating that a donation is needed to meet a specific need, when the solicitor already has sufficient funds to meet that need and does not disclose that fact; (2) Stating that the donation is needed to meet a need which does not exist; (3) Stating the solicitor is from out of town and stranded when that is not true; (4) Wearing a military uniform or other indication of military service, when the solicitor is neither a present nor former member of the service indicated; (5) Wearing or displaying an indication of physical or mental disability, when the solicitor does not suffer the disability indicated; (6) Use of any makeup or device to simulate any deformity; or (7) Stating that the solicitor is homeless, when he is not. Intimidate means any conduct which would cause a person to fear bodily contact or imminent bodily harm or the commission of a criminal act upon or contact with property in the person's possession, and which may cause such person to do something he would not have otherwise done. (b) <i>Prohibited acts.</i> It shall be unlawful for any person to beg, solicit, or ask for money or other things of value, to exhibit oneself for the purpose of begging, soliciting, or asking for money or other things of value, or to solicit or otherwise offer the sale of goods or services: (1) In an aggressive or intimidating manner; (2) In a manner that impedes pedestrians; (3) Within 20 feet of any crosswalk; (4) In or on cemetery grounds; (5) Within any areas adjacent to or near any public, private, or parochial schools and/or community college, college or university property; (6) In any public park or water access point; (7) Approaching within three feet of a person being solicited unless that person has indicated that he wishes to make a donation; (8) Within 50 feet of any entrance or exit of any bank or financial institution, or within 50 feet of any automated teller machine without the consent of the owner or other person legally in possession of such facilities; provided, however, that when an automated teller machine is located within an automated teller machine facility, such distance shall be measured from the entrance or exit of the automated teller machine facility; (9) While the person being solicited is standing in line waiting to be admitted to a commercial establishment; (10) On private property if the owner, tenant, or lawful occupant has asked the person not to solicit on the property, or has posted a sign clearly indicating that solicitations are not welcome on the property; (11) From any operator or passenger of a motor vehicle that is on a public street; (12) At any sidewalk cafe permitted under article 11-1 and in accordance with section 12-2.5(D) of the Unified Development Ordinance, provided such areas are in active use at the time; (13) While under the influence of alcohol or after having illegally used any controlled substance as defined in the North Carolina Controlled Substances Act; (14) In a group of two or more persons; (15) By knowingly making any false or misleading representation in the course of soliciting or begging; or (16) At any location between the hours of 9:00 p.m. to 8:00 a.m. (c) <i>Exemptions.</i> The following persons or firms are exempt from the provisions of this article: Section 20-12 (b): (1) A street performer as defined in section 28-164 performing in compliance with chapter 28, article VI; (2) Any person requesting donations for any church, religious, charitable organization, school, school boosters club, or an organization tax exempt under the provision of Section 501(c)(3) of the U.S. Internal Revenue Code, which person has permission to do so from an organization designated in this subsection; or (3) Any person, business or organization taking part in any festival or other activity under a permit or other approval granted by the city manager or his designee. (d) Penalty. Any person who violates any of the provisions of this section shall be guilty of a misdemeanor as provided in G.S. 14-4 for each violation, and, upon conviction, shall be subject to a maximum fine not to exceed \$50.00 or by imprisonment for not more than 30 days.</p>	To define and prohibit actions/behavior that may be perceived as offensive or threaten the safety and/or welfare of citizens.
154	20-13	Offenses and Miscellaneous Provisions: Noise	<p>(a) It shall be unlawful to create or assist in creating any unreasonably loud, disturbing noise in the city. Noise of such character, intensity and duration as to be detrimental to the public health, welfare and peace is hereby prohibited. (b) The following acts, among others, are hereby declared to be loud, disturbing noises in violation of this section, but this enumeration shall not be deemed to be exclusive: (1) The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle, except as a danger signal, so as to create any unreasonably loud or harsh sound, or the sounding of such device for an unreasonable period of time, or the use of any gong or siren upon any vehicle, other than police, fire or other emergency vehicle; (2) Playing or allowing to be played any radio, phonograph, television, loudspeaker, drum, amplifier or musical instrument or anything else in such manner or with such volume, during the hours from 11:00 p.m. to 7:00 a.m., so as to annoy or disturb the quiet, comfort or repose of any person in any dwelling, hotel or other type of residence, provided, however, that during festivals and other special events authorized by the city council the hours wherein this subsection will apply will be from 12:00 midnight to 7:00 a.m.; (3) The keeping of any animal or bird that, by causing frequent or long-continued noise, shall disturb the comfort and repose of any person in the vicinity; (4) The use of any automobile, motorcycle or vehicle so out of repair, so loaded or in such manner as to create loud grating, grinding, rattling or other noise; (5) The blowing of any steam whistle attached to any stationary boiler or engine, except to give notice of the time to begin or stop work or as a warning of danger; (6) The sounding of any bell or gong attached to any building or premises that disturbs the quiet or repose of persons in the vicinity thereof; (7) The conducting, operating or maintaining of any garage or service station in any residential area so as to cause loud or offensive noises to be emitted therefrom between the hours of 10:00 p.m. and 7:00 a.m. on weekdays or on Sundays; (8) The creation of any excessive noises on any street adjacent to any school or institution of learning, while the same is in session, that unreasonably and unnecessarily interfere with the working of such institution, provided conspicuous signs are displayed in such streets indicating that the area is a school area; (9) The creation of any excessive noise on Sundays on any street adjacent to any church, provided conspicuous signs are displayed in such streets adjacent to churches indicating that the same is a church street; (10) The erection (including excavation), demolition, alteration or repair of any building in a residential or business district other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, except in the case of urgent necessity in the interest of public safety and then only with a permit from the building inspector, which permit may be renewed for a period of three days or less while the emergency continues; (11) The use of any mechanical device operated by compressed air, unless the noise created thereby is effectively muffled and reduced; (12) The shouting and crying of peddlers, barkers, hawkers and vendors, which disturbs the quiet and peace of the neighborhood; (13) The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale or display of merchandise, except during festivals or other special events authorized by city council action. This subsection shall not apply to loudspeakers or public address systems during sports events at schools, parks, ball fields, and such other public venues as shall be authorized by the city council; (14) The use of any mechanical loudspeakers or amplifiers on trucks or other moving vehicles for advertising purposes or other purposes; (15) Shouting, fighting or creating noise through loud or boisterous speech or singing so as to be audible off of the premises upon which such activities and noises occur if so loud as to disturb the peace and tranquility of persons occupying residences, motels, hotels, rest homes, nursing homes or hospitals in the vicinity; (16) Idling or running of diesel engines or running refrigeration motors or compressors on or in motor vehicles between the hours of 11:00 p.m. and 7:00 a.m. each day in any location within 400 feet of any residence or residential district as established by the zoning ordinance. Residential districts shall include all R districts and PD and MF districts. This subsection shall not apply to motor vehicles or trains while in transit over the streets of the city or railroad tracks in the city in a normal manner at a lawful speed nor to delivery vehicles while making deliveries. (c) Any violation of this section shall be punishable by a fine of \$50.00 and/or imprisonment of up to 30 days. Additionally, such violation shall subject the offender to a civil penalty of \$100.00 for each violation, to be recovered by the city in a civil action if not paid within ten days after citation of the offender for the violation. Each day that a violation continues shall be a separate and distinct offense, and it shall not be necessary to issue a citation each day. This section may also be enforced by injunction or order of abatement, or both. This section may be enforced by one, all or a combination of the remedies authorized herein.</p>	To define and prohibit actions/behavior that may be perceived as offensive or threaten the safety and/or welfare of citizens.
155	20-14	Offenses and Miscellaneous Provisions: Nuisances	<p>The following conditions or actions, in addition to others, are declared to be nuisances and are unlawful:(1) It shall be unlawful for any person, business or enterprise to utilize any town-owned litter receptacle that is placed solely for the purpose of receiving litter from the general pedestrian public for their primary solid waste storage container and collection service or to supplement their regular solid waste storage container and collection service. (2) It shall be unlawful for any person, business or enterprise to place into or next to any town-owned litter receptacle, placed solely for the purpose of receiving litter from the general pedestrian public, any swill, slops or offal or any waste oil or any material that is classified as hazardous by any state or federal regulatory agency.</p>	To define and prohibit actions/behavior that may be perceived as offensive or threaten the safety and/or welfare of citizens.
156	20-15	Offenses and Miscellaneous Provisions: Electrified Fences	<p>It shall be unlawful for any person to connect any fence to a source of electrical power or to connect any uninsulated wire positioned within 15 feet of ground level to a source of electric power within the city.</p>	To prohibit actions/behavior that may threaten the safety and/or welfare of citizens.
157	20-16	Offenses and Miscellaneous Provisions: Failure to Pay Fare	<p>It shall be unlawful for any person, except persons entitled to free transportation, to ride upon any motor bus, taxicab or other public conveyance without paying therefor the fare prescribed or allowed by law.</p>	To prohibit activity that would be detrimental to commerce.

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158	20-17	Offenses and Miscellaneous Provisions: Consumption and Possession of Malt Beverages and Unfortified Wine on Public Property Prohibited	(a) <i>Prohibited</i> . It shall be unlawful for any person to consume or possess any malt beverage or unfortified wine, as defined by G.S. 18B-300(c), on any property or in any place owned or occupied by the city including, without limitation, any public street, highway, sidewalk, or alley, any town wharf, park, fire station, police station, cemetery or town hall. (b) <i>Definitions</i> . The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: Malt beverage means beer, lager, malt liquor, ale, porter, and any other brewed or fermented beverage containing at least one-half of one percent, and not more than six percent alcohol by volume. (G.S. 18B-101(9)) Open container means a container whose seal has been broken or a container other than the manufacturer's unopened original container (G.S. 18B-300(c) Public street means any highway, road, street, avenue, boulevard, alley, bridge or other way within and/or under the control of the city and open to public use, including the sidewalks of any such street. Unfortified wine means wine that has an alcoholic content produced only by natural fermentation or by the addition of pure cane, beet, or dextrose sugar, and that has an alcoholic content of not more than 17 percent alcohol by volume. (G.S. 18B-101(15)) (c) <i>Consumption on the public streets and on city property prohibited</i> . It shall be unlawful for any person who is not an occupant of a motor vehicle to consume malt beverages and/or unfortified wine on the public streets. Furthermore, it shall be unlawful for any person to consume malt beverages and/or unfortified wine on any property, whether located inside or outside the corporate limits, owned, occupied, or controlled by the city including, but not limited to, public buildings and the grounds appurtenant thereto, city parking lots, public parks, playgrounds, recreational areas, tennis courts, and other athletic fields. (d) <i>Possession of open containers on the public streets and on municipal property prohibited</i> . It shall be unlawful for any person who is not an occupant of a motor vehicle to possess any open container of malt beverage and/or unfortified wine on the public streets. Furthermore, it shall be unlawful for any person to possess any open container of malt beverage and/or unfortified wine on any property, whether located inside or outside the corporate limits, owned, occupied, or controlled by the city including, but not limited to, public buildings and the grounds appurtenant thereto, city parking lots, public parks, playgrounds, recreational areas, tennis courts, and other athletic fields. (e) <i>Possession during special events prohibited</i> . It shall be unlawful for any person to possess malt beverages and/or unfortified wine on the public streets, alleys, or parking lots which are temporarily closed to regular traffic for special events, unless the town council adopts a resolution making other provisions for the possession of malt beverages and/or unfortified wine at the special event. (f) <i>Exemptions</i> . Possession and consumption of malt beverages and/or unfortified wine shall be permitted within a building or premises on town-owned property where appropriate permits have been obtained as required by law for possession and consumption of alcoholic beverages for the period of time permitted thereunder. (g) <i>Penalty</i> . For violation of this article, punishment shall be a \$50.00 fine or 30 days imprisonment, or both	To define and prohibit actions/behavior that may be perceived as offensive or threaten the safety and/or welfare of citizens.
159	22-3	Parks and Recreation: Yard Sales In City Parks	There shall be no yard sales conducted in any city park.	To prohibit actions/behavior that would limit or prevent the enjoyment of all citizens.
160	22-5	Parks and Recreation: Permits for Use of Parks and Recreation Center Facilities	Permits are necessary for use of parks and the recreation center and can be obtained from the parks and recreation department at the recreation center. Fees are on file in the city clerk's office.	To identify responsibility and limitations to ensure equity for all citizens.
161	22-6	Parks and Recreation: Establishment of a Pier Head Line	The pier head line for the Morehead City Yacht Basin, specifically defined as the body of water lying south of Calico Creek Channel, north of Highway 70, west of the N.C. Port Property and east of property now or formerly owned by Edward Bagrowski (Tax PIN #638620911638) and property now or formerly owned by the North Carolina Railroad (Tax PIN #638620911461), shall be located 52 feet from the southern boundary of the federally maintained Calico Creek Channel. No pier located in this basin may extend closer than 52 feet to the Calico Creek Channel.	To identify responsibility and limitations to ensure enjoyment for all citizens.
162	22-7	Parks and Recreation: Park Facility Rules	(a) Pets must be leashed at all times and are restricted to trail usage only. Owners must pick up and dispose of pet waste. (b) The fines for pet infractions are as follows: (1) Leash law infraction: \$50.00. (2) Pets on athletic field areas/playgrounds: \$50.00. (3) Failure to remove pet waste: \$50.00. (c) Parks are open from dawn to dusk each day unless otherwise reserved by citizens for private functions or for recreation activities permitted by the recreation department or town council. Parks with lighted athletic fields or courts remain open for the duration of the game or practice activity as scheduled by the parks and recreation department. (d) No golfing is allowed on park property. (e) Motorized vehicles are restricted to roads and designated parking areas. (f) Athletic fields are closed for play when the park gates are secured.	To identify responsibility and to outline mandated procedures and limitations to ensure the safety of all citizens.
163	22-8	Parks and Recreation: Concealed Handguns and Other Weapons	(a) Except as provided in subsection (b) of this section, no person shall carry, use, or possess firearms or other dangerous weapons of any kind (such as, but not limited to, bowie knives, daggers, dirks, razors, stun guns, sling shots, loaded canes, metallic knuckles, shurikins, bows and arrows and crossbows) within any city park and/or city venues for sports, games or exercises, except for law enforcement officers engaged in the discharge of their duties. Archery activities, such as archery competitive events and/or classes, are permitted only by special permission of the city manager or his designee or under the auspices of the city. (b) Due to preemptive provisions of state law, the carrying of concealed handguns in town parks and athletic venues is prohibited at the following recreational facilities only: playgrounds (including all areas containing play equipment), athletic fields (including soccer fields, baseball and softball fields, football fields, and other sports fields), and athletic facilities (including basketball courts, tennis courts, exercise and walking trails, volleyball courts, skateboarding areas, recreation centers, and similar sports, games and exercise facilities). (c) The city manager or his designee shall maintain lists and/or maps identifying those recreational facilities on which the carrying of concealed handguns is prohibited. The lists or maps shall also be filed with the city clerk. These facilities shall include the following parks or recreational areas with playgrounds, athletic facilities or fields: (1) Big Rock Stadium. (2) Martin Luther King, Jr., City Park. (3) Mitchell Village Park. (4) Piney Park. (5) Recreation Center. (6) Rotary Park. (7) Shevans Park. (d) The city manager or his designee shall post, as soon as practicable, information in the affected locations that specifically identifies those areas in which the carrying of concealed handguns is prohibited.	To define and prohibit actions/behavior that may threaten the safety and/or welfare of citizens.
164	26-2	Solid Waste: Collections; Container Placement	(a) <i>Generally</i> . All residences and small businesses shall have the rollout carts as defined in this chapter in order to receive city refuse service. (1) Except as hereinafter provided, every residence within the city where solid waste or refuse is generated shall be initially provided by the city with a rollout cart that is compatible with refuse collection equipment currently in use by the city's contractor. Additional carts may be purchased by the resident or business owner up to a maximum of three carts per stop. (2) The owner, tenant, lessee or occupant of the location shall be responsible to the city for the proper care and use of the cart and shall be billed for damages to the cart caused by neglect or abusive use. (3) If the owner, tenant, lessee or occupant of the location utilizing a rollout cart shall vacate the premises, then said person shall notify the city for cart pickup prior to their departure. (4) All refuse that readily fits into the cart (solid waste, refuse, cold ashes, etc.) shall be placed within it. Pet litter and diapers must be further protected by wrapping or by plastic bags. (5) Materials such as inert debris, yardwaste, flammable liquids, hot ashes, excluded waste, hazardous waste, infectious waste, special waste, sludge, septage, etc., shall not be placed in a rollout cart. (b) <i>Apartments, condominiums, trailer parks, townhouses, etc.</i> Every apartment, condominium, etc., (whether one or more buildings) having more than four units shall have provided by the owner thereof or the owner's association a bulk container not less than three cubic yards nor more than eight cubic yards for disposal of garbage, trash and refuse. Where the aforementioned locations are individually metered for water and sewer for each unit contained in the complex and each tenant may be billed individually for solid waste, and if the owner or the owner's association provides rollout carts for all units in the complex at its own expense, then upon written request from the owner, the city may allow for the use of rollout carts. (c) <i>Crushing boxes</i> . All empty cardboard boxes shall be crushed flat before collection. (d) <i>Unauthorized containers</i> . No wooden boxes, pails or other wooden or cardboard containers shall be used for garbage and refuse in lieu of authorized containers. (e) <i>Draining</i> . All garbage and refuse shall have any liquid drained therefrom before being placed in the rollout cart for collection.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
165	26-3	Solid Waste: Collections; Frequency of and Responsibility	Except as otherwise provided in this chapter and except in case of an emergency arising from an act of God or under circumstances over which the city has no control, the city will provide for the collection and disposal of certain solid waste as follows: (1) Number of collections. For locations with rollout carts, the city will provide one collection per week for the following items: household solid waste, bulk trash, yard waste, C&D, white goods and recycling. (2) Industrial and commercial waste. Industrial and commercial waste shall be collected, removed and disposed of by the operator of the factory, plant, enterprise or business creating or causing said waste. (3) Construction and demolition debris (C&D). Building debris shall be collected, removed and disposed of by the contractor or builder or, upon their failure, by the owner of the property. Repairs made exclusively by the property owner may be collected by the city's solid waste contractor in amounts to be determined by policy or contract. (4) Land clearing debris. Land-clearing debris shall be collected and disposed of by the property owner. (5) Automotive waste. Major automotive parts shall not be placed in rollout carts nor shall they be handled as bulk trash. Such waste shall be disposed of at an appropriate automotive salvage yard.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
166	26-4	Solid Waste: Collections; Route Placement Requirements	(a) Where a rollout cart is used, the owner, tenant, lessee or occupant of the premises shall be responsible for the placement of the cart at the curb or side of the street, but not in the traveled portion of the road. Such location shall be readily accessible for collection crews. Collection from alleys will not be provided. (b) Carts shall be placed for collection, at the curb or street side no earlier than 7:00 p.m. on the day prior to collection, and shall be removed not later than 7:00 p.m. on the day of collection. The city manager is authorized to vary the requirements of this section for persons physically unable to place the rollout cart at the curb. A doctor's certificate may be required. (c) No collection shall be made from vacant lots, nor shall any large rocks, tree trunks over 12 inches in diameter, tree stumps or other heavy objects be collected except as a result of special cleanup periods designated by the city council.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
167	26-5	Solid Waste: Collections; Permit Required	No person or firm shall engage in the business of collecting, hauling or transporting any waste in the city without first obtaining a permit from the city council.	To prohibit actions/behavior that threaten the safety and/or welfare of citizens.
168	26-6	Solid Waste: Collections; Transportation of Swill, Etc.	No swill, slops, garbage, bones, offal, kitchen waste or refuse shall be carried through the streets of the city except in watertight metal or substantial plastic watertight containers. All containers shall have watertight fitting covers.	To prohibit actions/behavior that threaten the safety and/or welfare of citizens.
169	26-7	Solid Waste: Collections; Sanitary Landfills	The sanitary landfill is operated by the Coastal Regional Solid Waste Management Authority which has a transfer station located at Hibbs Road. No dumping of refuse or garbage shall occur at any location within the city limits.	To prohibit actions/behavior that threaten the safety and/or welfare of citizens.

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170	26-8	Solid Waste: Collections; Fees	All developed and occupied property within the city limits shall be billed for collection of solid waste. Fees shall be based upon an amount to be determined by the city council, not to exceed the actual cost for all aspects of providing solid waste services. Fees shall be commensurate with the number of rollout carts located at each service location each month. The same fee shall be billed per unit to multi-residential and multi-commercial locations that are served through one meter. Locations which have contracted with a permitted, private solid waste hauler may be excluded from these fees.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
171	26-9	Solid Waste: Collections; Littering Prohibited	It shall be unlawful for any person to throw, drop, cast or deposit upon any street, alley, sidewalk or any yard or premises, public or private, any filth of any kind, or cans, paper, trash, paper containers, rubbish, bottles, glass or any other form of litter or waste matter.	To prohibit actions/behavior that threaten the safety and/or welfare of citizens.
172	26-10	Solid Waste: Collections; Duty of Business Owners, Occupants	(a) Generally. The owner or occupant of any store or other place of business situated within the city shall exercise reasonable diligence at all times to keep the business premises clean of wastepaper, wrapping paper, paper napkins, cartons, packaging and other used or waste materials thrown or left on the premises by the customers thereof, or anyone else, and shall take reasonable measures to prevent such items from drifting or blowing to adjoining premises. (b) Receptacles. Receptacles of sufficient size and number shall be placed by the business owner on the premises, accessible to the customers of such business, for the purpose of placing therein trash, garbage, etc. (c) Signs. Each business shall have placed upon its premises in conspicuous places and in close proximity to such receptacles, signs which shall convey to customers and other occupants a request that they use such receptacles for the disposal of waste material.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
173	26-11	Solid Waste: Collections; Duty of Customer	It shall be unlawful for any person going upon the premises of another to in any manner dispose of wastepaper, wrapping paper, paper napkins, cartons, packages, containers or other used waste materials except in receptacles provided for such purposes.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
174	28-1	Streets, Sidewalks and Other Public Properties: Article I. In General; Planting Trees Between Sidewalk and Street	The citizens may plant trees in front of their lots on the line dividing the sidewalks from the streets by obtaining authority from the city. The planting of such trees shall be under the supervision of the city manager. No person shall remove, destroy, cut or disfigure such trees without permission from the city manager.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety and/or enjoyment of all citizens.
175	28-2	Streets, Sidewalks and Other Public Properties: Article I. In General; Height Restrictions Near Intersections	No plantings or obstructions more than 30 inches high shall be planted or erected on the right-of-way between the curb and sidewalk within 50 feet from the corner of intersections.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety and/or enjoyment of all citizens.
176	28-3	Streets, Sidewalks and Other Public Properties: Article I. In General; Nuisances	The following conditions are declared to be nuisances affecting public peace and safety and are prohibited: (1) All snow and ice not removed from public sidewalks 12 hours after such snow or ice has ceased to be deposited thereon; (2) All trees, hedges, billboards or other obstructions which prevent any person from having a clear view of traffic approaching an intersection from cross streets in sufficient time to bring a motor vehicle driven at a reasonable speed to a full stop before the intersection is reached; (3) All limbs of trees which are less than eight feet above the surface of any public sidewalk or nine feet above the surface of any street; (4) All wires which are strung less than 15 feet above the surface of the ground; (5) Any use of property abutting on a public street or sidewalk or any use of a public street or sidewalk which causes large crowds of people to gather, obstructing traffic and the free use of the streets and sidewalks; (6) Allowing rainwater, ice or snow to fall from any building or structure upon any street or sidewalk or to flow across any sidewalk; (7) All barbed-wire fences which are located within three feet of any public sidewalk; (8) All dangerous, unguarded machinery in any place or so situated or operated on private property as to constitute a danger to the public using the public thoroughfares; (9) All other conditions or things which are liable to cause injury to the person or property of anyone using the public thoroughfares.	To identify responsibility and to outline mandated procedures and limitations that ensure the safety of all citizens.
177	28-4	Streets, Sidewalks and Other Public Properties: Article I. In General; Exhibition Shows	(a) Permit required. No person shall engage in, participate in, aid, form or commence any exhibition show in or upon any street, sidewalk or other public place in the city unless a permit is first obtained from the city manager. No person may conduct or otherwise participate in any exhibition show except between the hours of 9:00 a.m. and 9:00 p.m. (b) Sponsor of show to be nonprofit organization. No permit shall be issued unless the exhibition show is conducted solely by a nonprofit organization with the proceeds from the exhibition show being used for charitable, educational or religious purposes. No sale of arts, crafts, food or other tangible items shall be permitted within the street or sidewalk area during the exhibition show except under the auspices and control of the organization receiving the permit. Such organization shall be fully responsible for compliance with rules, regulations and ordinances of the city with respect to the exhibition show being conducted pursuant to a permit issued thereunder. (c) Application. Application for a permit for an exhibition show shall be filed with the city manager on forms provided by the city and shall be accompanied by payment of the most current adopted permit fee, kept on file in the office of the city clerk. (1) Filing period. An application for an exhibition show permit shall be filed with the city manager not less than 21 days before the proposed time to conduct the exhibition show. (2) Contents. The application for an exhibition show shall set forth the following information: a. The name, address and telephone number of the organization applying for a permit; b. The names and addresses of its principal officers and management; c. The purpose for which any receipts derived from such exhibition show are to be used; d. The name and address of the person who will be in direct charge of the exhibition show and be present at such show; e. A description of the type of exhibition show and the hours of operation; f. The amount of any special wages, fees, commissions, or expenses to be expended or paid to any person in connection with the exhibition show; g. A statement of the character and extent of the charitable, religious or educational work being done by the applicant organization within the city; h. The name and portions of the street to be closed for the purpose of displays and conducting the exhibition show or the name and area of any city park or other public place in which the exhibition show is to be conducted; i. A copy of a security and traffic-control plan approved by the chief of police; and j. Any additional information which the city manager shall find reasonable and necessary to make a fair determination as to whether a permit should be issued. (d) Standards for issuance. The city manager shall issue a permit for an exhibition show upon a finding that the application meets the requirements of this section, that the exhibition will not unduly inconvenience or interfere with the orderly movement of traffic in the area involved, that property owners in the area are not unduly deprived of access to their property, that the exhibition will not unduly interfere with normal business activity within the area of the street occupied by the exhibition, that emergency vehicles will not be denied access to any person or property, and that adequate cleanup arrangements have been made. In addition, if the exhibition show is to be located in a park or other public place, the city manager shall be satisfied that adequate provisions and accommodations can be made for conducting such exhibition show. (e) Notice of denial or withdrawal of permit. The city manager shall act upon the application for an exhibition show permit within ten days after the filing thereof. If the city manager disapproves the application, he shall notify the applicant, stating the reasons for his denial of the permit, and the permit fee shall not be refunded. A permit issued under this section may be withdrawn in the event of any violation of conditions, misstatement of fact in the application or in instances where the health or safety of the citizens will be adversely affected. (f) Duration. Where the exhibition show is to be conducted pursuant to a permit issued hereunder, such exhibition show may not extend for more than seven successive days without an intervening period of at least one week. (g) Vendor's permit not required. No vendor's permit shall be required for any exhibitor or vendor participating in an exhibition show permitted by this section, nor, in order to avoid the interruption of the exhibition show, shall any vendor's permit issued pursuant to this section be valid in the areas of such an exhibition show unless he is a participant therein.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the safety and/or welfare of citizens.
178	28-5	Streets, Sidewalks and Other Public Properties: Article I. In General; Animals Prohibited	Notwithstanding any other provision of this Code to the contrary, no animal, except for appropriately restrained service animals for the disabled, shall be permitted on any street or sidewalk area closed for an exhibition show pursuant to this article unless such animal is part of a bona fide exhibit being operated at the exhibition show.	To prohibit actions/behavior that threaten the safety and welfare of citizens.
179	28-6	Streets, Sidewalks and Other Public Properties: Article I. In General; Sound Amplification Equipment	Notwithstanding any other provision of this Code to the contrary, no portable radios, tape recorders or other sound equipment, other than such equipment being operated as part of a bona fide exhibit of the exhibition show, shall be operated in any street or sidewalk area closed for an exhibition show pursuant to this article, unless such equipment is being operated so that the sound from such equipment may be heard only through earphones.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the safety and/or welfare of citizens.
180	28-31	Streets, Sidewalks and Other Public Properties: Article II. Improvements; Petition to Pave Required	Except as provided in section 28-41, the city council will consider the paving of any street or sidewalk only when a petition is submitted to it, on forms provided by the city, signed by a majority of the owners of property to be assessed who represent a majority of the linear footage on the street proposed to be improved, requesting that the total cost of such improvement be assessed against the abutting property owners as stipulated in this article.	To identify responsibility and to outline mandated procedures that ensure equity for all citizens.

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181	28-32	Streets, Sidewalks and Other Public Properties: Article II. Improvements; Street Widths	The city council shall not accept a petition or consider the paving of any street which does not meet the minimum width requirements according to the widths prescribed for street classifications as follows: (1) <i>Street definitions</i> . The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: Cul-de-sac. A short street having but one end open to traffic and the other end being permanently or temporarily terminated, in which a vehicle turnaround is provided. Local residential street. Culs-de-sac, loop streets and streets less than 2,500 feet in length, or streets less than one mile in length that do not connect thoroughfares or serve major traffic generators and do not collect traffic from more than 100 dwelling units. Major thoroughfare street. Major streets that provide for the expeditious movement of volumes of traffic within and through urban areas. Minor thoroughfare street. A street which performs the function of collecting traffic from local access streets and carrying it to the major thoroughfare system. It may supplement the major thoroughfare system by facilitating minor through-traffic movement and may also serve abutting property. Residential collector street. A local access street which serves as a connector street between local residential streets and the thoroughfare system. Residential collector streets typically collect traffic from 100 to 400 dwelling units. (2) <i>Minimum standards</i> . a. Local residential street. 1. Minimum pavement width: 27 feet (back of curb to back of curb). 2. Minimum right-of-way width: 45 feet exclusive of utility easements; 60 feet including utility easements. 3. Sidewalks required: One side, five feet wide. 4. Curb type permitted: Valley/rollback/standard. 5. Minimum travel lane width: 11 feet. b. Residential collector street. 1. Minimum pavement width: 31 feet (back of curb to back of curb). 2. Minimum right-of-way width: 50 feet exclusive of utility easements; 60 feet inclusive of utility easements. 3. Sidewalks required: One side, five feet wide. 4. Curb type permitted: Valley/rollback/standard. 5. Minimum travel lane width: 11 feet. c. Minor thoroughfare street. 1. Minimum pavement width: 39 feet (back of curb to back of curb). 2. Minimum right-of-way width: 60 feet exclusive of utility easements; 70 feet inclusive of utility easements. 3. Sidewalks required: One side, five feet wide. 4. Curb type permitted: Valley/rollback/standard. 5. Minimum travel lane width: 14 feet. d. Major thoroughfare street. 1. Minimum pavement width: 49 feet (back of curb to back of curb). 2. Minimum right-of-way width: 80 feet exclusive of utility easements; 100 feet inclusive of utility easements. 3. Sidewalks required: Two sides, five feet wide per side. 4. Curb type permitted: Valley/rollback/standard. 5. Minimum travel lane width: 12 feet. e. Culs-de-sac. 1. Residential minimum pavement diameter: 80 feet (84 feet back of curb to back of curb). 2. Residential minimum right-of-way diameter: 90 feet. 3. Commercial minimum pavement diameter: 90 feet (94 feet back of curb to back of curb). 4. Commercial minimum right-of-way diameter: 100 feet. f. Commercial and industrial streets. 1. Minimum pavement width: 31 feet. 2. Minimum right-of-way width: 50 feet exclusive of utility easements; 60 feet inclusive of utility easements. 3. Sidewalks required: One side, five feet wide. 4. Curb type permitted: Valley/rollback/standard. 5. Minimum travel lane width: 11 feet.	To identify responsibility and to outline mandated procedures that ensure equity for all citizens.
182	28-33	Streets, Sidewalks and Other Public Properties: Article II. Improvements; Scope of Street Improvements	(a) Street improvements for all streets which shall be included in the property owners' petition, the cost of which shall be assessed against the abutting property owners, shall include the following: (1) Curbs and gutters as required by city specifications; (2) Storm sewer drainage facilities, inlets and other necessary incidentals as may be required under streets; (3) Engineering cost; (4) Grading for a width of 31 feet on those streets which were open prior to May 23, 1968, and which need to be graded prior to improvements; (5) Base course material for the full width of the street to be constructed in accordance with city specifications; (6) Street surfacing according to city specifications for a full width of the street to be constructed. (b) The improvement costs for street widths in excess of 31 feet, back of curb to back of curb, and the total cost of all improvements at street intersections shall not be assessed against the abutting property owners and shall be paid for by the city.	To identify responsibility and to outline mandated procedures that ensure equity for all citizens.
183	28-34	Streets, Sidewalks and Other Public Properties: Article II. Improvements; Cost Assessment Policy - Streets	Street improvements designated in section 28-33 to be assessed against property owners will be assessed in the amount of 70 percent of the cost of the front foot benefit. This assessment shall be broken down to an equal share on either side of the street. The city shall assume the cost for 30 percent of the improvements in addition to those otherwise stipulated in this article.	To identify responsibility and to outline mandated procedures that ensure equity for all citizens.
184	28-35	Streets, Sidewalks and Other Public Properties: Article II. Improvements; Sidewalks	Petitions for street improvements may include requests for new sidewalk improvements in accordance with city specifications, which sidewalk improvements may be constructed as part of the street improvement project and in the same manner, in conformity with the following formula: (1) On sidewalks constructed within one-half mile of a public school, property owners shall be assessed 90 percent of the total cost. (2) On sidewalks constructed beyond the one-half-mile zone of a public school, property owners shall be assessed 100 percent of the total cost.	To identify responsibility and to outline mandated procedures that ensure equity for all citizens.
185	28-36	Streets, Sidewalks and Other Public Properties: Article II. Improvements; Project Procedures; Deposits	(a) Upon receipt of a petition for street improvements, the clerk shall examine the petition and certify as to its sufficiency to the city council. No petition shall be considered for street improvements where streets have been opened after May 23, 1968, if they are in violation of the subdivision regulations, and no petition shall be considered for a street less than one normal block in length. (b) No street or street and sidewalk involved in any petition shall be constructed unless and until the persons who have signed the petition shall have deposited with the city the minimum amount in cash, or as much above the minimum amount as the property owner desires, at the time of signing the petition as per the schedule of fees, and relevant criteria, as established from time to time. (c) When the required amount has been deposited with the city, the street improvement assessment procedure as authorized in G.S. 160A-223 through 160A-229 shall be followed and assessments shall be made against the properties abutting upon such improvement according to an equal rate per front foot. Property owners who have made a cash deposit in advance as required in this section shall be credited for such payments on the assessment rolls. In accordance with the requirements of the general statutes, property owners not paying any assessments in cash in advance or those with partial advance payments shall pay their assessments in ten equal annual installments which shall bear interest at the rate of eight percent per annum. (d) If the actual cost of improvements is less than the estimated cost, the excess shall be refunded to the property owners. If the actual cost exceeds the estimated cost, the property owners will be assessed for this amount or may pay such amount in cash in the manner provided by law.	To identify responsibility and to outline mandated procedures that ensure equity for all citizens.
186	38-37	Streets, Sidewalks and Other Public Properties: Article II. Improvements; Installation of Utilities	The city council, prior to approving any project or authorizing any street improvement, shall determine if water and sanitary sewer facilities have been installed within that portion of the street located between curbs. If such facilities have not been installed, or if facilities are inadequate and will have to be replaced, the city council shall postpone the street improvement project pending the installation of such facilities.	To identify responsibility and to outline mandated procedures that ensure equity for all citizens.
187	28-38	Streets, Sidewalks and Other Public Properties: Article II. Improvements; Responsibility of Property Owners as to Driveways, Grass Areas, Drainage, and Tree Removal	(a) Property owners along streets which are surfaced and have curbs and gutters shall be responsible for replacing any driveway or walkway within the street right-of-way as a result of new street construction improvements. Driveway entrances and aprons at the curbline shall be constructed by the city at the location designated by the property owner and the total cost thereof shall be included in the cost assessed for street improvements. (b) Property owners shall be responsible for seeding, landscaping or otherwise improving the area between curbs and the property line as they may desire, provided no walls or other permanent structures are located within the street right-of-way. Drainage pipes and other material on the right-of-way at the time of construction which were purchased by the property owner shall be removed and placed on the lot of the owner for his disposition. The city shall haul away such items if requested by the owner and with the owner's permission. (c) Catch basins, manholes and storm sewer pipes shall be designed and installed in a way to drain the project and not change the natural flow of water. As nearly as possible, streets shall be designed to pick up stormwater at the point where it leaves private property, carry the water in the gutters or pipes through the project and discharge it on private property at the same point it was discharged before the project began. Where street drainage is discharged on private property, the city will pipe the water, provided the property owners buy the necessary materials. Under this policy, the city shall perform the work necessary to design and install the pipe and thus pay approximately half the total cost. (d) During the construction, it may be necessary to remove all trees and shrubs that fall in the area of construction, and any such trees or shrubs that the property owner wishes to transplant should be removed from the area before construction starts. At the owner's request, large trees or shrubs will be dug up with power grading equipment and placed on the front of the property for the owner's disposal. Since the contractor is not trained or equipped for this work, small shrubs or flowers must be moved by the owner if they are to be saved.	To identify responsibility and to outline mandated procedures that ensure enjoyment and equity for all citizens.
188	28-39	Streets, Sidewalks and Other Public Properties: Article II. Improvements; Compliance with Specifications, Supervision	All street grading, base course preparation, storm drainage, surfacing, curbs and gutters and other improvements shall be constructed in accordance with the written specifications of the city which have been approved by the city council. All work shall be done under the supervision of the city manager.	To identify responsibility and to outline mandated procedures that ensure enjoyment and equity for all citizens.
189	28-40	Streets, Sidewalks and Other Public Properties: Article II. Improvements; Resurfacing	Whenever it is necessary to resurface any street which has been surfaced under the policy as established in this article, the city will undertake such resurfacing when funds are appropriated and shall bear the entire cost for such work.	To identify responsibility and to outline mandated procedures that ensure enjoyment and equity for all citizens.
190	28-41	Streets, Sidewalks and Other Public Properties: Article II. Improvements; Opening and Improving Streets Without Petition	When in the opinion of the city council a new street should be opened and improved and no petition is filed asking for the assessment of the cost thereof, and when the city council is of the opinion that the public benefit will be greater than the benefit to abutting property owners, it may direct that such improvement be made and the entire cost thereof is paid by the city.	To identify responsibility and to outline mandated procedures that ensure enjoyment and safety of all citizens.

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191	28-72	Streets, Sidewalks and Other Public Properties: Article III. Street Trees; Violations and Penalties	(a) Notices of violations. Any law enforcement officer, or city administrative or code enforcement official may advise, verbally or in writing, any person or city department apparently violating this article or the requirements of this article. Such notice shall not, however, be a prerequisite to enforcement action. (b) Enforcement. Enforcement of this article shall primarily be the responsibility of the police department. Citizens who are not law enforcement officers may also swear out complaints of violations. (c) Penalties. Failure to comply with the official planting list, the public tree care regulations, lawfully issued decisions, or other requirements of this article shall constitute a misdemeanor, punishable by a fine of up to \$50.00, or imprisonment for 30 days, or both. Each day that a violation continues shall constitute a separate offense. In addition, this article may be enforced by equitable remedies issued by a court of competent jurisdiction including injunction, abatement, mandatory injunction and prohibitory injunction. In addition, each violation of section 28-74(b), (c) or (f) shall subject the violator to a civil penalty of \$100.00 and each violation of section 28-74(d) or (e) shall subject the violator to a civil penalty of \$500.00.	To clearly define authority, responsibility, and the penalty for violation of the code.
192	28-74	Streets, Sidewalks and Other Public Properties: Article III. Street Trees; Public Tree Care	(a) <i>Generally</i> . The regulations of this section shall apply to all street and park trees within the city. (b) <i>Planting</i> . Street and park trees may be planted only in accordance with the species list and guidelines of the city. Planting at variance with the list or guidelines requires special permission of the city. (c) <i>Pruning</i> . City departments and public utilities and their agents may undertake pruning of trees to protect public safety, protect utilities facilities and public improvements, and enhance the beauty of street trees and/or public grounds, provided that pruning personnel have attended an instructional workshop provided of the city or can present proof of similar acceptable instruction in the proper care and pruning of trees. City departments, public utilities and their agents, and other persons conducting major trimming of street or park trees shall notify the city manager of their plans before beginning work. (d) <i>Topping</i> . No person or city department shall top any publicly owned tree, park tree, or street tree on a public right-of-way or public property unless necessary to eliminate an imminent threat to property or to public safety. Topping of trees which are severely damaged by storms or other causes or which threaten utilities, property or public safety may be authorized by the city when other pruning practices would be impractical or ineffectual. (e) <i>Removal</i> . No person or city department shall remove, fell or otherwise destroy any publicly owned tree, park tree or street tree on a public right-of-way or public property unless necessary to eliminate an imminent threat to property or to public safety. This provision shall not prevent prompt removal of fallen trees from public rights-of-way or property. The city may authorize or cause to be removed any publicly owned tree or part thereof which is in an unsafe condition, which threatens private property, public facilities or public safety, or which is affected by injurious insects, fungi or pests. (f) <i>Stumps</i> . All stumps of street and park trees shall be removed so that the top of the stump does not project above the surface of the ground.	To identify responsibility and to outline mandated procedures that ensure enjoyment and safety of all citizens.
193	28-94	Streets, Sidewalks and Other Public Properties: Article IV. Parades and Public Assemblies; Application for Permit	(a) A person seeking a parade or public assembly permit shall file an application with the chief of police on forms provided by such officer, and the application shall be signed by the applicant under oath. (b) For single, nonrecurring parades or public assemblies, an application for a permit shall be filed with the chief of police at least ten days and not more than 180 days before the parade or public assembly is proposed to commence. The chief of police may waive the minimum ten-day filing period and accept an application filed within a shorter period if, after due consideration of the date, time, place, and nature of the parade or public assembly, the anticipated number of participants, and the city services required in connection with the event, the chief of police determines that the waiver will not present a hazard to public safety. (c) For parades or public assemblies held on a regular or recurring basis at the same location, an application for a permit covering all such parades or assemblies during that calendar year may be filed with the chief of police at least 60 and not more than 180 days before the date and time at which the first such parade or public assembly is proposed to commence. The chief of police may waive the minimum 60-day period after due consideration of the factors specified in subsection (b) of this section. (d) The application for a parade or public assembly permit shall set forth the following information: (1) The name, address and telephone number of the person seeking to conduct such parade or public assembly; (2) The names, addresses and telephone numbers of the headquarters of the organization for which the parade or public assembly is to be conducted, if any, and the authorized and responsible heads of the organization; (3) The requested date of the parade or public assembly; (4) The route to be traveled, including the starting point and the termination point; (5) The approximate number of persons who, and animals and vehicles which will constitute such parade or public assembly, and the type of animals, and description of the vehicles; (6) The hours when such parade or public assembly will start and terminate; (7) A statement as to whether the parade or public assembly will occupy all or only a portion of the width of the streets proposed to be traversed; (8) The location, by street, of any assembly areas for such parade or public assembly; (9) The time at which units of the parade or public assembly will begin to assemble at any such area; (10) The intervals of space to be maintained between units of such parade or public assembly; (11) If the parade or public assembly is designed to be held by, or on behalf of, any person other than the applicant, the applicant for such permit shall file a letter from that person with the chief of police authorizing the applicant to apply for the permit on his behalf; (12) The type of public assembly, including a description of activities planned during the event; (13) A description of any recording equipment, sound amplification equipment, banners, signs, or other attention-getting devices to be used in connection with the parade or public assembly; (14) The approximate number of participants (spectators are by definition not participants); (15) The approximate number of spectators; (16) A designation of any public facilities or equipment to be utilized; (17) Whether persons less than 18 years of age are expected to participate; and (18) Any additional information that the chief of police finds reasonably necessary to make a fair determination as to whether a permit should be issued	To identify responsibility and to outline mandated procedures that ensure enjoyment and safety of all citizens.
194	28-95	Streets, Sidewalks and Other Public Properties: Article IV. Parades and Public Assemblies; Fees	(a) A nonrefundable fee as established from time to time to cover administrative costs of processing the permit shall be paid to the city by the applicant when the application is filed. (b) If the application is for the use of any city property or if any city services shall be required for the parade or public assembly, the applicant shall pay, prior to the issuance of a permit, the charges for those services in accordance with a schedule of service costs approved by the city council by resolution.	To identify responsibility and to outline mandated procedures that ensure enjoyment and safety of all citizens.
195	28-96	Streets, Sidewalks and Other Public Properties: Article IV. Parades and Public Assemblies; Police Protection	(a) The chief of police shall determine whether and to what extent additional police protection is reasonably necessary for the parade or public assembly for traffic-control and public safety. The chief of police shall base this decision on the size, location, duration, time and date of the event, the expected sale or service of alcoholic beverages, the number of streets and intersections blocked, and the need to detour or pre-empt citizen travel and use of the streets and sidewalks. The speech content of the event shall not be a factor in determining the amount of police protection necessary. If possible, without disruption of ordinary police services or compromise of public safety, regularly scheduled on-duty personnel will police the event. If additional police protection for the public assembly is deemed necessary by the chief of police, he shall so inform the applicant for the permit. The applicant then shall have the duty to secure the police protection deemed necessary by the chief of police at the sole expense of the applicant. (b) Persons engaging in parades or public assemblies conducted for the sole purpose of public issue speech protected under the First Amendment are not required to pay for any police protection provided by the city.	To identify responsibility and to outline mandated procedures that ensure enjoyment and safety of all citizens.
196	28-97	Streets, Sidewalks and Other Public Properties: Article IV. Parades and Public Assemblies; Issuance of Permits	The application is expressly included as part of any permit granted. A permit shall be issued on a form supplied by the chief of police to the person who signed the application. Such person shall be required to accompany the parade or demonstration, and the permit shall be invalid unless in his possession. The permit shall be deemed issued under the terms and for the purposes stated in the application only, unless otherwise noted. The permit may prescribe the portions or areas of streets, alleys, sidewalks or other public places to be used, and may impose such other reasonable requirements necessary for the control and free movement of pedestrian or vehicular traffic and to protect the safety and property rights of participants and the general public. (1) The chief of police shall issue a permit as provided for herein when, from a consideration of the application and from such other information as may otherwise be obtained, he finds that: a. The conduct of the parade or public assembly will not substantially interrupt the safe and orderly movement of other pedestrian or vehicular traffic contiguous to its route or location; b. The conduct of the parade or public assembly will not require the diversion of so great a number of city police officers to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection of the city; c. The concentration of persons, animals, and vehicles at public assembly points of the parade or public assembly will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such public assembly areas; d. The conduct of the parade or public assembly is not reasonably likely to cause injury to persons or property; e. The parade or public assembly is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route; f. Adequate sanitation and other required health facilities are or will be made available in or adjacent to any public assembly areas; g. There are sufficient parking places near the site of the parade or public assembly to accommodate the number of vehicles reasonably expected; h. The applicant has secured the police protection, if any, required under section 28-96; i. Such parade or public assembly is not for the primary purpose of advertising any product, goods or event that is primarily for private profit, and the parade itself is not primarily for profit. The prohibition against advertising any product, goods or event shall not apply to signs identifying organizations or sponsors furnishing or sponsoring exhibits or structures used in the parade; j. No parade or public assembly permit application for the same time and location is already granted or has been received and will be granted; k. No parade or public assembly permit application for the same time but different location is already granted or has been received and will be granted, and the police resources required for that prior parade or public assembly are so great that in combination with the subsequent proposed application, the resulting deployment of police services would have an immediate and adverse effect upon the welfare and safety of persons and property; l. No event is scheduled elsewhere in the city where the police resources required for the event are so great that the deployment of police services for the proposed parade or public assembly would have an immediate and adverse effect upon the welfare and safety of persons and property; m. No parade or public assembly shall be held except after 8:00 a.m. and before dark except that water-borne parades may be held during hours of darkness; n. The conduct of the parade will not 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; o. The concentration of persons, animals, and vehicles at assembly points of the parade will not substantially interfere with adequate police and fire protection of, or ambulance and rescue service to, areas contiguous to such assembly areas; p. The conduct of the parade will not interfere with the movement of firefighting equipment to such an extent that adequate fire protection cannot be provided to the city; and q. The parade or public assembly is not for the purpose of teaching or advocating the confiscation of private property without just compensation, the violent overthrow of the government of the United States of America, the State of North Carolina or any political subdivision of North Carolina, or the depriving of any person of his liberty or property without due process of law. (2) No permit shall be granted that allows for the erection or placement of any structure, whether permanent or temporary, on a city street, sidewalk, or right-of-way unless advance approval for the erection or placement of the structure is obtained from the city council.	To identify responsibility and to outline mandated procedures that ensure enjoyment and safety of all citizens.

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197	28-98	Streets, Sidewalks and Other Public Properties: Article IV. Parades and Public Assemblies; Nondiscrimination	The chief of police shall uniformly consider each application upon its merits and shall not discriminate in granting or denying permits under this article based upon political, religious, ethnic, race, disabilities, sexual orientation or gender related grounds.	To identify responsibility and to outline mandated procedures that ensure equity for all citizens.
198	28-99	Streets, Sidewalks and Other Public Properties: Article IV. Parades and Public Assemblies; Notice of Denial of Application	The chief of police shall act promptly upon a timely filed application for a parade or public assembly permit but in no event shall grant or deny a permit less than 48 hours prior to the event. If the chief of police disapproves the application, he shall notify the applicant either by personal delivery or certified mail at least 48 hours prior to the event of his action and state the reasons for denial.	To identify responsibility and to outline mandated procedures that ensure equity for all citizens.
199	28-100	Streets, Sidewalks and Other Public Properties: Article IV. Parades and Public Assemblies; Alternative Permit	(a) The chief of police, in denying an application for a parade or public assembly permit, may authorize the conduct of the parade or public assembly at a date, time, location, or route different from that named by the applicant; provided, however, that the alternative authorized shall not reduce substantially the public exposure of the parade or assembly. An applicant desiring to accept an alternate permit shall, within five days after notice of the action of the chief of police, file a written notice of acceptance with the chief of police. (b) An alternate parade or public assembly permit shall conform to the requirements of, and shall have the effect of, a parade or public assembly permit issued under this article	To identify responsibility and to outline mandated procedures that ensure enjoyment and safety of all citizens.
200	28-101	Streets, Sidewalks and Other Public Properties: Article IV. Parades and Public Assemblies; Appeal Procedure	(a) Any applicant shall have the right to appeal the denial of a parade or public assembly permit to the city council. The denied applicant shall make the appeal within five days after receipt of the denial by filing a written notice with the chief of police and a copy of the notice with the city clerk. The city council shall act upon the appeal at the next scheduled meeting following receipt of the notice of the appeal. (b) In the event that the city council rejects an applicant's appeal, the applicant may file an immediate request for review with a court of competent jurisdiction	To define responsibility and to outline mandated procedures to appeal the rejection of a parade permit.
201	28-102	Streets, Sidewalks and Other Public Properties: Article IV. Parades and Public Assemblies; Notice to City and Other Officials	Immediately upon the issuance of a parade or public assembly permit, the chief of police shall send a copy thereof to the following: (1) The city manager; (2) The fire chief; (3) The director of the department of public services; and (4) The manager or responsible head of each public transportation utility, the regular routes of whose vehicles will be affected by the route of the proposed parade or public assembly	To identify responsibility and to outline mandated procedures that ensure enjoyment and safety of all citizens.
202	28-103	Streets, Sidewalks and Other Public Properties: Article IV. Parades and Public Assemblies; Contents of Permit	Each parade or public assembly permit shall state the following information: (1) Starting and approximate ending time; (2) Minimum speed of parade units; (3) Maximum speed of parade units; (4) Maximum interval of space to be maintained between parade units; (5) The portions of the streets that may be occupied by the parade or public assembly; (6) The maximum length of the parade in miles or fractions thereof; (7) The location of the public assembly or route of the parade; and (8) Such other information as the chief of police shall find necessary to the enforcement of this article	To identify responsibility and to outline mandated procedures that ensure enjoyment and safety of all citizens.
203	28-104	Streets, Sidewalks and Other Public Properties: Article IV. Parades and Public Assemblies; Duties of Permittee	(a) A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances. (b) The parade or public assembly chairman or other person heading such activity shall carry the parade or public assembly permit upon his person during the conduct of the parade or public assembly.	To identify responsibility and to outline mandated procedures that ensure enjoyment and safety of all citizens.
204	28-105	Streets, Sidewalks and Other Public Properties: Article IV. Parades and Public Assemblies; Prohibitions	The following prohibitions shall apply to all parades and public assemblies: (1) It shall be unlawful for any person to stage, present, or conduct any parade or public assembly without first having obtained a permit as herein provided; (2) It shall be unlawful for any person to participate in a parade or public assembly for which the person knows a permit has not been granted; (3) It shall be unlawful for any person in charge of, or responsible for the conduct of, a duly licensed parade or public assembly to knowingly fail to comply with any condition of the permit; (4) It shall be unlawful for any person to engage in any parade or public assembly activity that would constitute a substantial hazard to the public safety or that would materially interfere with or endanger the public peace or rights of residents to the quiet and peaceful enjoyment of their property; (5) It shall be unlawful for any person participating in a parade or public assembly to carry or possess any length of metal, lumber, wood, or similar material for purposes of displaying a sign, poster, plaque or notice, unless such object is one-fourth inch or less in thickness and two inches or less in width, or if not generally rectangular in shape, such object shall not exceed three-fourths inch in its thickest dimension; (6) It shall be unlawful for any person to carry any sign, poster, plaque, or notice, whether or not mounted on a length of material as specified in subsection (5) of this section, unless such sign, poster, plaque, or notice is constructed or made of a cloth, paper, or cardboard material; (7) It shall be unlawful for any person participating in a parade or public assembly to utilize sound amplification equipment at decibel levels that exceed those limits imposed by city ordinance or Code section; (8) It shall be unlawful for any person to ride, drive, or cause to be ridden or driven any animal or any animal-drawn vehicle upon any public street, unless specifically authorized by the permit; (9) It shall be unlawful for any person to possess on or about his person any firearm or have within immediate access any firearm or dangerous weapon of any kind while participating in a parade or public assembly or while within 500 feet of any parade or public assembly if the possessor is on any public street, alley, sidewalk or other public property. Dangerous weapons shall mean any device or substance capable of being used to inflict serious injury to persons or property including, but not limited to, firearms, airguns, BB guns, pellet guns, knives or razors with a blade more than three inches long, metallic knuckles, clubs, blackjacks, night sticks, dynamite cartridges, bombs, grenades, explosives, Molotov cocktails, swords, and sword canes. This subsection shall not apply to law enforcement officers nor to members of the armed forces or National Guard; (10) It shall be unlawful for any person participating in a parade to distribute any candy, prizes or favors of any kind; (11) It shall be unlawful for any person participating in a parade or public assembly to allow any vicious animal to accompany the parade or public assembly or to proceed along the parade route or to be brought to or allowed to remain at any place of public assembly.	To identify responsibility, outline mandated procedures and limitations that ensure enjoyment and safety of all citizens.
205	28-106	Streets, Sidewalks and Other Public Properties: Article IV. Parades and Public Assemblies; Public Conduct During Parades or Public Assemblies	(a) No person shall unreasonably hamper, obstruct, impede, or interfere with any parade or public assembly or with any person, vehicle or animal participating or used in a parade or public assembly. (b) No driver of a vehicle shall drive between the vehicles or persons comprising a parade or public assembly when such vehicles or persons are in motion and are conspicuously designated as a parade or public assembly. (c) The chief of police shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street constituting a part of the route of a parade or public assembly. The chief of police shall post signs to that effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street unposted in violation of this article.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the safety and/or welfare of citizens.
206	28-107	Streets, Sidewalks and Other Public Properties: Article IV. Parades and Public Assemblies; Revocation of Permit	The chief of police shall have the authority to revoke a parade or public assembly permit instantly upon violation of the conditions or standards for issuance as set forth in this article or when a public emergency arises where the police resources required for that emergency are so great that deployment of police services for the parade or public assembly would have an immediate and adverse effect upon the welfare and safety of persons or property	To identify authority and responsibility in regard to revoking a parade permit.
207	28-108	Streets, Sidewalks and Other Public Properties: Article IV. Parades and Public Assemblies; Penalties	Any person violating the provisions of any section of this article shall, upon conviction, be punished by fine not to exceed \$500.00, or imprisonment of not more than 30 days, or both.	To clearly define the penalty for violation of the ordinance.

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208	28-131	Streets, Sidewalks and Other Public Properties: Article V. Loitering for the Purpose of Engaging in Drug-Related Activity; Prohibition on Certain Activities; Circumstances Manifesting Activities	It shall be unlawful for a person to remain or wander about in a public place in a manner and under circumstances manifesting a purpose to engage in a violation of any subdivision of the North Carolina Controlled Substances Act, Chapter 90, Article 5 (G.S. 90-5). Such circumstances include: (1) Repeatedly beckoning to, stopping, or attempting to stop passersby, or repeatedly attempting to engage passersby in conversation; or (2) Repeatedly stopping or attempting to stop motor vehicles; or (3) Repeatedly interfering with the free passage of other persons; or (4) Such person repeatedly and knowingly loiters about with another person who is a known unlawful drug user, possessor, or seller while such known unlawful drug user, possessor, or seller is engaged in any of the activities set out in this section; or (5) Such person behaves in such a manner as to raise a reasonable suspicion that he is about to engage in or is engaged in an unlawful drug-related activity; or (6) Such person repeatedly passes to or receives from passersby, whether on foot or in a vehicle, money or objects; or (7) Such person takes flight upon the approach or appearance of a police officer; or (8) Such person is at a location that he knows, or has been informed, is frequented by persons who use, possess, or sell drugs; or (9) Any vehicle involved is registered to a known unlawful drug user, possessor, or seller, or is known to be, or to have been involved in drug-related activities	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the safety and/or welfare of citizens.
209	28-132	Streets, Sidewalks and Other Public Properties: Article V. Loitering for the Purpose of Engaging in Drug-Related Activity; Penalty	A violation of any provisions of this article shall subject the offender to a fine of \$500.00, or imprisonment for 30 days, or both.	To clearly define the penalty for violation of the ordinance.
210	28-164	Streets, Sidewalks and Other Public Properties: Article VI. Street Performers; Standards	For purposes of this article, the term "street performers" is defined as those persons who perform outdoors for public audiences on public property. For street performances to be permitted within downtown public spaces, all of the following standards must be met: (1) <i>Location</i> . a. Street performances shall be limited to the downtown area along Arendell Street from 4th to 11th Streets, along Evans Street from 4th to 9th Streets and along Shepard Street from 7th to 9th Streets. b. A minimum four-foot wide pedestrian corridor must be maintained on the sidewalk past a performance area at all times. Where existing obstructions are present (i.e., fire hydrants, benches, waste receptacles, planters, etc.) the corridor can be measured to go around these obstructions. The following restrictions apply to performance areas: 1. Performers must not perform in locations that obstruct the visibility of motorists. 2. Performers shall not block access to any public benches, waste receptacles or other public amenities. 3. Performers must perform at a minimum distance of five feet from the edge of any driveway, alley, edge of a crosswalk, utility box or handicapped ramp. 4. Not more than two street performers shall be permitted per block, a minimum of 50 feet apart. However, if two performers are performing together, this shall not apply. 5. Street performances are excluded in public areas that are within: (i) Construction areas; (ii) 400 feet of the boundary of any designated special events area without the granted written permission from the event sponsor/coordinator; (iii) A five-foot radius of any building corner adjacent to a street intersection; or (iv) Vehicular areas of public streets. (2) <i>Operation</i> . The following provisions shall apply to street performers: a. A performer may passively accept donations by putting out an instrument case or other receptacle with a sign requesting that patrons contribute. Active solicitation shall not be permitted. b. Noise levels must not exceed city ordinance. All brass instruments and saxophones shall be muted. No drums shall be allowed. c. Performers who wish to offer items for sale shall first obtain a peddler's license. d. Street performers are limited to the following hours in all public areas: 1. Monday through Thursday, between 8:00 a.m. and 10:00 p.m.; 2. Friday and Saturday, between 8:00 a.m. and 12:00 midnight; and 3. Sunday, between 12:00 noon and 10:00 p.m. e. A performer must not completely block or significantly impede pedestrian access through a public area. If a crowd blocks public access through a public area, a police officer may disperse the portion of the crowd blocking pedestrian traffic. f. A performer must not obstruct access to private property without prior written permission from the property owner. A copy of the agreement must be filed with the permit application. g. A performer must not consume or be under the influence of alcoholic beverages or controlled substances while performing. h. A performer must not use power, electrical cords or fire during performances. i. A performer must not leave performance equipment unattended on the permitted space for more than ten minutes, unless during an emergency. j. Permits are not transferable or assignable. k. A performer must not use any device or sharp objects that may pose a threat of physical injury or become a public safety hazard. l. No seating, except for the performer, shall be provided by or at the direction of the performer without prior written consent of the city. m. No performance shall contain any racist, sexist, lewd, indecent or offensive material or dress. n. Performers shall post no signs. o. No animal shall be used by the performers as part of performances. p. Performers must daily remove all items and materials that they brought or had brought to the site for performances. q. After each performance, the performer is responsible for removing from the performance area all debris, trash, or litter associated with the performance or left by spectators in the performance area.	To identify responsibility, and to outline mandated procedures and limitations that ensure safety of all citizens.
211	28-165	Streets, Sidewalks and Other Public Properties: Article VI. Street Performers; Permits	(a) <i>Application requirements</i> . Requiring permits serves the city's significant interests in reducing territorial disputes among performers, deterring harassment of patrons, and identifying performers. Applications for street performer permits are obtained from the planning and inspections department. To be processed, each permit application must include: (1) A completed application; and (2) Application fee as specified in the city's fee schedule. (b) <i>Group permit</i> . If two or more street entertainers are performing as a group, one permit, listing each member of the group, may be issued. The city reserves the right to deny a group license based on the number of performers in the group as well as the number of instruments. (c) <i>Minors</i> . Any person under the age of 18 must have a parent or guardian present when applying for a permit. The parent or guardian must provide a written statement: (1) Assuming full responsibility for the minor's performance; and (2) Agreeing to hold and save harmless the city, its agents, employees, and offices, harmless for any and all liability arising out of or in connection with the minor's performance. (d) <i>Display of permit</i> . Street entertainers must display their permits while performing. If they do not, it will be assumed that the person is not licensed and the police or staff will require the person to cease performing. (e) <i>Signing of permit</i> . By signing the permit, the licensee acknowledges understanding that: (1) They have read and agree to abide with the rules and regulations and with any town ordinances that may govern street performers; (2) Having a city street performer's permit in no way protects them from the enforcement of any relevant rule, regulation or ordinance of the city or state; (3) The right to act as a street entertainer in the city is a privilege; and (4) His activities as a street entertainer must not constitute a nuisance	To identify responsibility, and to outline mandated procedures and limitations that ensure safety of all citizens.
212	28-166	Streets, Sidewalks and Other Public Properties: Article VI. Street Performers; Permit Provisions	(a) Permits are valid for one year (from July 1 through June 30) regardless of when the performer receives his permit. Permit fees will not be prorated. (b) All permit renewal applications must be submitted by June 30 to the planning and inspections department. (c) Special event permits supersede street performance permits. During a special event approved by the city, annual street performance permits are temporarily suspended in the area of the special event. Street performance written permission is obtained from the special event coordinator to perform within the designated special event area. The street performance permit holder is responsible for keeping track of upcoming special events and the designated boundaries that may affect their performance. (d) Permit holders shall be required to remove private materials or accessories, temporarily, to allow: (1) Street, sidewalk or utility access for maintenance operations; or (2) During approved special events if the materials or accessories are within the special events area.	To identify responsibility, and to outline mandated procedures and limitations that ensure safety of all citizens.
213	28-167	Streets, Sidewalks and Other Public Properties: Article VI. Street Performers; Unauthorized Use of Jaycee Park Boat Docks; Penalties	(a) <i>Definitions</i> . The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: Nontrailerable recreational vessels means motorized boats 26 feet or more in length manufactured for and operated primarily for pleasure, including vessels leased, rented, or chartered to another person for his pleasure. Tie-up facilities means facilities that transient nontrailerable recreational vessels occupy temporarily, not to exceed ten consecutive days. Transient means passing through or by a place, staying ten days or less. These definitions reflect those promulgated by the U.S. Fish and Wildlife Service and shall conform to and be superseded by amendments made by the U.S. Fish and Wildlife Service to those definitions as they shall occur from time to time. (b) <i>Unauthorized use prohibited</i> . Only a transient nontrailerable recreational vessel shall be allowed to make use of the Jaycee Park Boat Docks. Use by any other boat, ship, or vessel shall be unlawful. In addition, only persons that are the owners of, or the guests, servants, employees, agents, contractors, or lessees of the owners of a nontrailerable recreational vessel shall have access to and use of any boat slips, dock, ramp, walkway, or other facilities serving these areas at the Jaycee Park Boat Docks. There shall be no fishing, swimming, or any other public activity allowed upon or near the slips, docks, ramps, walkways, or other facilities. (c) <i>Length of stay</i> . Nontrailerable recreational vessels shall not use the tie-up facilities of the Jaycee Park Boat Docks for a period of more than ten days. Any partial day of use shall be considered a full day. (d) <i>Authorization</i> . A transient nontrailerable recreational vessel must obtain a written permit from the town's designated representative to use the tie-up facilities or other facilities of the Jaycee Park Boat Docks. Signage will be posted at the docks providing direction on how and from whom to obtain the necessary permit. (e) <i>Penalties</i> . Violation of this section shall subject the boat owner or other offender to a civil penalty of \$150.00 per occurrence. Each day that the violation continues shall be a separate offense. If the civil fine is not paid within 48 hours of the violation, the violation shall be a criminal misdemeanor punishable as provided by G.S. 14-4. Civil penalties shall be paid to the chief of police or his designee.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
214	28-168	Streets, Sidewalks and Other Public Properties: Article VI. Street Performers; Unauthorized Use of Tie-Up Facilities; Penalties	(a) <i>Definitions</i> . The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: Recreational vessels means boats or other floating conveyances manufactured for and/or operated primarily for pleasure, including vessels leased, rented, or chartered to another person for his pleasure. Tie-up facilities means all docking facilities owned or leased by the city which are provided for public use, including, but not limited to, those located at the end of the South 6th Street, Conch Point, South 8th Street, North 7th Street, and Ottis Landing, etc. The facilities referred to shall include the slips, pings, docks, piers, walkways, and all associated amenities which are for use by recreational vessels on a temporary basis, not to exceed four hours. (b) <i>Unauthorized use prohibited</i> . Only a recreational vessel of less than 26 feet shall be allowed to make use of the tie-up facilities from 5:00 a.m. to 9:00 p.m. Overnight use of the tie-up facilities shall be unlawful. Use by any larger boat, ship, or vessel, or any other use not specifically allowed herein, shall be unlawful. Vessels used for commercial purposes are prohibited. In addition, there shall be no fishing, swimming, or any other public activity allowed upon or near the slips, docks, ramps, walkways, or other facilities. (c) <i>Length of stay</i> . Recreational vessels of less than 26 feet shall use the tie-up facilities for a period of no more than four hours in any single day, and only between 5:00 a.m. and 9:00 p.m. each day. Overnight use of the tie-up facilities is unlawful. (d) <i>Penalties</i> . Violation of this section shall subject the boat owner or other offender to a civil penalty of \$50.00 per occurrence. Each day that the violation continues shall be a separate offense. If the civil fine is not paid within 48 hours of the violation, the violation shall be deemed a criminal misdemeanor punishable as provided by state law. Civil penalties shall be paid to the chief of police or the chief's designee.	To define terms within the mandated procedures, and to clearly define the penalty for violation of the ordinance.

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215	28-169	Streets, Sidewalks and Other Public Properties: Article VI. Street Performers; Obstruction of Streets and Other Thoroughfares	It shall be unlawful to place or cause to be placed any obstruction of any nature in any street, alley or thoroughfare or upon any sidewalk; provided, building materials for present and immediate use may be allowed to be placed upon the streets or sidewalks with the city manager's written permission and under such restrictions as he may prescribe. In case such obstructions are allowed by written permission, the person so obstructing shall cause to be built a wall completely surrounding such obstruction and shall also cause to be built a suitable and sufficient sidewalk or footpath around such obstruction; however, such person shall in no way cause or allow any such obstruction, either to a sidewalk or street, unless suitable lights are displayed on and around such obstruction at sunset and maintained there until sunrise for each night such obstruction exists. Immediately upon the completion of the work being done or to be done, all obstructions shall be removed and the street and sidewalk left in as good condition as before such obstruction existed or was allowed. No provision of this section shall have the effect of prohibiting the city manager, in his discretion, from withdrawing any written permission when it shall appear to him that the obstruction is being unnecessarily maintained.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the safety and/or welfare of citizens.
216	28-170	Streets, Sidewalks and Other Public Properties: Article VI. Street Performers; Encroachment	It shall be unlawful to encroach upon the streets or sidewalks by erecting thereon any fence, piazza, balcony, porch, stoop, step, paling or chimney or other obstruction whatever.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the safety and/or welfare of citizens.
217	28-171	Streets, Sidewalks and Other Public Properties: Article VI. Street Performers; Railroad Tracks	It shall be unlawful to place any brickbat, rock, torpedo, cartridge or other obstruction upon any railroad track.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the safety and/or welfare of citizens.
218	28-172	Streets, Sidewalks and Other Public Properties: Article VI. Street Performers; Adjacent Property Owners to Keep Sidewalks, Gutters Clear; Change of Sidewalk	Every occupant of a lot adjacent to any street shall keep the sidewalk clean and the gutter open and free from obstruction as far as such lot extends along the street, and no change of sidewalk shall be made without the authority and under the supervision of the city.	To identify responsibility and mandated procedures that ensures the enjoyment and/or safety of all citizens.
219	28-173	Streets, Sidewalks and Other Public Properties: Article VI. Street Performers; Launching Boats from Street; Moorings; Use of Street Ends	a) It shall be unlawful to launch, retrieve or trailer boats by use of a motor vehicle or other motorized (electrical or fossil fuel) device at any town street end. Hand launching of small boats may be permitted at town street ends where there are no improvements. (b) Except as provided in section 28-168, it shall be unlawful for boats to moor, tether or otherwise use any town pier or dock for purposes other than the noncommercial, temporary loading and unloading of passengers, personal equipment and other related gear, not to exceed 90 minutes in duration. (c) It shall be unlawful for any boat to moor, tether, or otherwise attach, permanently or temporarily, to any town bulkhead. (d) Except as may be otherwise provided by town ordinances and/or by town posting of signage making specific exceptions, it shall be unlawful to allow any boat, vehicle or launching apparatus to remain on any city street end or alley way after sunset and before sunrise. (e) Violation of this section shall subject the boat owner or other offender to a civil penalty of \$50.00 per occurrence. Each day that the violation continues shall be a separate offense. If the civil fine is not paid within 48 hours of the violation, the violation shall be deemed a criminal misdemeanor punishable as provided by state law, civil penalties shall be paid to the chief of police or his designee.	To define and prohibit actions/behavior that may threaten the safety and/or welfare of citizens.
220	28-174	Streets, Sidewalks and Other Public Properties: Article VI. Street Performers; Shoeshine Stands	It shall be unlawful to place any shoeshine stand on any sidewalk so as to obstruct passage of the public.	To define and prohibit actions/behavior that may impede the enjoyment, safety and/or welfare of citizens.
221	28-175	Streets, Sidewalks and Other Public Properties: Article VI. Street Performers; Advertising on Sidewalks	It shall be unlawful for any person to mark or deface upon any sidewalk any advertisement.	To define and prohibit actions/behavior that damage city property.
222	28-176	Streets, Sidewalks and Other Public Properties: Article VI. Street Performers; Posting Bills Within Public Rights-of-Way	(a) No person shall tack or post any sign, bill, advertisement, placard or poster on any traffic-control sign or signpost, street identification sign or signpost, telephone pole, utility pole, telegraph pole, real property, trees, shrubbery, buildings, walls or other structures located within the right-of-way of any public street or alley. (b) Any sign, bill, advertisement, placard or poster described above that is placed within the prohibited areas in violation of this section shall be removed by the city and destroyed.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the enjoyment, safety and/or welfare of citizens.
223	28-177	Streets, Sidewalks and Other Public Properties: Article VI. Street Performers; Posting Bills On Private Property	No person shall tack or post any sign, bill, advertisement, placard or poster on any real property, telegraph pole, telephone pole, utility pole, tree, shrubbery, building, wall or other structure without first obtaining the written permission of the owner thereof.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the enjoyment, safety and/or welfare of citizens.
224	28-178	Streets, Sidewalks and Other Public Properties: Article VI. Street Performers; Scattering Handbills	No person shall promiscuously distribute handbills or advertisements of any kind by placing or throwing the same on any street or lot or otherwise. Handbills or advertisements shall be enclosed in an envelope or clipped, and placed under or in the door of each house where such advertising matter is left.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the enjoyment, safety and/or welfare of citizens.
225	28-179	Streets, Sidewalks and Other Public Properties: Article VI. Street Performers; Fishing from Wooden Boardwalk	It shall be unlawful for any person to fish from the wooden boardwalks located adjacent to the North 20th Street bridge and along the perimeter of Calico Creek adjacent to Bayview Cemetery.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the enjoyment, safety and/or welfare of citizens.
226	30-2	Traffic and Motor Vehicles: Article I. In General; Drivers of Government Vehicles	The provisions of this chapter shall apply to the driver of any vehicle owned by or used in the service of the United States government, the state, county or city, and it shall be unlawful for any such driver to violate any of the provisions of this chapter, except as otherwise permitted in this chapter or by state statute.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and safety of all citizens.
227	30-3	Traffic and Motor Vehicles: Article I. In General; Persons Propelling Pushcarts or riding Bicycles or Animals	Every person propelling any pushcart or riding a bicycle or an animal upon a roadway and every person driving any animal-drawn vehicle shall be subject to the provisions of this chapter applicable to the driver of any vehicle, except those provisions of this chapter which by their very nature can have no application.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and safety of all citizens.
228	30-4	Traffic and Motor Vehicles: Article I. In General; Applicability to Authorize Emergency Vehicles	(a) The provisions of this chapter regulating the operation, parking and standing of vehicles shall apply to authorized emergency vehicles. A driver, when operating any such vehicle in an emergency, except when otherwise directed by a police officer, may: (1) Park or stand notwithstanding the provisions of this chapter; (2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation; (3) Exceed the posted speed limits so long as he does not endanger life or property; and (4) Disregard regulations governing direction of movement or turning in specified directions so long as he does not endanger life or property. (b) The foregoing exemptions shall not, however, protect the driver of any such vehicle from the consequences of his reckless disregard of the safety of others	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and safety of all citizens.
229	30-5	Traffic and Motor Vehicles: Article I. In General; Direction of Traffic by Police	In the event of a fire or other emergency, or when necessary to expedite traffic or safeguard pedestrians, police officers may direct traffic as conditions may require, notwithstanding the provisions of this chapter.	To identify authority, and responsibility for the safety of all citizens.

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230	30-6	Traffic and Motor Vehicles: Article I. In General; Playing Ball; Throwing Missles on Streets	It shall be unlawful to play ball on the streets or sidewalks or throw missiles on the streets or sidewalks.	To define and prohibit actions/behavior that may be disruptive or threaten the enjoyment, safety and/or welfare of citizens.
231	30-7	Traffic and Motor Vehicles: Article I. In General; Coasters, Roller Skates and Similar Devices	No person upon roller skates or riding in or by means of any coaster, toy vehicle or similar device shall go upon any roadway except while crossing a street at a crosswalk or intersection.	To define and prohibit actions/behavior that may be disruptive or threaten the enjoyment, safety and/or welfare of citizens.
232	30-8	Traffic and Motor Vehicles: Article I. In General; Clinging to or Molesting Occupant of Moving Vehicle	Any person riding upon any bicycle, motorcycle, coaster, sled, roller skates or any toy vehicle shall not attach the same or himself to any public conveyance or moving vehicle upon any roadway. It shall be unlawful for any person to hang on to, mount or dismount, place any obstruction before or in any way interfere with any automobile, motorcycle or vehicle of any description, or pester any occupant thereof, while moving through the streets.	To define and prohibit actions/behavior that may be disruptive or threaten the enjoyment, safety and/or welfare of citizens.
233	30-9	Traffic and Motor Vehicles: Article I. In General; Boarding or Alighting While Vehicle in Motion	No person shall board or alight from any public conveyance or other vehicle while such conveyance or vehicle is in motion.	To define and prohibit actions/behavior that may be disruptive or threaten the enjoyment, safety and/or welfare of citizens.
234	30-10	Traffic and Motor Vehicles: Article I. In General; Riding on Handlebars, Etc. of Bicycle or Motorcycle	The operator of a motorcycle or bicycle, when upon a street, shall not carry any person upon any handlebars, frame or tank of any such vehicle, nor shall any person so ride upon any such vehicle.	To define and prohibit actions/behavior that may be disruptive or threaten the enjoyment, safety and/or welfare of citizens.
235	30-11	Traffic and Motor Vehicles: Article I. In General;Signs Distracting Motorists	No sign shall be so located or illuminated that it will shine in the eyes of a motorist or distract the attention of a motorist away from the road because of flashing, flickering, oscillating, pulsating or moving lights; except Christmas lights and decorations.	To define and prohibit actions/behavior that may be disruptive or threaten the enjoyment, safety and/or welfare of citizens.
236	30-12	Traffic and Motor Vehicles: Article I. In General;Lighting of Signs Visible from Street or Highway	To prevent lighting of signs in such manner as to be a safety hazard, signs visible from any street or highway and within 50 feet thereof may be illuminated only by interior lighting or by exterior lights of a fixed and steady beam, shaded so as to prevent the light therefrom from shining upon any street or highway.	To define and prohibit actions/behavior that may be disruptive or threaten the enjoyment, safety and/or welfare of citizens.
237	30-43	Traffic and Motor Vehicles: Article II. Traffic-Control Devices; Obedience to; Legibility, Etc.	(a) The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto, placed in accordance with the traffic ordinances, unless otherwise directed by a police officer, subject to the exceptions granted to the driver of an authorized emergency vehicle in this chapter. (b) No provisions of this chapter for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective without signs being placed to give notice thereof.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
238	30-44	Traffic and Motor Vehicles: Article II. Traffic-Control Devices; Semaphores and Manually Operated Devices	It shall be unlawful to fail to obey mechanical or manually operated semaphores or stop and go signs within the corporate limits, when operated by any police officer or member of the school student patrol, so designated and authorized by school officials, and when such school student patrol member is in authorized uniform.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
239	30-62	Traffic and Motor Vehicles: Article III. Operation of Vehicles; Turning At Intersections	(a) Right and left turns prohibited. (1) No vehicle shall make a left turn at any street intersections described in schedule XII, section 30-249. (2) No vehicle shall make a right turn at any intersection described in schedule XIII, section 30-250. (b) Right turn on red light. No vehicle shall make a right turn, when faced by a red light, at any intersection appropriately identified. (c) Left turn as indicated. In making left turns at the street intersections described in schedule XI, section 30-248, all traffic shall travel to the left of the center of such intersections as may be indicated by buttons, markers or other directing signs. (d) Complete turns authorized. No driver shall turn any vehicle so as to proceed in the opposite direction in the business district except at street intersections. No vehicle shall make such a turn even at street intersections in the streets or portions of streets appropriately identified.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
240	30-63	Traffic and Motor Vehicles: Article III. Operation of Vehicles; Backing	The driver of a vehicle shall not back the same into any intersection or over a crosswalk and shall not, in any event or at any place, back a vehicle unless such a movement can be made in safety after he shall have given ample warning to those who may be behind by hand and horn or other signal.	To define and prohibit actions/behavior that may be disruptive or threaten the enjoyment, safety and/or welfare of citizens.
241	30-64	Traffic and Motor Vehicles: Article III. Operation of Vehicles; Riding Bicycles, Motorcycles Without Hands on Handlebars	No person shall ride a bicycle or motorcycle on any street without having his hands upon the handlebars.	To define and prohibit actions/behavior that may be disruptive or threaten the enjoyment, safety and/or welfare of citizens.
242	30-65	Traffic and Motor Vehicles: Article III. Operation of Vehicles; Leaving Parked Position	Vehicles parked shall move out in the direction headed, or if they are parked at an angle with the curb they shall back out on that angle until they have cleared the other cars and shall proceed in the direction they are most nearly headed in.	To define and prohibit actions/behavior that may be disruptive or threaten the enjoyment, safety and/or welfare of citizens.
243	30-66	Traffic and Motor Vehicles: Article III. Operation of Vehicles; Scratching Off	It shall be unlawful for any motor vehicle operator, either from a standing position or while the vehicle is in forward or backward motion, to suddenly accelerate the motor vehicle to the extent that same is caused to rapidly gain speed, whereby, during such maneuver, the driving wheels are caused to spin, squealing the tires or throwing rocks or other objects in the road to the rear. Such maneuver is commonly known as scratching off and shall be expressly prohibited as a public nuisance and driving hazard, and in violation of this article.	To define and prohibit actions/behavior that may be disruptive or threaten the enjoyment, safety and/or welfare of citizens.
244	30-67	Traffic and Motor Vehicles: Article III. Operation of Vehicles; Breaking City Drains	It shall be unlawful to run a vehicle so close to the drains of the city as to cut them or break down their margins.	To define and prohibit actions/behavior that might damage city property.
245	30-68	Traffic and Motor Vehicles: Article III. Operation of Vehicles; Quiet Zone	Whenever authorized signs are placed, erected or installed indicating a zone of quiet, no person operating a motor vehicle within any such zone shall sound the horn or other warning device of such vehicle except in an emergency.	To define and prohibit actions/behavior that may be disruptive or threaten the enjoyment, safety and/or welfare of citizens.
246	30-69	Traffic and Motor Vehicles: Article III. Operation of Vehicles; One-Way Streets	Upon those streets and parts of streets described in schedule VIII, section 30-245, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.	To define and prohibit actions/behavior that may be disruptive or threaten the enjoyment, safety and/or welfare of citizens.

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247	30-70	Traffic and Motor Vehicles: Article III. Operation of Vehicles; Heavy Vehicles - Injurious Tires	No tractor, steam shovel or other vehicle heavy enough to injure the pavement, or any vehicle which is equipped with cleats, angle irons or other projections on its wheels, unless such cleats, angle irons or projections shall be covered with pads or bands, shall be operated over any paved street.	To define and prohibit actions/behavior that might damage city property.
248	30-71	Traffic and Motor Vehicles: Article III. Operation of Vehicles; Speed Limits Generally	A vehicle may be operated on any street designated in schedule XXII, section 30-256, at a rate of speed not exceeding that indicated in such schedule; provided, however, that at no time shall the speed be greater than is reasonable and prudent under the conditions then existing.	To define and prohibit actions/behavior that may be disruptive or threaten the enjoyment, safety and/or welfare of citizens.
249	30-103	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Penalties of Illegal Parking	Except as otherwise provided in this article, for the violation of any parking ordinance of the city, there shall be a civil penalty assessed in the amount of \$50.00. If this penalty is not paid within 48 hours of the violation, then the criminal penalty for such violation shall be not more than \$50.00. Civil penalties shall be paid to the chief of police or his designee. A civil fine of \$50.00 shall be imposed for parking or leaving standing any vehicle in violation of section 30-129(e). Violations of the provisions of section 30-129 shall subject the offender to civil penalties only.	To clearly define the penalty for violation of the ordinance.
250	30-104	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Stopping Traffic Lanes Generally	No vehicle shall stop in any street except for the purpose of parking as prescribed in this chapter, unless such stop is made necessary by the approach of fire apparatus, by the approach of a funeral or other procession which is given the right-of-way, by the stopping of a public conveyance, by the lowering of railway gates, by the giving of traffic signals, the passing of some other vehicle or a pedestrian or by some emergency; and in any case covered by these exceptions such vehicles shall not stop so as to obstruct any footway, pedestrian aisle, safety zone, crossing or street intersection if it can be avoided.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the safety and/or welfare of citizens.
251	30-105	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Standing in Traffic Lanes	No vehicle shall stand on any street so as to interrupt or interfere with the passage of public conveyances or other vehicles.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the safety and/or welfare of citizens.
252	30-106	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Stop Required - Entering through Street	(a) Those streets and parts of streets described in schedule IX, section 30-246, are hereby declared to be through-streets for the purpose of this section. (b) When stop signs are placed, erected or installed upon highways intersecting a through-street at the entrances thereto or at the entrance to any intersection, every driver of a vehicle shall stop in obedience to such signs before entering the intersection and shall not proceed into or across the through-street until he has first determined that no conflict with traffic will be involved.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
253	30-107	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Stop Required - Certain Other Intersections	Those intersections described in schedule X, section 30-247, are hereby declared to be stop intersections when entered from the streets first named; and when stop signs are placed, erected or installed at such intersections, every driver of a vehicle shall stop in obedience to such signs before entering the intersection and shall not proceed into or across the cross street until it has first been determined that no conflict with traffic will be involved. In addition, when stop signs are placed, erected or installed on all street legs and are marked by a supplementary plate marked "3-Way" or "4-Way" immediately under the stop sign, every driver of every vehicle in all directions shall stop in obedience to such signs before entering the intersection and shall not proceed into or across the street intersection until it has first been determined that no conflict with traffic will be involved. Right-of-way shall be extended to the vehicle first arriving and entering a 3-way or 4-way stop intersection.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
254	30-108	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Stop Required - Emerging From Alley or Private Driveway	The driver of a vehicle emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or into the sidewalk area extending across any alleyway, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on such roadway.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
255	30-109	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Stop Required - When Traffic Obstructed	No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
256	30-110	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Lights on Parked Vehicles	When lawfully parked at night upon a street of the city in accordance with this chapter, a vehicle shall not be required to exhibit lights where there is sufficient light to reveal any person within a distance of 200 feet upon such street. No person parking or leaving standing a vehicle at night on any street or on a side road or alley entering into a street shall permit the bright lights of the vehicle to continue burning.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
257	30-111	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Parking Prohibited At All Times	When signs are placed, erected or installed giving notice thereof or the curbing has been painted yellow in lieu of such signs, no person shall park a vehicle at any time upon any of the streets described in schedule I, section 30-238.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
258	30-112	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Parking Prohibited During Certain Hours	Where signs are placed, erected or installed on each block giving notice thereof, no person shall park a vehicle between the hours indicated upon any of the streets described in schedule II, section 30-239.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
259	30-113	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Parking Time Limited to Two Hours	When signs are erected, placed or installed on each block giving notice thereof, no person shall park a vehicle for longer than two hours during the hours indicated on any day except Sunday and public holidays, upon any of the streets described in schedule III, section 30-240. The changing of the position of a vehicle from one point directly to another point within the same block shall be deemed one continuous parking period.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
260	30-114	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Parking Time Limited to One Hour	When signs are erected, placed or installed on each block giving notice thereof, no person shall park a vehicle for longer than one hour during the hours indicated on any day, except Sundays and public holidays, upon any of the streets described in schedule IV, section 30-241. The changing of the position of a vehicle from one point directly to another point within the same block shall be deemed one continuous parking period.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
261	30-115	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Parking Time Limited to Fifteen Minutes	When signs are erected, placed or installed on each block giving notice thereof, no person shall park a vehicle for longer than 15 minutes during the hours indicated on any day, upon any streets described in schedule V, section 30-243. The changing of the position of a vehicle from one point directly to another point within the same block shall be deemed as one continuous parking period.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.

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262	30-116	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Taxicab, Etc., and Police Vehicle Stands	Those streets or parts of streets described in schedule VII, section 30-244, shall be reserved as stands for the specific purpose and at the exact locations named therein. No vehicle shall park therein except those for which the space or stand has been designated.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
263	30-117	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Parking Restrictions of Certain Types of Vehicles	(a) Taxicabs. Not more than two taxicabs owned by the same company shall be parked in one block at the same time except such taxicabs as may be parked in established taxicab stands as set out in section 30-116. (b) Commercial vehicles. Not more than two commercial vehicles owned by the same company shall be parked in one block at the same time. (c) Oversized vehicles. The parking of oversized vehicles, including oversized commercial vehicles shall be prohibited on any public street, road, highway, lane, avenue, etc. This section shall not apply to any oversized vehicle parked for the purpose of, and while being, loaded or unloaded for a maximum period not to exceed 30 minutes or if the vehicle is in service during a wedding or funeral service. (d) Recreational vehicles. Recreational vehicles shall not be parked upon any street, road, highway, lane, avenue, etc. within the city's jurisdiction for a period of more than 24 hours in a seven-day period.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
264	30-118	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Parallel Parking	Where not otherwise indicated by this chapter and where the street is not marked to show how vehicles shall park, all vehicles shall park parallel, right side to the curb and not more than 12 inches therefrom.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
265	30-119	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Vehicles Backed to Curb	In no case shall a vehicle remain backed up to the curb except when actually loading or unloading.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the safety and/or welfare of citizens.
266	30-120	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Parking Position Within Lines	On any street which is marked off with lines indicating the parking spaces for vehicles, the same shall be parked between such lines.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
267	30-121	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Unlawful Purposes of Parking	No person shall stand or park a vehicle upon any street for the principal purpose of: (1) Displaying it for sale; (2) Washing, greasing or repairing such vehicle except repairs necessitated by an emergency; (3) Storage thereof by garages, dealers or other persons when such storage is not incident to the bona fide use and operation of such vehicles; (4) Storage of any detached trailer or van when the towing unit has been disconnected or for the purpose of transferring merchandise or freight from one vehicle to another; (5) For the primary purpose of advertising.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
268	30-122	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Prohibited in Specified Places	No person shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device in any of the following places: (1) On the sidewalk; (2) Within an intersection; (3) On a crosswalk; (4) Within 30 feet of any flashing beacon, stop sign or traffic-control signal located at the side of a street or roadway; (5) At grade crossing approaches, no vehicle shall park on either side of any street approaching a grade crossing within 50 feet of the closest rail; provided, where existing permanent structures are located along the street and closer than 50 feet, parking may be permitted in front of such structures, unless prohibited, if the parking does not interfere with the view in either direction of an approaching locomotive or train; (6) Alongside or opposite any street excavation or obstruction when such stopping or standing or parking would obstruct traffic; (7) Within 15 feet in either direction of the entrance to a hotel, theater, hospital, sanitarium or any public building; (8) On the roadway side of any vehicle stopped, standing or parked at the edge or curb of a street; (9) Any place designated as a fire lane by an official sign, a curb that is painted yellow or any pavement marking identifying an area as a fire lane; (10) Nearer than 15 feet of any fire hydrant; (11) On any unpaved area between the existing curb and existing sidewalk; (12) At any place prohibited by the schedules in this chapter.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
269	30-123	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Obstructing Fire Lanes; Stopping or Parking in Fire Lanes	It shall be unlawful to stop or park a motor vehicle in or otherwise to obstruct any of the areas designated as fire lanes by the ordinances of the city; provided, however, persons loading or unloading supplies or merchandise may park temporarily in a fire lane located in a shopping center or mall parking lot as long as the vehicle is not left unattended. Violation of this section shall be punishable by a fine not to exceed \$50.00.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the safety and/or welfare of citizens.
270	30-124	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Obstructing Fire Lanes; Parking in Alleys	It shall be unlawful for any motor vehicle to be parked in any of the public alleys which have been opened and are in use as such public alleys, or to be parked in the end of the same or so near thereto as to obstruct traffic passing through such alleys, except, however, the foregoing shall not apply to service vehicles for such reasonable periods of time as may be necessary to serve the properties or homes abutting upon such alleys.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the safety and/or welfare of citizens.
271	30-125	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Obstructing Fire Lanes; Trucks Containing Gasoline, Fuel Oil and Other Flammables or Other Petroleum Products	It shall be unlawful for any owner, driver or operator of any truck or other motor vehicle which contains any gasoline, diesel fuel, fuel oil, flammable or other petroleum products (other than that necessary to run the engine of the truck or motor vehicle) to permit the vehicle to be parked or stopped, other than temporarily while loading or unloading, upon the public streets, in any public parking lot, in any public alleyway, upon the public sidewalks, or upon any other public property of the city.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
272	30-126	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Obstructing Fire Lanes; Towing Away of Illegally Parked Vehicles	(a) In addition to all other fines, penalties and forfeitures provided by law, and any other ordinances, for violation of any law or ordinance prohibiting parking in portions of the streets and alleys of the city, or for violation of any parking time limits, it is hereby ordained that any motor vehicle (as defined in G.S. 160A-303(b)) parked or left unattended in any area prohibited for parking, or parked or left unattended beyond the parking time limit for the area or space in which it is parked, may be removed to a storage garage or area and any person who seeks to recover possession of such vehicle shall pay all costs incidental to its removal and storage as well as all fines, penalties or forfeitures otherwise provided by law or ordinance. (b) Vehicles parked in designated towaway zones as may be from time to time set out in schedule XVIII shall be towed away at the owners' expense and may be removed to a storage garage or other area, and any person who seeks to recover the possession of such vehicle shall pay all costs incidental to its removal and storage as well as all fines, penalties or forfeitures otherwise provided by law or ordinance. (c) No vehicles may be towed for a violation of any part of this section or of schedule XVIII unless the area in which the vehicle is parked is plainly marked as a towaway zone; provided, however, that this subsection shall not apply to vehicles parked in alleys or the main-traveled portion of any street (other than in allowed parking areas), vehicles at the scene of any emergency (such as fire, crime scene or accident scene) or vehicles endangered by some immediate hazard.	To define authority and penalty for parking infractions.
273	30-127	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Obstructing Fire Lanes; Manner of Designating No-Parking Areas	It shall be unlawful for any person to park or leave standing any motor vehicle adjacent to any curb painted yellow, or in any area designated as a no-parking area by a yellow rectangle painted on the pavement of the traveled portion of the road with the words "No Parking" in the rectangle.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the safety and/or welfare of citizens.

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274	30-128	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Obstructing Fire Lanes; Certain Other Parking Offenses	(a) No parking prohibited by schedule XVI. It shall be unlawful for any person to park a motor vehicle on a side of the street prohibited by schedule XVI, section 30-251. (b) Entering certain streets on school days prohibited. It shall be unlawful for any person to operate a motor vehicle and enter upon any street where prohibited. (c) Parking in towaway zones. Towaway zones as may be from time to time set out in schedule XVIII, section 30-252 are hereby established. Any motor vehicle parked in any such towaway zones may be removed upon the order of any police officer of the city. It may be taken to a place of storage or safekeeping. Prior to the owner or other person obtaining possession of such a towed vehicle, such person shall pay all costs and expenses incurred in moving or storing the vehicle, including, without limitation, towing charges and storage charges. (d) No parking prohibited by schedule XIX. It shall be illegal to park any vehicle in any area prohibited under schedule XIX, section 30-253. (e) No parking in handicap parking zones. No person shall park or leave standing any vehicle in a space designated for physically handicapped persons when such vehicle does not display the distinguishing license plate or placard provided by state law, and where appropriate aboveground signs or symbols and words giving notice thereof are erected marking the designated parking space. (f) Parking in loading zones. It shall be illegal for any person to park any motor vehicle in a loading zone as designated by schedule XXI, section 30-255, unless such person is actually then engaged in the loading or unloading of goods, merchandise, materials, seafood or farm products, in which case such vehicle may be parked in the loading zone for a period not to exceed 30 minutes; provided, however, that in loading zones on Evens and Shepard Streets such person may also be engaged in loading fishing gear and ice chests. (g) Limited time parking. It shall be illegal to park any motor vehicle for a period longer than allowed by sections 30-240—30-243. (h) Parking prohibited on certain part of Evans Street; penalty. It shall be illegal for any person to park any motor vehicle for any reason on the brick-paved sidewalk area on the south side of Evans Street between 3rd and 9th Streets. (i) Parking in area designated as taxi parking zone. It shall be unlawful to park any vehicle in an area designated and marked as a taxi parking zone unless such vehicle is a taxicab operated under the authority of a valid certificate of convenience and necessity issued by the city.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
275	30-129	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Obstructing Fire Lanes; Stopping or Parking of Vehicles Prohibited Under Certain Conditions of Imminent Peril	(a) Prohibited stopping or parking. No person shall park or leave standing any motor vehicle, whether attended or not: (1) Upon the paved or main-traveled portion of any street (except in permitted parking spaces or areas) unless the vehicle is disabled to such an extent that it is impossible to avoid stopping temporarily; (2) At any police investigation scene; (3) When ordered to keep moving by any police officer; (4) Within 400 feet of the scene of a fire; (5) Within 200 feet of the scene of an accident; (6) In such manner as to interfere with any emergency evacuation, rescue squad, ambulance or civil defense operation; (7) For more than 48 continuous hours on the right-of-way of any street; (8) In front of a private driveway. (b) City officers deemed agents of owner. The owner or operator of any vehicle left standing in violation of section 30-123 or this section, or left standing in a position of imminent peril, shall be deemed to have appointed any city police officer or auxiliary officer assisting a police officer or his agent for the purpose of: (1) Removing the vehicle to the shoulder of the street or to some other suitable place; and (2) Arranging for the transportation and safe storage of such vehicle, in which case the officer shall be deemed to be a legal possessor of the vehicle within the meaning of G.S. 44A-2(d). (c) Temporary/momentary stoppage. A mere temporary or momentary stoppage on a street when there is no intent to break the continuity of the travel is not "parking" or "leaving standing" as used in this section if the temporary or momentary stoppage is for a necessary purpose. (d) Application to police vehicles. This section shall not apply to police vehicles. (e) Indemnity of officers. No officer removing a vehicle under the provisions of this section shall be held criminally or civilly liable in any way for any acts or omissions arising out of or caused by carrying out or enforcing any provisions of this section unless the conduct of the officer amounts to wanton conduct or intentional wrongdoing.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
276	30-130	Traffic and Motor Vehicles: Article IV. Stopping, Standing and Parking; Obstructing Fire Lanes; Parking on Privately Owned Property Upon Request of Owner	(a) Regulations authorized. Upon the written request 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 or commercial 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. (b) Application. The owner or person in general charge of the operation and control of the property must submit for regulations in writing, on application forms available from the city clerk. (c) Signs. The cost of erecting, placing or installing signs, and the cost of all necessary signs as determined by the chief of police, shall be paid by the person requesting regulations. All signs erected must be approved prior to placement, or the applicant may request that the city place the signs upon payment by the applicant of all costs. (d) Regulations adopted. No person shall stop, leave standing or park a motor vehicle in violation of posted signs, when signs are placed, erected or installed giving notice that stoppage, standing or parking is regulated, prohibited or prohibited during certain hours in that area. (e) Enforcement and penalty. The provisions of this section shall be enforceable in the same manner as is used to enforce other parking regulations and ordinances, and penalties shall be the same as for the corresponding violation on publicly owned or controlled streets or property.	To identify authority and responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
277	30-161	Traffic and Motor Vehicles: Article V. Abandoned, Nuisance and Junked Motor Vehicles; Administration	The police department and city building inspector shall be responsible for the administration and enforcement of this article. The police department shall be responsible for administrating the removal and disposition of vehicles determined to be "abandoned" on the public streets and highways within the city and on property owned by the city. The city building inspector shall be responsible for administering the removal and disposition of "abandoned," "nuisance" or "junked motor vehicles" located on private property. The city may, on an annual basis, contract with private tow truck operators or towing businesses to remove, store, and dispose of abandoned vehicles, nuisance vehicles and junked motor vehicles in compliance with this article and applicable state laws. Nothing in this article shall be construed to limit the legal authority or powers of officers of the city police department in enforcing other laws or in otherwise carrying out their duties.	To identify authority and responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
278	30-163	Traffic and Motor Vehicles: Article V. Abandoned, Nuisance and Junked Motor Vehicles; Abandoned Vehicles Unlawful; Removal Authorized	(a) It shall be unlawful for the registered owner or person entitled to possession of a vehicle to cause or allow such vehicle to be abandoned as the term is defined in section 30-162. (b) Upon investigation, proper authorizing officials of the city may determine that a vehicle is an abandoned vehicle and order the vehicle removed	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the safety and/or welfare of citizens.
279	30-164	Traffic and Motor Vehicles: Article V. Abandoned, Nuisance and Junked Motor Vehicles; Nuisance Vehicles Unlawful; Removal Authorized	(a) It shall be unlawful for the registered owner or person entitled to possession of a motor vehicle, or for the owner, lessee, or occupant of the real property upon which the vehicle is located to leave or allow the vehicle to remain on the property after it has been declared a nuisance vehicle. (b) Upon investigation, the city building inspector may determine and declare that a vehicle is a health or safety hazard and a nuisance vehicle as defined in section 30-162, and order the vehicle removed.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the safety and/or welfare of citizens.
280	30-165	Traffic and Motor Vehicles: Article V. Abandoned, Nuisance and Junked Motor Vehicles; Junked Motor Vehicles Regulated; Removal Authorized	(a) Except as authorized in this section, it shall be unlawful for the registered owner or person entitled to the possession of a junked motor vehicle, or for the owner, lessee, or occupant of the real property upon which a junked motor vehicle is located to leave or allow the vehicle to remain on the property after the vehicle has been ordered removed. (b) It shall be unlawful to have more than one junked motor vehicle, as defined herein, on the premises of public or private property. Single, permitted junked motor vehicle must strictly comply with the location and concealment requirements of this section. (c) It shall be unlawful for the owner or person entitled to the possession of a junked motor vehicle, or the owner, lessee, or occupant of the real property upon which a junked motor vehicle is located to fail to comply with the locational requirements or the concealment requirements of this section. (d) Subject to the provisions of subsection (e), upon investigation, the city building inspector may order the removal of a junked motor vehicle as defined in this article after finding in writing that the aesthetic benefits of removing the vehicle outweigh the burdens imposed on the private property owner. Such finding shall be based on a balancing of the monetary loss of the apparent owner against the corresponding gain to the public by promoting or enhancing community, neighborhood or area appearance. The following among other relevant factors may be considered: (1) Protection of property values; (2) Promotion of tourism and other economic development opportunities; (3) Indirect protection of public health and safety; (4) Preservation of the character and integrity of the community; and (5) Promotion of the comfort, happiness and emotional stability of area residents. (e) Permitted concealment or enclosure of junked motor vehicle: (1) One junked motor vehicle, in its entirety, can be located in the rear yard as defined by the city's zoning ordinance if the junked motor vehicle is entirely concealed from public view from a public street and from abutting premises by an acceptable covering. (2) The city building inspector has the authority to determine whether any junked motor vehicle is adequately concealed as required by this provision. The covering must remain in good repair and must not be allowed to deteriorate. The covering or enclosure must be compatible with the objectives stated in the preamble of Ordinance No. 1991-14 and must comply with all provisions of the zoning provisions of the UDO. (3) More than one junked motor vehicle. Any other junked motor vehicle must be kept in a garage or building structure that provides a complete enclosure so that the junked motor vehicle cannot be seen from a public street or abutting property. A garage or building structure means either a lawful, nonconforming use or a garage or building structure erected pursuant to the lawful issuance of a building permit and which has been constructed in accordance with all zoning and building code regulations.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
281	30-166	Traffic and Motor Vehicles: Article V. Abandoned, Nuisance and Junked Motor Vehicles; Removal of Abandoned, Nuisance or Junked Motor Vehicles; Pre-Towing Notice Requirement	(a) Except as set forth in section 30-167, an abandoned, nuisance or junked motor vehicle which is to be removed shall be towed only after notice to the registered owner or person entitled to possession of the vehicle. In the case of a nuisance vehicle or a junked motor vehicle, if the names and mailing addresses of the registered owner or person entitled to the possession of the vehicle, or the owner, lessee, or occupant of the real property upon which the vehicle is located can be ascertained in the exercise of reasonable diligence, the notice shall be given by first class mail. The person who mails the notice shall retain a written record to show the name and address to which mailed, and the date mailed. If such names and addresses cannot be ascertained or if the vehicle to be removed is an abandoned motor vehicle, notice shall be affixed on the windshield or some other conspicuous place on the vehicle. The notice shall state that the vehicle will be removed by the city on a specified date, no sooner than seven days after the notice is affixed or mailed, unless the vehicle is moved by the owner or legal possessor prior to that time. (b) With respect to abandoned vehicles on private property, nuisance vehicles and junked motor vehicles to which notice is required to be given, if the registered owner or person entitled to possession does not remove the vehicle but chooses to appeal the determination that the vehicle is abandoned, a nuisance vehicle or in the case of the junked motor vehicle that the aesthetic benefits of removing the vehicle outweigh the burdens, such appeal shall be made to the city council in writing, heard at a regularly scheduled meeting of the city council, and further proceedings to remove the vehicle shall be stayed until the appeal is heard and decided.	To identify authority and responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.

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282	30-167	Traffic and Motor Vehicles: Article V. Abandoned, Nuisance and Junked Motor Vehicles; Exception to Prior Notice Requirement	The requirement that notice be given prior to the removal of an abandoned, nuisance or junked motor vehicle may, as determined by the authorizing official, be omitted in those circumstances where there is a special need for prompt action to eliminate traffic obstructions or to otherwise maintain and protect the public safety and welfare. Such findings shall, in all cases, be entered by the authorizing official in the appropriate daily records. Circumstances justifying the removal of vehicles without prior notice include: (1) Vehicles abandoned on the streets. For vehicles left on the public streets and highways, the city council hereby determines that immediate removal of such vehicles may be warranted when they are: a. Obstructing traffic; b. Parked in violation of an ordinance prohibiting or restricting parking; c. Parked in a no-stopping or no-standing zone; d. Parked in loading zones; e. Parked in bus zones; or f. Parked in violation of temporary parking restrictions. (2) Other abandoned or nuisance vehicles. With respect to abandoned or nuisance vehicles left on city-owned property other than the streets and highways, and on private property such vehicles may be removed without giving prior notice only in those circumstances where the authorizing official finds a special need for prompt action to protect and maintain the public health, safety and welfare. By way of illustration and not of limitation, such circumstances include vehicles blocking or obstructing ingress or egress to businesses and residences, vehicles parked in such a location or manner as to pose a traffic hazard and vehicles causing damage to public or private property.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
283	30-168	Traffic and Motor Vehicles: Article V. Abandoned, Nuisance and Junked Motor Vehicles; Removal of Vehicles; Post-Towing Notice Requirement	(a) Any abandoned, nuisance or junked motor vehicle which has been ordered removed may, as directed by the city, be removed to a storage garage or area by the tow truck operator or towing business contracted to perform such services for the city. Whenever such a vehicle is removed, the authorizing city official shall immediately notify the last known registered owner of the vehicle, such notice to include the following: (1) The description of the removed vehicle; (2) The location where the vehicle is stored; (3) The violation with which the owner is charged, if any; (4) The procedure the owner must follow to redeem the vehicle; and (5) The procedure the owner must follow to request a probable cause hearing on the removal. (b) The city shall attempt to give notice to the vehicle owner by telephone; however, whether or not the owner is reached by telephone, written notice, including the information set forth in subsections (a)(1) through (a)(5) of this section, shall also be mailed to the registered owner's last known address, unless this notice is waived in writing by the vehicle owner or his agent. (c) If the vehicle is registered in North Carolina, notice shall be given within 24 hours. If the vehicle is not registered in the state, notice shall be given to the registered owner within 72 hours from the removal of the vehicle. (d) Whenever an abandoned, nuisance or junked motor vehicle is removed, and such vehicle has no valid registration or registration plates, the authorizing city official shall make reasonable efforts, including checking the vehicle identification number, to determine the last known registered owner of the vehicle and to notify him of the information set forth in subsections (a)(1) through (a)(5) of this section.	To identify authority and responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
284	30-169	Traffic and Motor Vehicles: Article V. Abandoned, Nuisance and Junked Motor Vehicles; Right to Probable Cause Hearing Before Sale or Final Disposition of Vehicle	After the removal of an abandoned vehicle, nuisance vehicle or junked motor vehicle, the owner or any other person entitled to possession is entitled to a hearing for the purpose of determining if probable cause existed for removing the vehicle. A request for hearing must be filed in writing with the county magistrate designated by the chief district court judge to receive such hearing requests. The magistrate will set the hearing within 72 hours of receipt of the request, and the hearing will be conducted in accordance with the provisions of G.S. 219-11, as amended.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
285	30-170	Traffic and Motor Vehicles: Article V. Abandoned, Nuisance and Junked Motor Vehicles; Redemption of Vehicle During Proceedings	At any stage in the proceedings, including before the probable cause hearing, the owner may obtain possession of the removed vehicle by paying the towing fee, including any storage charges, or by posting bond for double the amount of such fees and charges to the tow truck operator or towing business having custody of the removed vehicle. Upon regaining possession of a vehicle, the owner or person entitled to the possession of the vehicle shall not allow or engage in further violations of this article.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
286	30-171	Traffic and Motor Vehicles: Article V. Abandoned, Nuisance and Junked Motor Vehicles; Sale and Disposition of Unclaimed Vehicles	Any abandoned, nuisance or junked motor vehicle which is not claimed by the owner or other party entitled to possession will be disposed of by the tow truck operator or towing business having custody of the vehicle. Disposition of such a vehicle shall be carried out in coordination with the city and in accordance with Article 1 of Chapter 44A of the North Carolina General Statutes.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
287	30-172	Traffic and Motor Vehicles: Article V. Abandoned, Nuisance and Junked Motor Vehicles; Conditions on Removal of Vehicles from Private Property	As a general policy, the city will not remove a vehicle from private property if the owner, occupant or lessee of such property could have the vehicle removed under applicable state law procedures. In no case will a vehicle be removed by the city from private property without a written request of the owner, occupant or lessee, except in those cases where a vehicle is a nuisance vehicle or is a junked motor vehicle which has been ordered removed by the city building inspector. The city may require any person requesting the removal of an abandoned, nuisance or junked motor vehicle from private property to indemnify the city against any loss, expense or liability incurred because of the removal, storage, or sale thereof.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
288	30-173	Traffic and Motor Vehicles: Article V. Abandoned, Nuisance and Junked Motor Vehicles; Protection Against Criminal or Civil Liability	No person shall be held to answer in any civil or criminal action to any owner or other person legally entitled to the possession of an abandoned, nuisance or junked motor vehicle, for disposing of such vehicle as provided in this article.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
289	30-174	Traffic and Motor Vehicles: Article V. Abandoned, Nuisance and Junked Motor Vehicles; Exceptions	Nothing in this article shall apply to any vehicle: (1) Which is located in a bona fide "automobile graveyard" or "junkyard" as defined in G.S. 136-143, in accordance with the "Junkyard Control Act," G.S. 136-141 et seq.; (2) Which is in an enclosed building; (3) Which is on the premises of a business enterprise being operated in a lawful place and manner if the vehicle is necessary to the operation of the enterprise; (4) Which is in an appropriate storage place or depository maintained in a lawful place and manner by the city; or (5) Which is a junked motor vehicle, used on a regular basis for business or personal use as a motor vehicle.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
290	30-175	Traffic and Motor Vehicles: Article V. Abandoned, Nuisance and Junked Motor Vehicles; Unlawful Removal of Impounded Vehicles	It shall be unlawful for any person to remove or attempt to remove from any storage facility designated by the city any vehicle which has been impounded pursuant to the provisions of this Code unless and until all towing and impoundment fees which are due, or bond in lieu of such fees, have been paid.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
291	30-204	Traffic and Motor Vehicles: Article VI. Railroads; Placing of Cars on Siding; Permit	It shall be unlawful for any railroad company or other common carrier to place or cause to be placed, for the purpose of loading or unloading or for any other purpose, any car on any track or siding lying or extending in and along Arendell Street west of Fourth Street, and each hour any car so placed in violation of this section shall remain on the track or siding shall constitute a separate offense; provided, however, the city manager shall, whenever such unusual circumstances present themselves as in his opinion shall justify on the part of the public good, be authorized to grant, in writing, the placing of such cars and, when so placed, such cars shall not be held to be in violation of this section.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
292	30-205	Traffic and Motor Vehicles: Article VI. Railroads; Right-of-Way to be Maintained	All railroad companies having ditches along their rights-of-way and along Arendell Street are required to fill the same to a grade with the streets and to maintain such rights-of-way in a reasonable grade with such street as to render it in a condition that it can be crossed at all points with ease and safety.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
293	30-206	Traffic and Motor Vehicles: Article VI. Railroads; Jumping On and Off Trains	It shall be unlawful for any person to jump on or off any moving train within the corporate limits for the purpose of riding upon such train without paying a fare; provided, this section shall not be construed to apply to bona fide passengers or employees. Persons seen on top of cars or clinging to the sides or steps or hiding or riding in freight or baggage cars shall be prima facie evidence of guilt.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
294	30-207	Traffic and Motor Vehicles: Article VI. Railroads; Removal of Weeds, Etc. from Right-of-Way	It shall be unlawful for any railroad company to allow the grass, weeds or bushes to grow higher than eight inches along its right-of-way, or to keep any grade crossing in such condition that it cannot be crossed at all times with ease and safety.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.

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295	30-238	Traffic and Motor Vehicles: Article VII. Traffic Schedules; Schedule I - Parking Prohibited At All Times	(a) Parking shall be prohibited at all times in the following places: (1) Arendell Street, north side, beginning at the intersection of 7th Street, northwest corner, westwardly 25 feet. (2) Arendell Street, north side, beginning at the intersection of 8th Street, northeast corner, eastwardly 28 feet. (3) Arendell Street, north side, beginning at the intersection of 9th Street, northeast corner, eastwardly 28 feet. (4) Arendell Street, north side, beginning at the intersection of 9th Street, northwest corner, westwardly 28 feet. (5) Arendell Street, north side, beginning at the intersection of 10th Street, northeast corner, eastwardly 25 feet. (6) Arendell Street, north side, beginning at the intersection of 10th Street, northwest corner, westwardly 25 feet. (7) Arendell Street, north side, beginning at the intersection of 16th Street, northwest corner, westwardly to the west city limits. (8) Arendell Street, south side, beginning at the intersection of the west city limits, eastwardly to the intersection of 16th Street, southwest corner. (9) Arendell Street, south side, beginning at the intersection of 7th Street, southeast corner, proceeding in an eastwardly direction, to the main gate of North Carolina State Port. (10) Arendell Street, south side, beginning at the intersection of 8th Street, southeast corner, eastwardly 25 feet. (11) Arendell Street, south side, beginning at the intersection of 9th Street, southeast corner, eastwardly 25 feet. (12) Arendell Street, south side, beginning at the intersection of 10th Street, southwest corner, westwardly 25 feet. (13) Arendell Street, on the grass median, both sides of railroad on Arendell Street, between 11th Street and the western city limits, except by special permit issued by the chief of police for funerals, weddings, church-related functions and emergencies. (14) Bridges Street, south side, from the intersection of 8th Street, southwest corner, westwardly 166 feet. (15) Bridges Street, south side, beginning 77 feet west of North 16th Street and continuing west 79 feet. (16) Bridges Street, south side, from the western city limits eastwardly to a point 154 feet east of Bonner Avenue. (17) Bridges Street, south side, 18 feet on either side of the driveway located at the west alley of the 800 Block, between Arendell Street and Bridges Street. (18) Bryan Street, both sides, beginning at a point 309 feet south of the centerline of Chalk Street, then continuing 621 feet south through the Webb Street/Webb Court right-of-way. (19) Evans Street, north side, from the west right-of-way of South 7th Street to a point 150 feet west. (20) Evans Street, south side, from the east right-of-way of South 8th Street east 29 feet. (21) Highway 70, both sides, beginning at the intersection of 4th Street, southeast corner, eastwardly to the east city limits. (22) Mandy Lane, both sides, beginning at the intersection of North 35th Street, westerly 322 feet. (23) Mansfield Parkway median strip, from Arendell Street to South Shore Drive. (24) North 20th Street, both sides, from Arendell Street to Calico Drive except for an area on the west of 20th Street beginning ten feet north of the northernmost drive to Bayview West Cemetery and continuing north 80 feet. (25) South Shore Drive, south side, from Savannah Avenue west to the city limits. (26) 24th Street, both sides, between Arendell Street and Bridges Street. (27) 28th Street, both sides, between Arendell Street and Bridges Street. (28) 35th Street, both sides, between Arendell Street and the northern city limits. (b) No person shall park a vehicle within 15 feet of any fire hydrant. (c) No boats on or off trailers or boat trailers shall be parked on any street or in any alley.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
296	30-239	Traffic and Motor Vehicles: Article VII. Traffic Schedules; Schedule II - Parking Prohibited During Certain Hours in Designated Places	Parking shall be prohibited during certain hours in designated places, as follows: (1) Glenn Drive, west side between Taylor Street and Bridges Street; east side beginning 390 feet north of the centerline of the intersection of Taylor Street and Glen Drive, and continuing north to Bridges Street, during regular school days from 7:30 a.m. to 3:30 p.m. (2) Evans Street, south side, in front of St. Egbert's School during regularly scheduled school days from 8:00 a.m. to 3:30 p.m. (3) Taylor Street, west side between Arendell Street and Glen Drive, during regularly scheduled school days from 7:30 a.m. to 3:30 p.m. (4) 200 North 14th Street, both sides, between Bridges and Fisher Streets from 8:00 p.m. to 6:00 a.m.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
297	30-240	Traffic and Motor Vehicles: Article VII. Traffic Schedules; Schedule III - Two Hour Parking	Parking shall be limited to two hours in the following places for the designated times: Monday through Saturday from 7:00 a.m. to 7:00 p.m.; Sunday from 12:00 noon to 7:00 p.m., from April 1 through October 15 each year: (1) Evans Street, north side, beginning 29 feet east of the easternmost right-of-way of South 8th Street and continuing to a point 221 feet east. (2) Shepard Street, north side, beginning at the east right-of-way of South 8th Street east to the westernmost point of the intersection of Evans and Shepard Streets (Point of "Jib"). (5) Shepard Street, south side, beginning eight spaces west of the west right-of-way of South 8th Street. (6) South 4th Street, west side, from the south right-of-way of Arendell Street to the north right-of-way of Evans Street. (7) South 5th Street, east side, from the south right-of-way of Arendell Street to the north right-of-way of Evans Street. (8) South 6th Street, east side, from the south right-of-way of Arendell Street to the north right-of-way of Evans Street. (9) South 7th Street, both sides, from the south right-of-way of Arendell Street to the north right-of-way of Evans Street. (10) South 8th Street, west side from the south right-of-way of Arendell Street to the north right-of-way of Evans Street. (11) South 8th Street, both sides, from the south right-of-way of Evans Street to the north right-of-way of Shepard Street. (12) 200 South 15th Street, west side, beginning at the southern margin of the Evans Street right-of-way south to the northern right-of-way margin of Shepard Street.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
298	30-241	Traffic and Motor Vehicles: Article VII. Traffic Schedules; Schedule IV - One Hour Parking	Parking shall be limited to one hour in the following places: None.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
299	30-242	Traffic and Motor Vehicles: Article VII. Traffic Schedules; Schedule IV A - Thirty-Minute Parking	Parking shall be limited to 30 minutes in the following places: (1) Evans Street, north side, beginning at the eastern most edge of the South 9th Street right-of-way and continuing east for 88 feet. (2) North 10th Street, west side, the two parking spaces immediately south of the Bridges Street intersection.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
300	30-243	Traffic and Motor Vehicles: Article VII. Traffic Schedules; Schedule V - Fifteen-Minute Parking	Parking shall be limited to 15 minutes in the following places: (1) North 6th Street, east side, beginning at the northern most right-of-way of Arendell Street (U.S. 70) and continuing north for the first and second diagonal parking spaces (24 feet). (2) South 9th Street, the first parking space from northeast corner of Evans Street.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
301	30-244	Traffic and Motor Vehicles: Article VII. Traffic Schedules; Schedule VII - Taxicab, Etc., and Police Vehicle Stands	The following shall be identified as a taxi stand: Evans Street, south side, along the concrete gutter edge, beginning 85 feet west of the western edge of the right-of-way margin of South 6th Street and continuing generally westward for 284 feet, between the hours of 10:00 p.m. and 4:00 a.m. on Friday, Saturday and holidays.	To define useage of street that may be otherwise unclear.
302	30-245	Traffic and Motor Vehicles: Article VII. Traffic Schedules; Schedule VIII - One-Way Streets	The following streets shall be one-way streets, and vehicles shall move only in the direction indicated: (1) Arendell Street, north side, between the beginning of the median on Arendell Street near the eastern city limits and the western city limits, traveling west. (2) Arendell Street, south side, from the western city limits to the end of the median on Arendell Street near the eastern city limits, traveling east. (3) Glenn Drive, between Taylor and Bridges Street, traveling north, from 7:30 a.m. until 8:30 a.m. and 2:30 p.m. until 3:30 p.m. on school days. (4) Shepard Street, between South 9th Street and the intersection of Shepard and Evans Streets, traveling east. (5) South 9th Street, between Arendell and Shepard Streets, traveling south. (6) Taylor Street, between Arendell Street and Glenn Drive, traveling north, from 7:30 a.m. until 8:30 a.m. and 2:30 p.m. until 3:30 p.m. on school days. (7) 21st Street, east side, between Evans and Arendell Streets, traveling north. (8) 21st Street, west side, between Arendell and Evans Streets, traveling south. (9) 23rd Street, between Arendell and Bridges Streets, traveling north. (10) 23rd Street, from the southern city limits to Arendell Street.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
303	30-246	Traffic and Motor Vehicles: Article VII. Traffic Schedules; Schedule IX - Through-Streets	The following streets shall be through-streets: None designated.	To define useage of street that may be otherwise unclear.
304	30-247	Traffic and Motor Vehicles: Article VII. Traffic Schedules; Schedule X - Stop Intersections	(a) Stop intersections shall be as designated by a regulation red octagonal sign bearing the word "STOP." (b) Three-way or four-way stop intersections shall be designated by a regulation red octagonal sign bearing the word "STOP" and shall include a supplementary plate marked "3-Way" or "4-Way" immediately under the stop sign. (c) Four-way stop intersections shall be as follows: (1) South 8th Street and Evans Street. (2) South 15th and 16th Streets at Evans Street and Shepard Street. (d) Three-way stop intersections shall be as follows: South 9th Street and Evans Street.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
305	30-248	Traffic and Motor Vehicles: Article VII. Traffic Schedules; Schedule XI - Left Turn Lanes	Left turn lanes shall be as follows: (1) Arendell Street, south side, in the east-bound lanes between 4th and 6th Streets as indicated by left turn pavement markings. (2) 35th Street, south of its intersection with Bridges Street, as directed by pavement markings.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
306	30-249	Traffic and Motor Vehicles: Article VII. Traffic Schedules; Schedule XII - No Left Turns	No person shall make a left turn in a vehicle in the following places: (1) On Arendell Street, at the intersection of 7th Street, if proceeding east. (2) On Arendell Street, at the intersection of 8th Street. (3) On Arendell Street, at the intersection of 9th Street. (4) On Arendell Street, at the intersection of 10th Street. (5) On Arendell Street, at the intersection of 24th Street, if proceeding east. (6) On Arendell Street, at the intersection of 30th Street, if proceeding west. (7) On Evans Street, at the intersection of South 9th Street, if proceeding east. (8) On Evans Street, at the intersection of Shepard Street and Evans Street, if proceeding west. (9) On Shepard Street, at the intersection of South 9th Street, if proceeding east.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
307	30-250	Traffic and Motor Vehicles: Article VII. Traffic Schedules; Schedule XIII - No Right Turns	No person shall make a right turn in a vehicle in the following places: (1) On Arendell Street, at the intersection of South 23rd Street, traveling east. (2) On Evans Street, at the intersection of South 9th Street, if proceeding west. (3) On Evans Street, at the intersection of Shepard Street and Evans Street, if proceeding east. (4) On South 8th Street, at the intersection of Shepard Street.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.

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308	30-251	Traffic and Motor Vehicles: Article VII. Traffic Schedules; Schedule XVI - No Parking This Side	Except as otherwise provided within article VII, Traffic Schedules, no person shall park a vehicle in any of the following places: (1) Bridges Street, north side, between 4th Street and where Bridges Street intersects with Arendell Street. (2) Barbour Road, east side, between Bridges Street and the north side of the bridge crossing Calico Creek. (3) Bonner Avenue, east side, beginning at the intersection of Bridges Street and Bonner Avenue, and continuing south for 338 feet. (4) Evans Street, south side, from the east right-of-way of South 4th Street to the intersection of Shepard Street and Evans Street. (5) Evans Street, north side, between 8th Street and 23rd Street, except as provided in section 30-242, Schedule IV-A—Thirty-minute parking. (6) North 12th Street (#200), east side, beginning 147 feet north of the northernmost right-of-way of Bridges Street and continuing north to the intersection of North 12th Street with Bay Street. (7) North 25th Street, west side, from Bridges Street north 384 feet. (8) Shepard Street, south side, from the intersection of Evans Street and South 8th Street. (9) 4th Street, east side, between Arendell Street and Bridges Street. (10) 4th Street, east side, between Evans Street and Arendell Street. (11) 5th Street, west side, between Evans Street and Arendell Street. (12) 6th Street, west side, between Evans Street and Bridges Street. (13) 8th Street, east side, between Evans Street and Arendell Street. (14) 8th Street, west side, between Arendell Street and Fisher Street. (15) 9th Street, west side, between Arendell Street and Fisher Street, except parking will be allowed in this area from 8:45 a.m. to 1:00 p.m. on Sundays, from 5:30 p.m. to 7:30 p.m. on Wednesdays, and other times when permitted by the chief of police. (16) 10th Street, east side, between Evans Street and Bridges Street. (17) 11th Street, east side, between Arendell Street and Bridges Street. (18) 12th Street, east side, between Evans Street and Arendell Street. (19) 14th Street, east side, between Arendell Street and Bridges Street. (20) 14th Street, east side, between Evans Street and Arendell Street. (21) 16th Street, east side, between Bridges Street and Fisher Street. (22) 30th Street, west side, between Evans Street and Arendell Street.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
309	30-252	Traffic and Motor Vehicles: Article VII. Traffic Schedules; Schedule XVIII - Towaway Zones	The following places shall be towaway zones: (1) Arendell Street, north side, between the east and west alleys which run in a north-south direction and lie between 7th and 8th Streets. (2) Bay Street, north side, between 13th Street and 15th Street	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
310	30-253	Traffic and Motor Vehicles: Article VII. Traffic Schedules; Schedule XIX - No Parking Here to Corner	No person shall park a vehicle in the following places: (1) Arendell Street, north side, from 13th Street eastwardly 45 feet. (2) Arendell Street, south side, from 11th Street westwardly 100 feet. (3) Bridges Street, north side, from 35th Street eastwardly 400 feet. (4) Bridges Street, south side, from 7th Street eastwardly 25 feet. (5) Bridges Street, south side, from 7th Street westwardly 25 feet. (6) Bridges Street, south side, from 12th Street westwardly 60 feet. (7) Bridges Street, south side, from 16th Street westwardly 25 feet. (8) Bridges Street, south side, from 35th Street westwardly 400 feet. (9) Evans Street, south side, from 8th Street westwardly 66 feet. (10) Evans Street, south side, from 9th Street eastwardly 25 feet. (11) Evans Street, south side, from 9th Street westwardly 25 feet. (12) Evans Street, south side, from 24th Street eastwardly 45 feet. (13) Evans Street, south side, from 24th Street westwardly 45 feet. (14) Evans Street, south side, westwardly from the intersection of 4th street to the intersection of 7th Street. (15) 4th Street, east side, from Arendell Street southwardly 46 feet. (16) 7th Street, east side, from Evans Street northwardly 45 feet. (17) 9th Street, east side, from Evans Street southwardly 25 feet. (18) 15th Street, west side, from Bridges Street southwardly 115 feet. (19) 16th Street, west side, from Bridges Street southwardly 25 feet. (20) 30th Street, east side, from Arendell Street southwardly 74 feet.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
311	30-254	Traffic and Motor Vehicles: Article VII. Traffic Schedules; Schedule XX - Handicapped Parking	The following places shall be handicapped parking zones: (1) 8th Street, west side, from Evans Street southwardly 67 feet. (2) Any other areas designated by the chief of police as handicapped parking spaces and so marked by proper signs.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
312	30-255	Traffic and Motor Vehicles: Article VII. Traffic Schedules; Schedule XXI - Loading Zones	The following places shall be loading zones: (1) Arendell Street, north side, from 9th Street westwardly 45 feet. (2) Arendell Street, south side, eastwardly for 45 feet from the east alley. (3) Arendell Street, south side, from 10th Street 45 feet westwardly. (4) Evans Street, south side, from 4th Street to the west right-of-way of South 7th Street. (5) Evans Street, south side, from the intersection of South 7th Street to the intersection of Shepard Street, south side. (6) Shepard Street, south side, from the intersection of Evans Street to South 8th Street. (7) 5th Street, west side, between Arendell Street and Bridges Street (one space). (8) 7th Street, west side, from Arendell Street 45 feet northwardly. (9) 8th Street, east side, from Arendell Street 45 feet northwardly. (10) 8th Street, west side, southwardly 45 feet from Arendell Street. (11) Any other spaces on Evans Street and Shepard Street designated by the chief of police, provided that not more than one such space shall be designated in each block of Evans and Shepard Streets.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
313	30-256	Traffic and Motor Vehicles: Article VII. Traffic Schedules; Schedule XXII - Speed Limits	(a) <i>The maximum speed limits on the following streets shall be 15 miles per hour</i> : Old Gate Court. (b) <i>The maximum speed limits on the following streets shall be 20 miles per hour</i> : (1) Evans Street from 4th Street westwardly to 10th Street. (2) Shepard Street from 7th Street westwardly to 10th Street. (c) <i>The maximum speed limits on the following streets shall be 25 miles per hour</i> : (1) Abbot Morris Lane. (2) Arctic Tern Court. (3) Arvon Street. (4) Atlantic Avenue. (5) Avery Street. (6) Bald Street. (7) Banks Street. (8) Barbour Road from 0.35 miles south of Mayberry Loop Road (SR 1241) northward 0.10 miles. (9) Barnacle Lane. (10) Bay Street. (11) Bayview Avenue. (12) Birch Court. (13) Blair Avenue. (14) Blair Pointe Road. (15) Bonham Street. (16) Bogue Avenue. (17) Bonner Avenue. (18) Bradford Street. (19) Bridges Street from 3rd to 20th Streets. (20) Brook Lane. (21) Bryan Street. (22) Calico Drive. (23) Carolina Parkway. (24) Cedar Street. (25) Central Drive. (26) Chalk Street. (27) Church Street. (28) Clubhouse Drive. (29) Commerce Street. (30) Coral Point Road. (31) Country Club Run. (32) Cove Court. (33) Crepe Myrtle Street. (34) Crystal Oaks Lane. (35) Davis Place. (36) Dill Creek Lane. (37) Easy Street. (38) Eaton Street. (39) Elm Street. (40) Emeline Place. (41) Evans Street from 10th to 35th Streets. (42) Facility Drive. (43) Fathom Way. (44) Ferabee Drive. (45) Fisher Street. (46) Florida Avenue. (47) Galantis Street. (48) Galley Circle. (49) Georgia Avenue. (50) Glenn Drive. (51) Greenfield Drive. (52) Guardian Avenue. (53) Guthrie Street. (54) Hamilton Drive. (55) Harrell Drive. (56) Hickory Drive. (57) High Street. (58) Hodges Street. (59) Hogan Court. (60) Holly Court. (61) Holly Lane. (62) Homes Drive. (63) Ivory Gull Drive. (64) Jacob Drive. (65) Jody Lane. (66) John Platt Drive. (67) Justin Court. (68) Knox Drive. (69) Lake Avenue. (70) Lake Pointe. (71) Lantern Way. (72) Larkin Avenue. (73) Lockhart Road. (74) Main Sail Road. (75) Mandy Court. (76) Mandy Lane Ext. (77) Mansfield Parkway. (78) Maple Lane. (79) Marsh Pointe Road. (80) Maryland Street. (81) Mattie Street. (82) Meadows. (83) Meridian Boulevard. (84) Miami Avenue. (85) Mickelson Way. (86) Midyette Avenue. (87) Morris Lane. (88) Myrtle Street. (89) Navigation Way. (90) Neuse Avenue. (91) North Lockhart Street. (92) Noyes Avenue. (93) Oak Street. (94) Oaksmith Boulevard. (95) Old Farm Road. (96) Otter Court. (97) Oyster Cove. (98) Pamlico Avenue. (99) Panama Terr. (100) Park Drive. (101) Patterson Street. (102) Penny Lane. (103) Pensacola Avenue. (104) Pine Street. (105) Piney Park Circle. (106) Pinnacle Point. (107) Pittman Avenue. (108) Plantation Drive. (109) Player Lane. (110) Player Way. (111) Professional Circle. (112) Razorbill Court. (113) Raleigh Avenue. (114) Razorbill Court. (115) Red Fox Lane. (116) Riverside Avenue. (117) Roanoke Avenue. (118) Rochelle Drive. (119) Ryan Drive. (120) Salem Avenue. (121) San Juan Circle. (122) Savannah Avenue. (123) Shackleford Street. (124) Shell Pointe. (125) Shepard Street from 10th to 22nd Streets. (126) Snead Street. (127) Sound Drive. (128) South Coral Drive. (129) South Shore Drive. (130) Strange Court. (131) Sunset Boulevard. (132) Sylvia Lane. (133) Symi Circle. (134) Taylor Circle. (135) Taylor Street. (136) Teal Court. (137) Treatment Plant Road. (138) Turner's Dairy Road. (139) Vashti Drive. (140) Virginia Avenue. (141) Waldron Drive. (142) Webb Court. (143) Webb Street. (144) White Drive. (145) Widgeon Drive. (146) Woods Court. (147) Wood Duck Court. (148) Worth Court. (149) Worth Drive. (150) Yaupon Terrace, North. (151) Yaupon Terrace, South. (d) <i>The maximum speed limit on the following street shall be 30 miles per hour</i> : Arendell Street from 7th Street, both north and south sides, to 10th Street. (e) <i>The maximum speed limits on the following streets shall be 35 miles per hour</i> : (1) Arendell Street from 3rd Street to 7th Street, both north and south sides. (2) Arendell Street [US 70] from 10th Street to Rochelle Drive, both north and south sides. (3) Barbour Road (SR 1243) from 0.16 miles south of Mayberry Loop Road (SR 1241) southward 0.19 miles, and from 0.45 miles south of Mayberry Loop Road (SR 1241) southward to Bridges Street. (4) Bridges Street from the intersection of 20th Street in a westwardly direction to the intersection of Arendell Street. (5) Bridges Street from the intersection of 20th Street westwardly to 35th Street. (6) Reserved. (7) Executive Drive. (8) Reserved. (9) Reserved. (10) 20th Street from Bridges Street northwardly to the northern city limits. (f) <i>The maximum speed limits on the following streets shall be 45 miles per hour</i> : (1) Arendell Street [US 70] from Rochelle Drive to Old Murdoch Road, both north and south sides. (2) Arendell Street [US 70] between 4th Street and 0.418 mile west of SR 1175 [Radio Island Road]. (3) Arendell Street [US 70] from 2nd Street to the eastern corporate limit, approximately 0.17 mile east of 1st Street. (g) <i>The maximum speed limits on the following street shall be 55 miles per hour</i> : Arendell Street [US 70] from Old Murdoch Road to the western corporate limit, both north and south sides.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
314	30-257	Traffic and Motor Vehicles: Article VII. Traffic Schedules; Schedule XXIII - One-Hour Parking and Towaway Zone	The following places shall be one-hour parking and towaway zones: Arendell Street, both sides, from 6th Street to 11th Street from 8:30 a.m. to 5:00 p.m., Monday through Saturday.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
315	30-278	Traffic and Motor Vehicles: Article VIII. Morehead City Alternative Transportation System (MATS) Regulations; General Provisions	(a) Purpose. This article is adopted with the purpose of providing the use of the Multipurpose Trail, hereinafter referred to as the Morehead Alternative Transportation System (MATS), in such a manner and means as will maximize its use and enjoyment by the public, in a safe and orderly manner and to protect the property of the adjoining landowners. (b) Severability. If any section, clause, provision, or portion of this article is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this article shall not be affected hereby.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
316	30-280	Traffic and Motor Vehicles: Article VIII. MATS Regulations; Approved Uses; Allowed Vehicles	Only those vehicles listed in the definition of nonmotorized vehicle in section 30-279 shall be allowed on MATS.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.

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317	30-281	Traffic and Motor Vehicles: Article VIII. MATS Regulations; Trail Hours	MATS shall be open year-round unless otherwise posted. Exception: MATS may be closed by order of the director for reasons of maintenance, repair or for safety or security reasons.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
318	30-282	Traffic and Motor Vehicles: Article VIII. MATS Regulations; Loitering	It shall be unlawful for persons to assemble or loiter upon the trail in sufficient number or in such manner as to be an obstruction to the trail, boardwalk or crossings or in such manner as to interfere with the free passage of the trail by other trail users.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the safety and/or welfare of citizens.
319	30-283	Traffic and Motor Vehicles: Article VIII. MATS Regulations; Public Safety	No firearms or bow and arrows shall be discharged within the trail at any time. No firearm shall be discharged into, over or across the trail at any time.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the safety and/or welfare of citizens.
320	30-284	Traffic and Motor Vehicles: Article VIII. MATS Regulations; Environmental Protection	(a) Property. No person shall disturb, destroy, injure, damage or remove any property within trails including, but not limited to, vegetation, wildlife, signs or facilities. Collections for scientific and educational purposes may be made after obtaining a permit from the director. (b) Refuse. No person shall burn or dispose of garbage, refuse, litter, sewerage or trash within a trail. If an appropriate receptacle has not been provided, the person who brought the item onto the trail must remove it for proper disposal.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
321	30-285	Traffic and Motor Vehicles: Article VIII. MATS Regulations; Fires	Fires within the trail are not permitted.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the safety and/or welfare of citizens.
322	30-286	Traffic and Motor Vehicles: Article VIII. MATS Regulations; Domestic Animals	(a) Pets will be permitted on MATS. All pets shall be attended by a responsible adult and effectively restrained by a leash not exceeding six feet. Such pets shall not be permitted to deprive or disrupt the enjoyment or use of any area by any trail user. Pet owners are responsible for cleaning up any droppings left by their pet. (b) Horses and ponies are not allowed on the trail.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the safety and/or welfare of citizens.
323	30-287	Traffic and Motor Vehicles: Article VIII. MATS Regulations; Traffic Control; Parking Prohibited At all Times; Towaway Zone	(a) In general, subject to the limitations imposed by this article and other duly enacted statutes, rules and ordinances, or unless specifically prohibited by the director, trails may be used for the following forms of nonmotorized transportation: hiking, bicycling, roller blading, roller skating and skateboarding. (b) Parking shall be prohibited at all times on MATS for approved and unapproved vehicles. Unapproved vehicles parked on MATS shall be subject to towing. (c) Trail signs shall be obeyed. (d) When on a trail pathway, all trail users must stay on their right half of the trail pathway when meeting or being passed by another trail user. (e) When passing another trail user traveling in the same direction, a trail user must pass on the left half of the trail pathway and may pass only when such left half is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safety of any trail user approaching from the opposite direction or any trail user overtaken. (f) Any trail user who is about to enter onto or cross a trail pathway shall yield the right-of-way to any trail user already on the pathway to be entered or crossed. (g) Safety. While being ridden or operated within a trail, allowed vehicles must be under control of the operator at all times. It is unlawful for any person to operate or halt any allowed vehicles within the trail carelessly or heedlessly in disregard of the rights of others, or in a manner that endangers or is likely to endanger any property or person, including the driver or passengers of the vehicle.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
324	30-288	Traffic and Motor Vehicles: Article VIII. MATS Regulations; Protection from Peddling and Soliciting	(a) It is unlawful for any person to engage in or solicit business of any nature whatsoever within MATS. (b) The placing of advertising, decoration, or any other device on the trail is prohibited.	To define and prohibit actions/behavior that may be perceived as disruptive, offensive or threaten the safety and/or welfare of citizens.
325	30-289	Traffic and Motor Vehicles: Article VIII. MATS Regulations; Permits - Accessibility, Repairs, Etc.	(a) As necessary, the public works director shall be required to issue access permits for the repair of utilities, maintenance of the trail, and for the temporary, short term ingress and egress of adjacent property owners. When the activity may be expected to cause damages to the trail, the director shall require a bond be posted. If damages occur because of the activity, the permittee shall have adequate time to repair the damages to city standards. Upon failure to repair the damages in a suitable time frame, the director shall cause the repairs to be made and shall utilize the bond to pay for said repairs. If repair costs exceed the amount of the bond then the permittee shall be invoiced for the difference. Unpaid amounts will be collected in the same manner as a bad debt. (b) All persons claiming possession of a permit issued by the director must produce or exhibit it upon request from any authorized person who shall desire to inspect same for the purpose of enforcing compliance with any ordinance or rule. (c) A person to whom a permit is issued shall be liable for any loss or damage to trail property. The director may require proof of authority to act on behalf of any organization. (d) The director shall have the authority to revoke any permit upon finding of a violation of any rule or ordinance or upon good cause shown. (e) The director may refuse any permit when it is in the best interests of MATS.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
326	30-290	Traffic and Motor Vehicles: Article VIII. MATS Regulations; Permits - Recreation; Special Events, Etc..	(a) Persons, groups, organizations, etc. who wish to conduct a special event suitable for MATS may do so by application to the recreation director. (b) All persons claiming possession of a permit issued by the director must produce or exhibit it upon request from any authorized person who shall desire to inspect same for the purpose of enforcing compliance with any ordinance or rule. (c) A person to whom a permit is issued shall be liable for any loss or damage to trail property. The director may require proof of authority to act on behalf of any organization. (d) The director shall have the authority to revoke any permit upon finding of a violation of any rule or ordinance or upon good cause shown. (e) The director may refuse any permit when it is in the best interests of MATS.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
327	30-291	Traffic and Motor Vehicles: Article VIII. MATS Regulations; Enforcement	(a) Penalty. Any person who violates any of the provisions of this article, or who fails or refuses to comply with the provisions of this article shall be guilty of a misdemeanor, and upon conviction, thereof, shall be punished by a fine of up to \$100.00 or by imprisonment for up to 90 days or both. (b) Enforcing authorities. It shall be the duty of the director and/or the police department to enforce their respective provisions of this article.	To clearly define penalty for violation of the ordinance.
328	32-1	Water and Sewers: Article I. In General; Stoppage of Sewer Pipes -Generally	It shall be unlawful to throw any substance into a municipal sewer pipe which causes a stoppage in the sewer.	To define and prohibit actions/behavior that may damage or destroy city property.
329	32-2	Water and Sewers: Article I. In General; Stoppage of Sewer Pipes - Causing by Filling Land	It shall be unlawful for any property owner to fill his land or cause his land to be filled in such manner or way that any existing sanitary or storm sewer is affected thereby, except under the following conditions: (1) Prior to filling or making any contract for filling, the owner shall obtain a permit from the city and shall post a bond guaranteeing to replace, repair or extend the storm or sanitary sewer, as the case may be, to the newly created waterline at the expense of the owner or adjoining owners, as the case may be, at the conclusion of the work. (2) No owner shall at any time, individually or through a contractor, cause filling or spoil to be deposited upon any of the public areas (streets, alleys or other accessways) in which storm or sanitary sewer facilities are located without safeguarding such filling by direct contact with the superintendent of streets and sanitation to ensure the proper fall or relocation if necessary.	To define and prohibit actions/behavior that may be disruptive, threaten the safety and/or welfare of citizens, and/or damage or destroy city property.
330	32-3	Water and Sewers: Article I. In General; Illegal Discharges Into Sewers - Generally	No person shall pour, throw or discharge any substance, either solid or liquid, into any sanitary or storm sewer at any manhole or at any opening therein other than a sewer connection; nor shall any person discharge into any sanitary or storm sewer any substance likely to cause undue injury to the same or any substance of such high causticity or of a sufficiently acid nature to interfere materially with the equipment used in connection therewith.	To define responsibility and prohibit actions/behavior that may damage or destroy city property, and/or threaten the safety and health of citizens.
331	32-4	Water and Sewers: Article I. In General; Illegal Discharges Into Sewers - Rainwater from Roofs; Surface Water	It shall be unlawful for any person to cause or allow any rainwater from roofs of buildings, gutters or downspouts or any surface water entering any catch basin to drain into any part of the sanitary sewer system of the city.	To define responsibility and prohibit actions/behavior that may damage or destroy city property, and/or threaten the safety and health of citizens.
332	32-5	Water and Sewers: Article I. In General; Sewer Connections - Required	Under and pursuant to the provisions of G.S. 160A-317, all owners of improved property in the city located upon or near any collecting line of the municipal sewerage system shall connect all water closets, bathtubs, lavatories, sinks or drains upon their respective properties or premises so that their contents shall empty into such sewerage system, and such owners shall further be required to pay the connection charges attendant thereupon.	To define and prohibit actions/behavior that may damage or destroy city property, and/or threaten the safety and health of citizens.

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333	32-6	Water and Sewers: Article I. In General; Sewer Connections - Procedres	(a) Pertinent provisions of part of contracts. All pertinent provisions of this chapter are hereby made a part of the terms and conditions whereby the city furnishes sewer service to any person, or whereby the city makes any sewer connections or performs any work of any kind in connection with the furnishing of sewer service. (b) Made by city. The connection of the sewer pipes on any lot with sewer pipes in any street, and the necessary excavation therefor, shall be done only by the city. (c) Made upon application; inspection. All persons wishing to connect with the public sewer system must file a written application with the clerk for a permit to connect with the public sewer lines. The clerk shall issue such permit to any duly licensed plumber after application is filed, which permit must state the location of the wye to which connection is to be made. After the connection is made, the ditch must be left open until final inspection is made by the city plumbing inspector who shall report on the back of the permit the result of his inspection. Such permit must be returned to the clerk by the inspector to be filed in the city records. (d) Contents of application. Every application for a sewer connection shall state the name of the owner of the lot; the name of the street on which such lot is situated; the number of the house, if there is one on the lot or, if not, a description of the location of the lot; the number and kind of connections desired; and the character of the surface of the abutting street. Every such application shall be signed by the person making the application, shall be accompanied by the proper fee for making the connections applied for and shall be filed with the plumbing inspector. (e) Made where openings provided. Every sewer connection made directly to a main shall be made at the wye provided for the lot to be served; if no such wye has been provided for such lot, then the connection may be made directly to the main at any convenient point. (f) Sewer tap fees. All tap fees for connections to main sewer lines shall be in the amounts provided in the most current adopted schedule, on file in the office of the city clerk.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
334	32-7	Water and Sewers: Article I. In General; Water Reconnection Charge After Delinquency	When any water service is discontinued to a customer served by the municipal system, and such discontinuance is occasioned by a delinquency in the payment of the water account, service shall not be reinstated unless and until the defaulting customer pays a service connection fee in the amount provided in the most current adopted schedule, on file in the office of the city clerk, in addition to the amount determined to be due for water furnished to date of the discontinuance.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
335	32-8	Water and Sewers: Article I. In General; Prevention of Floodwater and/or Groundwater Infiltration	(a) The water and sewer department of the city shall require new and replacement water supply systems and/or sanitary sewage systems to be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwater and shall permit no new waste disposal systems. (b) Sewer collection lines located on the customer's property shall be required to be replaced when excessive amounts of groundwater infiltration are determined to be present in the customer's piping.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
336	32-9	Water and Sewers: Article I. In General; Water Lines and Fire Hydrants in Mobile Home Parks	Before the city will provide water to any trailer park not located within the corporate limits of the city, that trailer park (mobile home park) must have six-inch water mains and must have fire hydrants placed throughout the park in accordance with the fire and building codes applicable within the city.	
337	32-10	Water and Sewers: Article I. In General; Utility Easements, Alleys and Right-of-Way	(a) The purpose of this section is to provide access for maintenance of utility lines which are located within alleys, rights-of-way and easements over private property. (b) Utility lines located in easements located on private property, street rights-of-way and alleys shall remain free and clear of all buildings and structures and other improvements to allow for the maintenance of utility lines. (c) No property owner shall be permitted to leave or store building materials and other miscellaneous items within the prescribed easement, alley or right-of-way that would prohibit access of town equipment. (d) The city shall have the authority to remove structures, fences, gardens, trees, landscaping and debris located within the easements, street rights-of-way and alleys in order to maintain utility lines. The cost of removal of such items shall be the responsibility of the property owner and a lien may be placed against the property owner for the cost of removing such items by the town. (e) Easements, alleys and rights-of-way that do not conform with these regulations prior to the adoption of the ordinance from which this section is derived shall be evaluated on an "as necessary" case-by-case basis and corrected action determined by the council. (f) This section shall become effective upon the adoption of the ordinance from which this section is derived, and enforcement shall be in accordance with section 1-7 of this Code of Ordinances.	To identify authority and responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
338	32-11	Water and Sewers: Article I. In General; Privies	The owner of any house used for residential purposes, which house is not within the sewer district and is not required to have a septic tank, before such house shall be leased or rented for occupancy as a residence or if already rented for residential purposes, shall cause to be provided in connection with such occupancy, either prospective or present, a pit privy in conformity with the plans, specifications and other requirements of the state board of health.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
339	32-12	Water and Sewers: Article I. In General; System Development Fees	System development fees shall be charged with respect to new development to fund costs of capital improvements necessitated by and attributable to such new development, to recoup costs of existing facilities which serve such new development, or a combination of those costs. New development includes the subdivision of land, the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure which increases the number of service units, or any use or extension of the use of land which increases the number of service units, occurring after August 1, 2017 which is the date that the Town began the written analysis process required by NCGS 162A-205. (1) Beginning on the effective date of this ordinance, system development fees shall apply to: a. All new connections to the town's water or sewer system, except for irrigation and fire line connections; b. Existing connections where new improvements require increased capacity or increased use of water or sewer from the town; c. Change of use will require the owner/customer to pay the difference between the old use and the proposed new use, if there is an increase in usage. No refunds will be granted if the new usage is less than the old usage; (2) System development fees shall not include and separate charges may be assessed for: a. Administrative, plan review, or inspection costs associated with permits required for development. b. Tap or hookup charges for the purpose of reimbursing the town for the actual costs of connecting the service unit to the system. c. Availability charges. d. Dedication of capital improvements onsite, adjacent, or ancillary to a development absent a written agreement providing credit or reimbursement to the developer pursuant to N.C.G.S. 160A-320, 160A-499 or Part 3D of Article 19, Chapter 160A as the same may be amended from time to time. e. Reimbursement to the town for its expenses in constructing or providing for water or sewer utility capital improvements adjacent or ancillary to the development if the owner or developer has agreed to be financially responsible for such expenses; however, such reimbursement shall be credited to any system development fee charged as set forth in N.C.G.S 162-207(c). (3) System development fees will not be charged on buildings or other improvements constructed to replace like buildings provided that the replacement will not result in any increased capacity requirements over that required to serve the replaced building. System development fees are transferable between locations on different parcels of property as long as the parcels are contiguous or separated only by a street or alley and part of a single or multi-phased project shown on an approved site plan at the time of issuance of a building permit. (4) Any credits for demolition of a structure on the same or contiguous site pursuant to subsection (3) of this section which was connected to the water and sewer systems are limited to five years from the date of issuance of the first building permit. Proof of demolition is required from the owner. Owners/developers shall enter into an agreement with the city acknowledging the credit and the responsibility for the payment of the system development fees should the project not be fully developed in the manner shown in the site plan and should there be any outstanding system development fees due to the city at the end of the five-year period. (5) For new development involving the subdivision of land, the system development fee shall be collected either at the time of plat recordation or when water or sewer service for the subdivision or other development is committed by the town. For all other new development, the system development fees are due at the time of application for connection of the individual unit of development to the service or facilities. System development fees for connections not listed in 15A NCAC 2T.0114 shall be established by the city manager after consultation with the Town staff. System development fees established in this manner may be appealed to the Town Council. (6) Additions, alterations to or replacements or change in use of existing buildings shall be required to pay a system development fee based on the same rates that apply to new construction improvements. When a change in use occurs, the new use will pay the difference calculated between the existing use and the proposed use. (7) Buildings that contain more than one use shall have the system development fee calculated from the sum of each use in the building, based upon the schedule of system development fee charges. (8) The following system development fee shall be paid for connections to the Town of Morehead City municipal water and sewer systems based on the customer's calculated anticipated daily flow rate converted to Equivalent Residential Units (ERUs). The system development fee shall be the same regardless of the customer's location inside or outside the municipal limits of the town: (Table Attached as Exhibit 32-12.8(A))	To identify authority and responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
340	32-12	Water and Sewers: Article I. In General; System Development Fees (continued)	System development fees shall be based on the calculated gallon per day (GPD) flow rate of the anticipated use of the proposed structure, or increased use anticipated by an addition to the floor space of an existing structure. Flow rates shall be determined in accordance with the flow rates established in the North Carolina Administrative Code, 15A NCAC 2T.0114 (a), (b) and (c), as amended from time to time. Once flow for a new establishment has been estimated in accordance with N.C.A.C. 15A NCAC 02T.0114, the flow shall be converted to Equivalent Residential Units (ERUs) by dividing the total flow by 360 GPD, which is the design flow associated with an ERU. Table 1 below illustrates 15A NCAC 2T.0114 (a), (b) and (c) as of the approval date of this chapter: TABLE 1 - 15A NCAC 02T. 0114 WASTEWATER DESIGN FLOW RATES (a) This rule shall be used to determine wastewater flow rates for all systems covered by this subchapter unless alternate criteria are provided by a program specific rule and for flow used for the purposes of 15A NCAC 02H.0105. These are minimum design daily flow rates for normal use and occupancy situations. Higher flow rates may be required where usage and occupancy are atypical, including, those in paragraph (e) of this rule. Wastewater flow calculations must take hours of operation and anticipated maximum occupancies/usage into account when calculating peak flows for design. (b) In determining the volume of sewage from dwelling units, the flow rate shall be 120 gallons per day per bedroom. The minimum volume of sewage from each dwelling unit shall be 240 gallons per day and each additional bedroom above two bedrooms shall increase the volume by 120 gallons per day. Each bedroom or any other room or addition that can reasonably be expected to function as a bedroom shall be considered a bedroom for design purposes. When the occupancy of a dwelling unit exceeds two persons per bedroom, the volume of sewage shall be determined by the maximum occupancy at a rate of 60 gallons per person per day. (c) The following table shall be used to determine the minimum allowable design daily flow of wastewater facilities. Design flow rates for establishments not identified below shall be determined using available flow data, water-using fixtures, occupancy or operation patterns, and other measured data. (Table 1 Attached as Exhibit 32-12.8(B)) It is recognized that the design flow figures in 15A NCAC 02T.0114 may be questioned for any given establishment; however, these are the figures developed by the state and are the figures the town must use in seeking permits from the state. (9) In calculating system development fees with respect to new development, the town will credit the value of costs in excess of the development's proportionate share of connecting facilities required to be oversized for use of others outside of the development. No credit shall be applied, however, for water or sewer capital improvements on-site or to connect new development to water or sewer facilities.	To identify authority and responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.

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341	32-43	Water and Sewers: Article II. Extension of Mains; Application; Approval	a) Any property owner desiring water or sanitary sewer service shall apply in writing to the city council requesting the extension of water or sanitary sewer service or both. No request for the extension of services shall be considered unless submitted in writing in accordance with the requirements of this article. (b) The city council may require the applicant to submit, as part of the written application, such information, plans, specifications or other data as may be required to adequately determine if the requirements of this article are to be met. (c) When application is made for a water or sewer extension or both to serve an area or development that is planned as part of a larger development project or subdivision, all of which is not to be developed at the time application is made, the owner shall submit plans in sufficient detail in order to determine the size and type of facilities which will be necessary to serve the entire development or subdivision when completed. (d) No extension to the municipal water or sanitary sewer system shall be made and no application shall be approved except in accordance with the requirements of this chapter.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
342	32-44	Water and Sewers: Article II. Extension of Mains; Specifications; Ownership	Any water mains or sanitary sewer mains extended under the provisions of this article shall be installed and constructed in accordance with the approved plans, specifications and other requirements of the city. All facilities installed under the provisions of this article, whether within or outside the corporate limits, shall become the sole property of the city and under its jurisdiction and control for all purposes at the time such facilities are connected to the municipal system. When required, the property owners shall grant to the city such utility easements as it may require. In addition, a deed to the city for water and/or sewer facilities installed, which are located outside the corporate limits, the cost of which is borne by individual property owners, shall be executed prior to the time any extension provided for in this article is connected to the municipal system.	To identify authority and responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
343	32-45	Water and Sewers: Article II. Extension of Mains; Additional Subdivision Improvement	The city council may, in its discretion, as a condition under which water or sewer service, or both, will be extended, require the owners of a proposed subdivision to enter into an agreement to improve the proposed streets therein at their own expense and in accordance with the ordinances then in force governing the acceptance of public streets for the city. If required, this section shall apply to subdivisions which are located either within or outside the corporate limits.	To identify authority and responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
344	32-46	Water and Sewers: Article II. Extension of Mains; Laterals To Be Laid Only To Inside of Curb	Sewer laterals laid as a part of any sewer main improvement shall be laid only to the inside of the curb, unless in the resolution ordering the improvement the city council specifically directs otherwise	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
345	32-47	Water and Sewers: Article II. Extension of Mains; Extension of Laterals	After laterals are laid from the sewer main to the inside of the curb, no such lateral shall be extended to the property line until the owner or occupant of the property to be served thereby applies therefore.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
346	32-101	Water and Sewers: Article III. Waterworks System Regulations; Use of Public Water System Required	The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the city and abutting any street, alley, or right-of-way in which there is now located or may in the future be located a public water line of the city, who has installed suitable toilet and other facilities therein necessary for potable water, is hereby required at the owner's expense to connect such facilities directly with the proper public water line in accordance with the requirements of the city, provided that such public water line abuts the property.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
347	32-102	Water and Sewers: Article III. Waterworks System Regulations; Private Water Systems	(a) Where a public water line is not available under the provisions of section 32-101, such toilet and other facilities requiring potable water shall be connected to a private water system complying with the requirements of the appropriate state and/or local regulatory agency. (b) At such time as a public water line becomes available to a property served by a private water system, a direct connection shall be made to the public water line in compliance with this article. There shall be no physical connection (cross-connection) between any privately owned water source and the city system. (c) The owner shall operate and maintain any private water facilities in a sanitary manner at all times, at no expense to the city. (d) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by any state or federal agencies.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
348	32-103	Water and Sewers: Article III. Waterworks System Regulations; Application for Service-Building Water Services and Connections	(a) Tampering. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public water line or appurtenance thereof without first obtaining a written permit from the city. (b) Application for permit. The owner or his agent shall make application to the city for a building water service permit. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the city manager. Pipes on the consumer's premises must be so arranged that the point of connection is conveniently located with respect to the city's service lines and water mains. (c) Costs; losses. All costs and expenses incidental to the installation and connection of the building water service shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building water service. (d) Building, plumbing codes, etc.—Generally. The size, alignment and materials of construction of a building water service, and the methods to be used in excavating, placing of pipe, jointing, testing, and backfilling the trench shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city. (e) Same—Connections. The connection of the building water service to the city water system shall conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the city. All connections shall be made watertight and be verified by proper testing. (f) Supervision of connection. The applicant for the building water service permit shall notify the city manager when the building water service is ready for inspection and connection to the city water system. The connection shall be made under the supervision of the city manager or his representative. (g) Excavations. All excavations for building water services shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city. (h) Fee; meter; installation. The city shall charge the applicant a water tap fee for which the city will provide a water meter at the city right-of-way line connecting the applicant's building water line to the city water system. The owner shall be responsible for installation to the city's right-of-way only. (i) Rejection of application—Generally. The city may reject any application for service which involves excessive service cost, or which may affect the supply of service to other customers or for other good and sufficient reasons. (j) Same—Delinquent payments. The city may reject any application for service when the applicant is delinquent in payment of bills incurred for service previously supplied at any location, provided that when the owner of the premises has been furnished water and has not paid for the same, the city shall not be required to render service to any person at such location where the water was used until such water bills have been paid. (k) User's piping. The city shall not be responsible for the user's piping. (l) Multiple meters. When two or more meters are to be installed for the same premises but for different consumers, such meters shall be closely grouped and each clearly designated to indicate to which consumer it applies. (m) Separate meters. Each consumer's service must be separately metered in a single delivery and metering point. Each commercial unit and each storeroom or stall used for business purposes shall have separate meters. All commercial use, including storerooms and stalls for business purposes, shall be metered separately from any residential use and vice versa, whether now in service or to be installed in the future. (See also section 32-109(d) and (e) related to this topic.) (n) Water for given lot. Water furnished for a given lot shall be used on that lot only. (o) Relocation of piping. If the user's piping on the user's premises is so arranged that the city is required to provide additional meters, the consumer may be required to relocate the piping such that said connection can be made with a single meter at the city's right-of-way. (p) Damage; defects. The city shall not be liable for damage of any kind whatsoever resulting from water or the use of water on the consumer's premises. The city shall not be responsible for any maintenance of, or for any damage done by or resulting from any defect in the piping, fixtures or appliances on the consumer's premises. The city shall not be responsible for negligence of third persons or forces beyond the control of the city resulting in any interruption of service. (q) Responsibility for meter. Where meters are located on or near premises of a user, the user shall be responsible for the city's meter and shall provide an unobstructed and accessible location at all times to the meter reader. (r) Cutoff valves. The user shall furnish and maintain a private cutoff valve on the user's side of the meter. The city will provide a like valve on the city's side of the meter. (s) Backflow. Users shall install and maintain backflow prevention devices when determined that the device is necessary to prevent hazardous backflow conditions or to meet state requirements. The user's responsibility starts at the point of delivery from the city's potable water system and includes the user's entire water system. The user, at his own expense, shall install, operate, test, and maintain an approved backflow prevention device, as directed by the city. The city reserves the right to refuse service unless the user's lines or piping are installed in such a manner as to prevent cross-connection or backflow.	To define and prohibit actions/behavior that may be disruptive, threaten the safety and/or welfare of citizens, and/or damage or destroy city property.
349	32-104	Water and Sewers: Article III. Waterworks System Regulations; Access to Premises	(a) Duly authorized agents of the city shall have access at all reasonable hours to the premises of the consumer for the purpose of installing or removing city property, inspecting piping, reading or testing meters, or any other purpose in connection with the city's service and facilities. (b) Each user shall grant or convey or shall cause to be granted or conveyed, to the city a perpetual easement and right-of-way across any property owned or controlled by the user wherever such perpetual easement or right-of-way is necessary for the city water facilities and mains so as to be able to furnish service to the user.	To identify authority and responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
350	32-105	Water and Sewers: Article III. Waterworks System Regulations; Change of Occupancy	(a) Not less than three days' notice must be given in person or in writing, at the water department office, to discontinue service for a change in occupancy. (b) The outgoing person shall be responsible for all water consumed up to the time of departure or the time specified for departure, whichever period is longest.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
351	32-106	Water and Sewers: Article III. Waterworks System Regulations; Reviewing Authority; Amendment	(a) The city council shall be the reviewing authority for all appeals of actions or administrative determinations under the provisions of this article. A notice of intent to appeal and request for a hearing shall be addressed to the city manager in writing and shall detail the nature of the appeal. An early date for such hearing shall be set by the city council and the appellant promptly notified in writing. The decision of the city council after such hearing shall be final and conclusive and shall be conveyed to the persons involved in writing. (b) The city council expressly reserves the absolute right to amend, modify, rescind, or supplement this article. No modification of rates or any of the rules and regulations shall be made by any agent of the city. No promise, agreement, or representation of any employee of the city shall be binding upon the city except and unless it has been agreed in writing, signed and accepted by the city council.	To identify authority and responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.

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352	32-107	Water and Sewers: Article III. Waterworks System Regulations; Enforcement and Suspension of Services	(a) The city manager shall endeavor to assure compliance with the requirements of this article by conference and persuasion. If such efforts, over a reasonable period of time, are futile, the city manager shall take formal action as provided in this section. (b) In any case involving a person who is receiving water service from the city water system and where the city manager finds that such person has failed to comply with any provision of this article, the procedure for enforcement shall be as follows: (1) The city manager or his representative shall give notice to such person by registered mail stating the specifics of the failure of compliance and requiring that the person remedy the failure within 72 hours. (2) The city manager or his representative may thereupon, without further notice, cause the water service from the public water system to be discontinued for such person. (3) In any case where water service is discontinued by the city for enforcement purposes, the restoration of such service shall be conditioned on full compliance by such person and payment of any expense incurred in the enforcement proceeding and in the restoration of service. (4) The city may, in its discretion, continue or restore water service in a case of failure of compliance on condition that such person furnish a bond or other security, with terms as specified by the city, to hold harmless the city from any loss or expense that it may incur as a result of such noncompliance or any future compliance. (c) In any case involving a person who fails to comply with any provision of this article but who is not receiving water service from the city water system, the city manager shall give notice to such person by registered mail stating the specifics of the failure of compliance and requiring that the person promptly remedy the failure. At the same time, the city manager shall report the facts of such case, in writing, to the city council and to such other government agency as may have jurisdiction and power to take appropriate enforcement action. (d) The city reserves the right to discontinue its service without notice for the following reasons: (1) To prevent fraud or abuse; (2) User's failure to pay user's bills as required by this article; (3) Emergency repairs; (4) Insufficiency of supply due to circumstances beyond the city's control; (5) Legal processes; (6) Direction of higher public authorities; (7) Strike, riot, fire, flood, accident, or any unavoidable cause; or (8) Discovery of a cross-connection between a private water source and the city water system. (e) The city may, in addition to prosecution by law, permanently refuse service to any consumer who tampers with a meter or other measuring device.	To identify authority and responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
353	32-108	Water and Sewers: Article III. Waterworks System Regulations; Water Service Deposits	(a) All applicants for city water service shall make a cash deposit to secure payments for water service at the currently adopted fee on file in the city clerk's office. The deposit shall be in accordance with the scope of the service and same shall not draw any interest. (1) Residential and commercial shops with three-quarter-inch meters shall provide a minimum deposit as adopted by the city council. (2) Services larger than three-quarter-inch meters shall provide a minimum deposit as adopted by the city council or three times the estimated normal consumption based on previous customers or used by other similar businesses. The most current deposit schedule shall be kept on file in the city clerk's office. (b) The individual in whose name the deposit is made shall be responsible for payment of all bills incurred in connection with the services furnished. (c) A separate deposit is required for each meter installed. (d) The deposit receipt is not negotiable and can be redeemed only at the water department office. Where the city finds that the request for a deposit refund is questionable, the city may require the applicant for refund to produce the deposit receipt properly endorsed. (e) When services are discontinued and all bills paid, the remaining portion of the deposit will be refunded. (f) Upon discontinuance of service for nonpayment of bills, the deposit will be applied by the city toward settlement of the account. Any balance will be refunded to the user; however, if the deposit is not sufficient to cover the bill, the city may proceed to collect the balance in the usual way provided by law for the collection of debts. Service will be restored only by payment of the balance, if any, of the outstanding bills; and a new deposit is made on the basis of the customer deposit required above, plus a service charge as adopted by the city council for each meter reconnected during normal working hours, holidays and weekends. The most current service schedule shall be kept on file in the city clerk's office.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
354	32-109	Water and Sewers: Article III. Waterworks System Regulations; User Charges and Tap Fees	(a) For billing purposes, all users are subject to the rate schedule kept on file in the city clerk's office. The city council shall review the rate schedule not less often than once per year and shall revise the user charges if necessary. (b) Tap-on fees shall be charged and collected from all new users in accordance with the rates on file in the city clerk's office. The city council shall review tap-on rates periodically and shall revise tap-on rates if necessary. The city council shall retain the authority and right to offer special tap-on charges for specified periods of time to new customers along newly constructed lines in areas previously not served by the city water system. (c) The minimum charge shall be made for each meter installed regardless of location. The minimum charge shall be made even in the event of nonuse, such as is typical for summer homes in resort areas. (d) Multi-use buildings (units) served through one meter will be billed at the city's regular published rates, or the published minimum rate per unit, per month, whichever is greater. The property owner or homeowners' association, as applicable, shall be responsible for payment of the bill. (e) Multi-use building owners, when possible and practical as determined by the city, shall install individual meters on each user in addition to a master meter at the property line. The city will operate and maintain the individual meters and the master meter. The owner shall operate and maintain all piping on the owner's side of the master meter. The city shall invoice each individual user in the same manner as individual units are administered. The owner shall be invoiced for the minimum bill associated with the master meter. In the event that the consumption through the master meter exceeds the total of the water consumed through the individual meters, the owner shall be invoiced for the additional water consumed. (f) Unmetered hydrant, sprinkler, or other related fire protection services provided by the city shall be invoiced monthly (or annually at the city's discretion) based on the current rates. Water use through fire services shall be for fire-related uses only. All other types of water consumption through fire services are strictly prohibited.	To identify authority and responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
355	32-110	Water and Sewers: Article III. Waterworks System Regulations; Meter Reading; Billing; Collecting	(a) Water meters will be read monthly and bills rendered monthly and shall be due and payable within ten to 14 days of the date of billing. The service shall be discontinued without further notice for nonpayment. The city reserves the right to vary the dates or length of period covered, temporarily or permanently if necessary or desirable. (b) Bills for water service will be figured in accordance with the city's published rate schedule then in effect and will be based on the amount consumed for the period covered by the meter readings. (c) Charges for service commence when a meter is installed, whether used or not, except that 60 days may be allowed for initial hookup on newly constructed extensions of the water system. (d) Readings from different meters will not be combined for billing, irrespective of the fact that such meters may be for the same or different premises, or for the same or different users, or for the same or different services. (e) Bills are due when rendered and become delinquent within ten to 14 days of the bill. Delinquent amounts shall be subject to a ten percent penalty for each billing period; and if not paid, service will be discontinued and a service charge as adopted by the city council shall be made to restore each service. The current service charge shall be kept on file in the clerk's office. (f) Failure to receive bills shall not prevent such bills from becoming delinquent or relieve the consumer from payment. (g) Partial payments will be applied in the following order: penalty, solid waste, sewer, and water charges.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
356	32-111	Water and Sewers: Article III. Waterworks System Regulations; Water Bill Complaints and Adjustments	(a) If a water user believes a bill is in error, the user shall present a claim, in person or in writing, at the water department office before the bill becomes delinquent. Such claims, if made after the bill has become delinquent, shall not be effective in preventing discontinuance of service as provided in this article. The consumer shall pay such bill under protest and such payment shall not prejudice his claim. The city manager or the director of the water and sewer department may authorize corrections for billing errors. (b) Concealed leak adjustment may be authorized by the city manager or the director of the water and sewer department on bills under the following conditions: (1) A concealed leak in the consumer's piping; and (2) A statement from a licensed plumber, the owner, lessee, or tenant, on the location of the concealed leak and that same has been repaired. (c) Adjustments on concealed water leaks shall be made for 50 percent of the excessive water usage and 100 percent of the excessive sewer usage unless the concealed water usage entered the city sewer system. Adjustment of the excessive sewer usage shall be made for 50 percent of the excessive sewer usage if the concealed water usage entered the sewer system. Adjustments are intended for hardship situations only. No adjustments will be made unless the excessive water usage is at least 2,000 gallons over the average monthly usage. A customer may receive only one concealed leak adjustment per 12 months. (d) In extreme cases of personal hardship verified by the city manager, a delay of up to 120 days of the payment date of the water bill may be granted. Such a delay may be granted no more than one time per year and may be granted only by the city manager or the director of the water and sewer department. All other bills during that period of time shall be due and payable in accordance with this article. (e) The city manager or the director of the water and sewer department shall make adjustments on bills for water usages requested or directed by the city to minimize or eliminate operational problems. (f) In the event the city discovers that a leak is existing and the user is notified of same, the user shall take immediate steps to correct the situation. Undue delay by the user shall cause forfeiture of the benefits of adjustment. (g) The city will make special meter readings at the request of the user for a fee adopted by the city council, during normal working hours; however, if such special readings disclose that the meter was over-read, no charge will be made. (h) The city will perform any service, such as turn-ons or turn-offs, at the request of the user for a charge adopted by the city council to restore service during normal working hours, holidays and weekends. (i) Meters will be tested at the request of the user upon payment to the city of the actual cost to the city of making the test; however, if the meter is found to over-register beyond five percent of the correct volume, no charge will be made. (j) If the seal of a meter is broken by other than the city representative or if the meter fails to register correctly or is stopped for any cause, the consumer shall pay an amount estimated from the record of his previous bill and/or from other proper data. (k) Adjustments of leaking water closets shall be made for 50 percent of the excessive water usage and 50 percent of the excessive sewer usage. Adjustments are intended for hardship situations only. No adjustments will be made unless the excessive water usage is at least 2,000 gallons over the average monthly usage for the preceding 12 months. Customers may receive only one water closet leak adjustment per 12 months. Customers must submit a statement from a licensed plumber, the owner, lessee or tenant that the leaking toilet has been repaired and an inspection performed to determine if other leaks are present in order to qualify for the adjustment.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
357	32-112	Water and Sewers: Article III. Waterworks System Regulations; Determining Minimum Distances and Sizes for Water System Extensions	All extensions of the city water system shall be governed by the following: (1) The minimum distance for any extension of a water main shall be determined by the city council. In general, the minimum distance for extensions shall be made from the main line valve to valve. (2) The size of water mains to be installed and the other required system facilities shall be determined by the city council in accordance with the recognized standards and accepted engineering practices and design, and in accordance with applicable system plans adopted by the city council.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.

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358	32-113	Water and Sewers: Article III. Waterworks System Regulations; Water Service Extension Outside Corporate Limits	Water service may be provided to customers outside of the corporate limits of the city upon the following conditions: (1) Developers, subdividers, owners, and others wishing such service shall submit for approval to the city, preliminary plans and specifications for all water lines for proposed projects which plans shall comply with all requirements made by the city for such installations. Such plans must be approved before final plans are prepared. The city engineer shall review and approve all final plans and specifications as per the fee set in the city's fee schedule in the city clerk's office. All installations must comply with such plans and must be inspected by a full-time resident inspector during construction and by a city representative upon completion. Construction of the water extension shall be by a licensed utility contractor under the direction of a professional engineer under contract with the developer or the city. As built, utility plans and letters of certification of completion must be provided to the city and appropriate state agencies. (2) The developers, subdividers, owners, etc., shall provide easements in such form as the city may require for lines, valves, and appurtenances and for installation and maintenance thereof. Such easements shall be furnished prior to any service being furnished. (3) At the time of submission of plans for water system extensions, the owners shall ask that the property to be served and all improvements thereon be annexed to the city at such time as the city finds this lawful and practical. Such request for annexation shall remain open indefinitely, shall bind the heirs, successors, grantees and assigns of the owner, developer, subdivider, etc., and may be accepted by the city at any time unless the area involved becomes annexed to some other municipality. The request for annexation may be withdrawn if the city does not provide water services, as requested by the developer, owner, subdivider, etc., but not if such action is caused by failure to pay for services rendered or for damages done to the system or systems by the willful or negligent acts of the developers, subdividers, owners, etc., or their heirs, successors, grantees, or assigns or the agents, servants, employees, invitees, or licensees of any of them. (4) This section in its entirety shall be in full force and effect with respect to all users outside the city limits that are connected to the city water system.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
359	32-114	Water and Sewers: Article III. Waterworks System Regulations; Financing Water Extensions Outside Corporate Limits	(a) All applications for water extensions outside the corporate limits shall be made in the same manner and under the same requirements as provided in this section. (b) If an application is approved by the city council, the owner shall pay 100 percent of the total cost of all extensions including the cost of engineering and resident inspection provided by the city, if applicable; provided the city may participate to the extent agreed upon by the city council in the cost of larger size mains that are in excess of the size mains required to serve the project. No reimbursement shall be made upon annexation and all water lines connected to the city system and located outside the corporate limits shall become the property of the city at the time such facilities are connected. (c) Prior to the beginning of any construction of water extensions by the city, the owner shall deposit with the city funds in an amount equal to 100 percent of the total estimated cost of such extensions. Upon receipt of such funds a written contract shall be entered into by and between the city and the property owner in accordance with the requirements of this section. Such contract shall provide that in the event the funds deposited exceed the amount of the total extension cost when completed, that portion in excess of the total cost will be refunded to the owner without interest. Such contract shall also provide that if the amount deposited is less than the total cost when completed, the owner shall pay such additional amount to the city. (d) In lieu of depositing funds, the owner may execute a surety bond or similar document guaranteeing payment for such extension.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
360	32-115	Water and Sewers: Article III. Waterworks System Regulations; Financing Water Extensions Within Corporate Limits	(a) Extensions to approve subdivisions or developed property shall be made in the following manner: (1) When application is received requesting the extension of water service to serve property within the corporate limits which is: a. Developed or has been previously approved as a subdivision; or b. Where streets have previously been dedicated and accepted by the city, and where such area is not part of a new subdivision which has not been approved by the city, and where such area is not part of a new subdivision which has not been approved by the city; The developer or other person designated by the city council shall estimate the cost of the project and present the application for such extension, the estimated cost and other required information to the city council for approval. If the application is approved by the city council and subject to the availability of funds, the city will install or have installed by contract under its supervision the extension which has been approved, and such extension shall be financed in accordance with this subsection (a). (2) When an approved water line extension project has been completed and the total cost thereof has been determined, a percentage of the total cost of such water extension may be assessed against the property owners whose property abuts upon such extension at an equal rate per front foot in accordance with and under the authority granted to the city by G.S. 160A-217 through 160A-236. The remaining percentage of the total cost of such extension shall be borne by the city from funds appropriated for this purpose. Fire hydrants and other system facilities installed for general public use shall be paid for by the city and shall be excluded from the total cost shared by the property owners. (3) Any property owner shall have the opportunity to pay his proportionate share of the cost of such extension after the assessment roll is confirmed rather than paying his share in equal annual installments with interest as required by the statute. (4) Extensions to proposed subdivisions within the city limits shall be made in the following manner: The provisions of section 32-113 shall be applicable to serve extensions in all proposed subdivisions in the city limits. The developer shall be responsible for 100 percent of the water extension costs, including engineering and resident inspection services provided by the city if applicable. (b) Facilities shall be excluded in determining the owner's share of costs, as follows: When the city determines that it is advisable to install larger size facilities than are necessary to serve the property whose owner is requesting such extension, the difference in the cost of the larger size facilities over and above the cost of the facilities required to serve the property whose owner is requesting such extension shall be paid for by the city and excluded from the total cost to the property owner. (c) The following exceptions are authorized: Nothing in this section shall prevent the city council from extending water mains within the corporate limits on its own motion, without receipt of an application from property owners, and assessing the cost of such extensions in accordance with subsection (a) of this section, when, in the opinion of the city council, the general public interest demands such extension of service.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
361	32-145	Water and Sewers: Article IV. Waste Discharge Standards; Use of Public Sewers Required	(a) It shall be unlawful for any person to discharge to any outlet other than a sanitary sewer, within the boundaries of the city, any domestic or industrial wastes except where suitable treatment has been provided in accordance with this article and state and federal laws. (b) The owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the city and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the city, who has installed suitable toilet and other facilities therein necessary for the discharge of domestic and industrial wastes, shall, at the owner's expense, connect such facilities directly with the proper public sewer in accordance with the requirements of the city, provided that such public sewer abuts the property.	To define and prohibit actions/behavior that may be disruptive, threaten the safety and/or welfare of citizens, and/or damage or destroy city property.
362	32-146	Water and Sewers: Article IV. Waste Discharge Standards; Private Wastewater Disposal	(a) Where a public sanitary sewer is not available under the provisions of section 32-145(b), such toilet and other facilities necessary for the discharge of domestic and industrial wastes shall be connected to a private disposal system complying with the requirements of the appropriate state and/or local regulatory agency. (b) Before commencement of construction of a private wastewater disposal system, the owner shall first obtain a written permit from the appropriate regulatory authority and furnish a copy thereof to the city manager. The copy of the permit shall be accompanied by such supplementary data as deemed necessary by the city manager to maintain an accurate file of such private wastewater disposal systems to facilitate the planning of future public sewer service. (c) The type, capacity, location, and layout of a private wastewater disposal system shall comply with all requirements of the state department of natural resources and community development or other such board or authority. (d) At such time as a public sewer becomes available to a property served by a private wastewater disposal system, a direct connection shall be made to the public sewer in compliance with this article, and any septic tanks, cesspools, and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material. (e) The owner shall operate and maintain any private wastewater disposal facilities in a sanitary manner at all times, at no expense to the city. (f) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by other state or federal agencies.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
363	32-147	Water and Sewers: Article IV. Waste Discharge Standards; Building Sewers and Connections	(a) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the city. (b) There shall be two classes of building sewer permits: (1) For residential and commercial service; and (2) For service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the city manager. (c) All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. (d) A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, in which case the front building's sewer may be extended to the rear building's sewer and the whole considered as one building sewer, but the city does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection. (e) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the city, to meet all requirements of this article. (f) The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials (ASTM) and Water Pollution Control Federation (WPCF) Manual of Practice No. 9 shall apply. (g) Whenever possible, the building sewer should be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer at the user's expense. (h) No person shall make connection to roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building drain which in turn is connected directly or indirectly to a public sanitary sewer. (i) The connection of the building sewer to the public sewer shall conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the city, or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight and be verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the city manager before installation. (j) The applicant for the building sewer permit shall notify the city manager when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the city manager or his representative. (k) All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city. (l) The city shall charge the applicant a sewer tap fee for which the city will provide the building sewer from the city right-of-way line to the sanitary sewer main. The owner shall be responsible for installation of the building sewer on the owner's property to the city's right-of-way including the connection to the tap provided by the city. The most current schedule of charges for sewer taps shall be kept on file in the city clerk's office. The connection of the building sewer to the city tap shall be inspected and approved by the building inspector prior to the owner's covering the connections.	To define and prohibit actions/behavior that may be disruptive, threaten the safety and/or welfare of citizens, and/or damage or destroy city property.

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364	32-148	Water and Sewers: Article IV. Waste Discharge Standards; Excluded Wastes	(a) No person shall discharge or deposit any of the following materials, waste materials, wastes, gases or liquids into any sewer forming part of the sanitary sewerage system, except where these may constitute occasional, intermittent inclusions in the wastewaters discharged from residential premises: (1) Any waste, liquid or vapor, at a temperature exceeding 40 degrees Celsius (104 degrees Fahrenheit) or at such lower temperatures that will create hazardous conditions within, or cause deterioration of, the sanitary sewers; (2) Any waters or wastes containing more than 50 milligrams per liter of petroleum substances, nonbiodegradable cutting oils, or products of mineral origin; (3) Wastewater containing oil, fat or grease (exclusive of petroleum substances) of concentrations greater than 100 mg/l, whether emulsified or not, or containing substances which may solidify or become viscous at temperatures between zero degrees and 65 degrees at the point of discharge into the system; (4) Any garbage that has not been properly shredded. Properly shredded garbage shall not exceed one-half inch in any dimension; (5) Any waters or wastes having a stabilized pH lower than 5.5 or higher than 10.0 or having any other corrosive property capable of either causing damage or creating a hazard to structures, equipment or personnel of the sanitary sewerage system and wastewater treatment facilities or interfering with proper operation of the city's wastewater treatment facilities; (6) Any waters or wastes having a color which is not removable by the existing wastewater treatment plant processes and causes the plant effluent to exceed color requirements for discharge to the receiving waters; (7) Any waters or wastes having a BOD 5 in excess of 350 mg/l unless identified as an industrial waste for billing purposes; (8) Any waters or wastes having a total suspended solids (TSS) concentration in excess of 350 mg/l unless identified as an industrial waste for billing purposes; or (9) Any waters or wastes having an ammonia (NH 3) concentration in excess of 30 mg/l unless identified as an industrial waste for billing purposes. (b) No person shall discharge or deposit any of the following materials, waste materials, waste gases or liquids into any sewer forming part of the sanitary sewerage system: (1) Any gasoline, benzene, naphtha or other hydrocarbon solvents or oils, or other flammable or explosive liquids, solids or gases including any waters or wastes which contain, at the point of discharge to the sewer system, explosive elements such that any single reading on an explosion hazard meter exceeds ten percent of the lower explosive limit (LEL) or any two successive readings that exceed five percent of the LEL; (2) Any other solid or viscous substance in quantity or character capable of causing obstruction to flow in sewers or interference with proper operation of wastewater treatment facilities, such as, but not limited to ashes, cinders, ceramic wastes, paper products, sand, mud, straw, shavings, thread, glass, rags, metal, feathers, bones, tar, plastics, wood, paunch manure, insulation materials, fibers of any kind, stock or poultry feeds, processed grains, viscera or other fleshy particles from processing or packing plants, lime or similar sludges; (3) Any noxious or malodorous gas or any substance capable of creating a public nuisance when introduced into the sewerage system; (4) Any "unpolluted wastewater," as defined in section 32-144. (c) No person shall discharge into any sewer forming part of the sanitary sewerage system, any of the following materials in concentrations exceeding the stated limits: (1) Any toxic or poisonous substance or any other materials in sufficient quantity to injure or interfere with the wastewater treatment processes, or to constitute a hazard to humans or animals, or to cause a violation of the water quality standards or effluent standards for the steam or watercourse receiving the effluent from the city wastewater treatment plant. Concentrations of heavy metals and other incompatible pollutants in the discharge of any user of the sanitary sewerage system shall not exceed values listed below (all values are in mg/l): (Table Attached as Exhibit 32-148) (2) In the event of conflicts between values established in this article and values established by applicable state or federal rules, regulations, laws, etc., the more stringent value shall apply. Effluent limits contained in the city's national pollutant discharge elimination system (NPDES) permit and water quality standards assigned Calico Creek shall at no time be exceeded or contravened as a result of discharges to the city's sewer system either within or without the values established in this section; or (3) Any radioactive isotope in concentration greater than that permitted by the latest effective regulations promulgated under applicable federal law.	To define and prohibit actions/behavior that may be disruptive, threaten the safety and/or welfare of citizens, and/or damage or destroy city property.
365	32-149	Water and Sewers: Article IV. Waste Discharge Standards; Pretreated	(a) Any person who is prohibited from discharging any substance as specified in this article shall have the sole responsibility to devise, at his own expense, the methods for eliminating the problem so as to make any waste discharge eligible for a permit or for compliance with this article. (b) Each user shall provide necessary wastewater treatment as required to comply with this article and shall achieve compliance with all federal categorical pretreatment standards within the time limitations as specified by the federal pretreatment regulations. Any facilities required to pretreat wastewater to a level acceptable to the city shall be constructed, operated, and maintained in good working order at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the city for review, and shall be acceptable to the city before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the city under the provisions of this article. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the authority prior to the user's initiation of the changes. All records relating to compliance with pretreatment standards shall be made available to officials of the federal environmental protection agency or the state upon request. (c) Grease, oil and sand separators (traps) shall be required by the city for the proper handling of liquid waste containing grease, oil and/or sand and/or other substances in excessive amounts. Gas stations, automotive repair shops, restaurants, and other similar businesses shall provide grease, oil and/or sand separators. (d) Commercial grease trap requirements. (1) Grease and oil traps or other interceptors shall be provided at the user's expense, when such user operates an establishment preparing, processing or serving food and/or food products; except that such traps shall not be required for private living quarters or dwelling units. At a minimum, all food preparatory sinks, dishwashers, etc., shall be connected to the trap. Any plumbing fixture not associated with food preparation should not be connected to the trap. (2) All vehicle maintenance facilities are required to have a properly sized grease, oil and sand trap. (3) All traps shall be of a type and capacity accessible for cleaning and inspection. All such traps shall be serviced and emptied of the waste content as required in order to maintain their minimum design capability to intercept oils and greases from the wastewater discharged to the public sewer, or to achieve compliance with the oil and grease limit of 250 mg/l. For grease traps, the service shall be completed and documented at an interval not to exceed 30 days. For under-the-sink interceptors, the service shall be completed and documented daily or a frequency recommended by the manufacturer. If an under-the-sink interceptor is not serviced daily, it shall be the responsibility of the user to demonstrate compliance with the oil and grease limit. (4) All traps or interceptors shall be maintained by the user at his expense in a continuously efficient operation at all times. (5) During trap maintenance, all inorganic and organic solids shall be removed from the trap. In addition, all floating material shall be skimmed from the trap to avoid accumulation of scum covering the surface of the liquid. There shall be no reintroduction of the water removed from the trap either to the trap itself or to the sanitary sewer system without prior written approval from the city. The user shall be responsible for the removal and disposal by appropriate means of the captured materials in accordance with state and local regulations. (6) The user shall maintain a written record on site of trap or interceptor maintenance for three years. A copy of each service record shall be sent to the city no later than 15 days after the end of the month during which the maintenance occurred. (7) If an obstruction of any city sewer main occurs that causes a sewer overflow and such overflow can be attributed in part or in whole to an accumulation of grease in the city's sewer main, the city will take appropriate enforcement actions, as stipulated in the city's sewer use regulations, against the generator or contributor of such grease. These actions may include fines, civil penalties or a discontinuance of water and sewer service.	To define and prohibit actions/behavior that may be disruptive, threaten the safety and/or welfare of citizens, and/or damage or destroy city property.
366	32-150	Water and Sewers: Article IV. Waste Discharge Standards; Flow and Concentration Control	(a) No person shall discharge any wastes or wastewaters in a "slug," as defined in section 32-144. (b) Any person discharging or proposing to discharge wastes which may include "slugs," as defined in section 32-144, may be required to provide facilities, or adopt procedures, for regulating, controlling, or equalizing the concentration of any constituent or the rate of waste discharge. Such facilities shall have a capacity of at least 80 percent of the normal volume of one twenty-four-hour production period of wastewater and an outlet to the sewer controlled by a waterworks-type rate controller, or other approved device.	To define and prohibit actions/behavior that may be disruptive, threaten the safety and/or welfare of citizens, and/or damage or destroy city property.
367	32-151	Water and Sewers: Article IV. Waste Discharge Standards; Measurement of Flow	(a) For domestic wastewater users on the city water and sewerage systems, the volume of water purchased shall be considered to be the volume of wastewater discharged. In the event a user is connected to the city sewerage system but is not connected to the city water system, a mutually acceptable alternate means for determining volume must be negotiated between the city and the user. (b) The volume or quantity of industrial waste discharged by any person into the sanitary sewerage system shall be measured by one or more of the following methods: (1) If the volume of water used by any person in his industrial or process operations is substantially the same as the volume secured from the city waterworks system, then the volume of water purchased shall be considered to be the volume of waste discharged. (2) If, on the premises of any person discharging industrial waste into the sanitary sewerage system, a substantial portion of the water secured from the city waterworks system is not used for industrial purposes, or is not returned to the sanitary sewerage system, the quantity of industrial waste shall be determined as follows: a. By a meter on the water supply line to his industrial and/or process operations; or b. By a meter on the waste line from his industrial and/or process operations; or c. If meters as required under subsections (a) and (b) of this section have not been installed, by an estimate made by the city manager of the proportion of the water purchased which is used for industrial purposes and returned to the sanitary sewerage system. (3) If any person discharging or proposing to discharge industrial waste into the sanitary sewerage system does not secure his entire water supply requirements from the city waterworks system, such person shall install and maintain a meter on the waste line from his industrial and/or process operations, or shall install such additional meters on the private water supply as required to permit a determination of the total quantity discharged to the sewers from both sources under procedures comparable to subsections (b)(1) and (2) of this section.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
368	32-152	Water and Sewers: Article IV. Waste Discharge Standards; Control Manhole	(a) Any person who on December 9, 1986, is discharging industrial waste into the sanitary sewerage system shall provide reasonable access, means and facilities for the purpose of permitting the convenient observations, measurements, and sampling of such industrial waste. If such access, means and facilities are not otherwise available such person shall construct and maintain an accessible and safe control manhole on the waste line or lines for such purposes. (b) Any person proposing to discharge industrial waste in quantities greater than 25,000 gallons per day (gpd), or with strengths equivalent to 25,000 gallons per day (gpd) of domestic wastewater, shall provide a control manhole in accordance with the requirements of the city.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
369	32-153	Water and Sewers: Article IV. Waste Discharge Standards; Determination of Character and Strength of Wastes	(a) The industrial waste and/or other pollutants being discharged by any person into the sanitary sewerage system shall be subject to periodic inspection. A determination of character and strength of such wastes may be made annually, or more often as may be deemed necessary by the city manager or his authorized assistants. (b) Samples shall be collected manually or mechanically over such period of time and composited in such a manner as to be representative of the wastes being discharged. The laboratory methods followed in the examination of such wastes shall be those set forth in the latest edition of Standard Methods, as defined in section 32-144. (c) The determination of the character, strength, or quantity of the wastes as made by the city manager or his authorized assistants shall be binding as a basis for computation of charges or for actions by the city council. When requested by the person discharging wastes, the samples may be split to permit analysis by the discharger, or a qualified independent laboratory, for the discharger's information. The person discharging wastes may request additional sampling and analyses which will be performed, as soon as practical, with all costs, as determined by the city, being borne by the discharger.	To identify authority and responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.

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370	32-154	Water and Sewers: Article IV. Waste Discharge Standards; Authority for Inspection; Access in Premises	(a) The city manager and other duly authorized employees of the city, bearing proper credentials and identification, shall be permitted to enter upon all properties for the purpose of inspection, observation, flow measurement, sampling, and testing of industrial waste and other pollutants, in accordance with this article. (b) The city manager and other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information if the industry can establish that the revelation to the public of the information in question might result in an advantage to competitors. (c) While performing the necessary work on private properties referred to in subsection (a) of this section, the city manager and duly authorized employees of the city shall observe all safety rules applicable to the premises established by the company. The company shall be held harmless for injury or death to the city employees. The city shall indemnify the company against loss or damage to its property by city employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in section 32-152(a).	To identify authority and responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
371	32-155	Water and Sewers: Article IV. Waste Discharge Standards; Protection of Equipment/Property	No person shall maliciously, willfully or negligently break, damage, destroy, deface, tamper with or remove any equipment or materials or properties of the city. Only persons authorized by the city manager will be allowed to uncover, adjust, maintain, and remove such equipment and materials or property.	To define and prohibit actions/behavior that may be disruptive, threaten the safety and/or welfare of citizens, and/or damage or destroy city property.
372	32-156	Water and Sewers: Article IV. Waste Discharge Standards; Reviewing Authority; Amendment	(a) The city council shall be the reviewing authority for all appeals of actions or administrative determinations under the provisions of this article. Notice of an intent to appeal and request for a hearing shall be addressed to the city clerk in writing and shall detail the nature of the appeal. An early date for such hearing shall be set by the council and the appellant promptly notified in writing. The decision of the council after such hearing shall be final and conclusive and shall be conveyed to the persons involved in writing. (b) The city council expressly reserves the absolute right to amend, modify, rescind, or supplement this article. (c) Nothing contained in this article shall be construed as preventing the execution of a contract, special agreement, or arrangement between the city and any person whereby water or wastewaters of unusual strength, character, or quantity may be admitted into the sanitary sewerage system upon such terms and conditions as the city council deems appropriate. All such agreements shall be in complete accord with all applicable local, state, and federal requirements.	To identify authority and responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
373	32-157	Water and Sewers: Article IV. Waste Discharge Standards; Enforcement	(a) The provisions of this article shall apply to all users of the city sanitary sewerage system, whether within or outside of the city limits. (b) The city manager shall endeavor to assure compliance with the requirements of this article by conference and persuasion. If such efforts, over a reasonable period of time, are futile the city manager shall take formal action as provided in this section. (c) In any case involving a person who is discharging waste into the sanitary sewerage system and where the city manager finds that such person has failed to comply with any provision of this article, the procedure for enforcement shall be as follows: (1) The city manager shall give notice to such person by registered mail stating the specifics of the failure of compliance and requiring that the person remedy the failure within 72 hours. (2) The city manager may thereupon, without further notice, cause the water service from the public water system to be discontinued for such person or cause the connection to the sanitary sewer system to be severed from such person. (3) In any case where water service is discontinued or the sewer connection is severed by the city for enforcement purposes, the restoration of such service shall be conditioned on full compliance by such person and payment of any expense incurred in the enforcement proceeding and in the restoration of service. (4) The city may, in its discretion, continue or restore water or sewer service in a case of failure of compliance on condition that such person furnish a bond or other security, with terms as specified by the city, to hold harmless the city from any loss or expense that it may incur as a result of such noncompliance or any future noncompliance. (d) In any case involving a person who fails to comply with any provision of this article but who is not discharging waste into the sanitary sewerage system, the city manager shall give notice to such person by registered mail stating the specifics of the failure of compliance and requiring that the person promptly remedy the failure. At the same time, the city manager shall report the facts of such case, in writing, to the city council and to such other governmental agency as may have jurisdiction and power to take appropriate enforcement action. (e) In any case involving the use of the city sewerage system the city shall have the right to collect the costs of treatment for the wastewater discharged by the user to the city sewerage system. (f) The city reserves the right to discontinue its service without notice for the following reasons: (1) To prevent fraud or abuse; (2) User's failure to pay user's bills as provided for in this article; (3) Emergency repairs; (4) Legal processes; (5) Direction of higher public authorities; or (6) Strike, riot, fire, flood, accident, or any unavoidable cause.	To identify authority and responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
374	32-158	Water and Sewers: Article IV. Waste Discharge Standards; Application for Industrial Service; Authorization Required	(a) All users discharging industrial waters or wastes other than normal waste into the city's sanitary sewerage system shall make application for service to the city. (b) Users making application for service to the city shall do so in writing and shall provide the following information in support of the application: (1) Name, address, and standard industrial classification of user; (2) Average volume of wastewater to be discharged; 60-minute peak wastewater flow rates including daily, monthly, and seasonal variations; time and duration of discharge; (3) Wastewater constituents and characteristics as determined by chemical analyses by a certified analytical laboratory for all applicable parameters; (4) Description of activities, facilities and plant processes on the premises including all chemicals, materials, and types of materials which are, or could be, discharged; (5) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, and appurtenances by size, location and elevation; and (6) Any other information as may be deemed appropriate by the city manager or his authorized representative. (c) The city manager shall approve or disapprove all applications in writing. The reasons for disapproval shall be provided. (d) Approvals of applications for service shall be valid until rescinded. The city reserves the right to modify the terms and conditions of providing sewer service at any time based on demonstrable causes.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
375	32-159	Water and Sewers: Article IV. Waste Discharge Standards; Sewer User Deposits	(a) A deposit for sewer service shall not be required provided the user is also a user of the city water system. In the event a sewer user is not also a city water user, a deposit will be required in accordance with subsections (b) through (g) of this section. (b) All applicants shall make a cash deposit to secure payments for sewer service not to exceed the amount of an estimated two-month bill. The deposit shall be in accordance with the class and scope of the service and shall not draw any interest. (1) Residential and commercial shops with three-quarter-inch water meters shall provide a minimum deposit as adopted by the city council. (2) Services with water meters larger than three-quarter-inch shall provide a minimum deposit as adopted by the city council based on previous users or on other similar businesses. The most current deposit schedule shall be kept on file in the city clerk's office. (c) The individual in whose name the deposit is made shall be responsible for payment of all bills incurred in connection with the services furnished. (d) The deposit receipt is not negotiable and can be redeemed only at the water department office. (e) Where the city finds that the request for a deposit refund is questionable, the city may require the applicant for refund to produce the deposit receipt properly endorsed. (f) When services are discontinued and all bills paid, the remaining portion of the deposit shall be refunded. (g) Upon discontinuance of service for nonpayment of bills, the deposit shall be applied by the city toward settlement of the account. Any balance will be refunded to the user; however, if the deposit is not sufficient to cover the bill, the city may proceed to collect the balance in the usual way provided by law for the collection of debts. Services will be restored only by payment of the balance, if any, of the outstanding bills, and a new deposit being made in the amount of the customer deposit required above.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
376	32-160	Water and Sewers: Article IV. Waste Discharge Standards; Establishment and Periodic Adjustment to User Charges	(a) The city council shall review not less often than once per year the sewage contributions of users, the total costs of operation and maintenance (including replacement) of the sewerage facilities, and the user charge system. The city council shall revise the user charges, if necessary, to accomplish the following: (1) Maintain the proportionate distribution of operation and maintenance costs among users and user classifications. Each user shall pay its proportionate share of operation and maintenance (including replacement) costs. (2) Generate sufficient revenue to pay the total operation and maintenance costs necessary for the proper operation and maintenance (including replacement) of the sewerage facilities. (3) Apply excess revenues collected from a class of users to the costs of operation and maintenance attributable to that class for the next year and adjust the rate accordingly. (b) Charges shall be based on actual costs. (c) Each user discharging any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge from the treatment works shall pay for 100 percent of such increased costs. (d) All flow to the sewerage facilities not directly attributable to the users (i.e. infiltration/inflow) shall be distributed among all users and user classes of the sewerage facilities in the same manner that operations and maintenance costs are distributed. (e) Each user shall be notified, at least annually, in conjunction with a regular bill, of the rate and that portion of the user charge which is attributable to operation and maintenance of the sewerage facilities.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
377	32-161	Water and Sewers: Article IV. Waste Discharge Standards; Domestic Wastewater Charges	(a) The domestic wastewater charge shall be applicable to all sewer system users except industrial users as defined in section 32-162(a). Industries with discharges from sanitary conveniences only are considered domestic customers. (b) The domestic wastewater charge is hereby established at a flat rate per 1,000 gallons as shown in the most current rate schedule, which is on file in the city clerk's office. (c) The wastewater charge shall be based on the following formula: (Table Attached as 32-161) (d) There shall be a minimum charge per month for users with sewer discharges between zero and 2,000 gallons per month as shown in the rate schedule. A minimum bill is required even in the event of nonuse, such as is typical for resort areas. There shall be no discounts for increased quantity.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.

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378	32-162	Water and Sewers: Article IV. Waste Discharge Standards;Industrial Wastewater Charges; Industrial User Defined	(a) Industrial wastewater charges or "surcharges" shall be applied to industrial users, defined as follows: (1) The term "industrial user" means any nongovernmental, nonresidential user of the city sewerage system that discharges more than the equivalent of 25,000 gallons per day (gpd) of sanitary wastewater and is identified in the Standard Industrial Classification Manual, 1972, office of management and budget, as amended and supplemented under one of the following divisions: a. Division A, Agriculture, forestry, and fishing. b. Division B, Mining. c. Division D, Manufacturing. d. Division E, Transportation, communications, electric, gas, and sanitary services. e. Division I, Services. In determining the amount of a user's discharge for purposes of classification, domestic wastewater discharges exceeding 25,000 gpd or the weight of biochemical oxygen demand or suspended solids (SS) equivalent to that weight found in 25,000 gpd of sanitary wastes are considered industrial users. Sanitary wastes, for purposes of this calculation of equivalency, are the wastes discharged from residential users. (2) The term "industrial user" means any other industrial, commercial or institutional user of the sanitary sewerage system that discharges wastewater to the treatment works which contain toxic pollutants, poisonous solids, liquids, or gases in sufficient quantity either singly or by interaction with other wastes, to contaminate the sludge at the treatment works, or to injure or to interfere with any sewage treatment process, or which constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has an adverse effect on the waters receiving any discharge from the treatment works. (3) The term "industrial user" also means any person discharging wastewater with concentrations in excess of 350 mg/l for BOD or suspended solids or 30 mg/l for ammonia nitrogen. (b) The industrial wastewater charges shall be established not less than one time per year and at the same time domestic user charges are established. Industrial wastewater charges shall be based on the actual costs for providing sewer services during the preceding fiscal year. The charges so computed along with projected increases in costs shall be the basis for estimating the monthly billings to each such customer for the following fiscal year. The charges collected shall be adjusted to actual costs at the end of each fiscal year and appropriate credits given against billings in the ensuing year, or additional billings made to each such customer, using the actual wastewater quantities and characteristics discharged by that customer during the preceding fiscal year as the basis for computing the adjusted charges. The actual costs shall be determined as soon after the end of each fiscal year as possible and until such time the charges for the current year shall be based on either the rates for the year or on estimated rates for the current year. (c) The costs included in the computation of actual charges for the preceding fiscal year, or of estimated charges for an ensuing fiscal year, shall include the following: (1) Operation and maintenance expenses. (2) Interest and principal on outstanding sewer bond issues. (d) Industrial wastewater surcharges, in addition to the normal charges calculated in accordance with section 32-161(b), shall be established for each of the following parameters: (1) BOD; per pound (2) Suspended solids; per pound (3) Other parameters as applicable; per pound (e) The surcharges shall be calculated by the following formula: (Table Attached as Exhibit 32-162) (f) Industrial wastewater charges shall become effective on the first regular meter reading date for each user after such user is connected to the city system, and after written notice from the city of classification as an industrial user. Interim monthly charges based on domestic user charges shall be invoiced and collected during the period equitable industrial rates are being developed. On December 9, 1986, there were no industrial dischargers on the city sewerage system. (g) The city council may establish classes of industrial users and assign representative strengths of wastewater to each. Such class wastewater characteristics may recognize analyses of representative users of each class based on typical data from other sources. To the extent practical, actual data for each industrial user's wastewater shall be used. Industrial users assigned standard strength parameters may request sample analyses of wastewater. Upon determination of the characteristics on samples representative of the wastewater on not less than three working days, such characteristics shall be used in determining the charges until the wastewater may again be sampled. (h) The city council may consolidate the component charges of the industrial wastewater charges into a single volume charge which includes the characteristic charges computed for a unit volume of 1,000 gallons. Such a weighted volume charge may be applicable to a class of users or to each user where his actual wastewater characteristics are known. (i) Industrial users exhibiting marked, seasonal load variations shall pay charges which recognize the dedication or reservation of capacity for the treatment of their seasonal peak operating loads, and any unusual operation and maintenance costs directly related to such seasonal loads. This provision shall apply only to those industrial users whose peaks loads exceed ten percent of any capacity parameter and are at least twice its off-season loads. (j) The user charge system in this article shall take precedence over any pre-existing agreements concerning the charges to be collected for providing wastewater treatment services or reserving capacity.	To outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
379	32-163	Water and Sewers: Article IV. Waste Discharge Standards;Billing and Collecting	(a) Sewer user bills shall be rendered monthly and shall be due and payable within ten to 14 days of the date of billing. Delinquent amounts shall be subject to a ten percent penalty for each billing period; and if not paid, service shall be discontinued without further notice for nonpayment. The city reserves the right to vary the dates or length of period covered, temporarily or permanently if necessary or desirable. (b) Bills for sewer service shall be calculated in accordance with the city's published rate schedule then in effect and will be based on the amount consumed for the period covered by meter readings. (c) Charges for service commences when the sewer tap is installed and connection made, whether used or not. Sixty days may be allowed for hookup on initial installation of a sewer line. (d) Failure to receive bills shall not prevent such bills from becoming delinquent or relieve the consumer from payment. (e) Sewer connections that have been plugged or severed due to delinquent accounts shall be unplugged or reconnected to the sewer system upon the payment of all outstanding sewer user bills and payment of a reconnection fee, as provided in the most current fee schedule, on file in the city clerk's office. (f) Partial payments will be applied in the following order: penalty, solid waste, sewer, and water charges.	To identify authority and responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
380	32-164	Water and Sewers: Article IV. Waste Discharge Standards; Sewer User Bill Complaints and Adjustments	(a) If a sewer user believes a bill to be in error, the user shall present a claim, in person or in writing, at the water department office before the bill becomes delinquent. Such claims, if made after the bill has become delinquent, shall not be effective to prevent discontinuance of service as provided in this article. The user may pay such bill under protest and payment under protest shall not prejudice his claim. (b) A user's sewer bill shall be adjusted automatically in the event of a similar adjustment of a water bill pursuant to section 32-111, provided the basis for adjustment was based on circumstances which also affected the sewer bill. (c) The city council shall be the final reviewing authority for all appeals.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
381	32-165	Water and Sewers: Article IV. Waste Discharge Standards; Determining Minimum Distances and Sizes for Sewer Extensions	All extensions of the sanitary sewer service shall be governed by the following: (1) The minimum distance for any extension of a sanitary sewer main shall be determined by the city council. In general, the minimum distance for extensions shall be made from manhole to manhole. (2) The size of sanitary sewer mains to be installed and the other required system facilities shall be determined by the city council in accordance with the recognized standards and accepted engineering practices and design, and in accordance with applicable system plans adopted by the city council.	To identify authority and responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
382	32-166	Water and Sewers: Article IV. Waste Discharge Standards; Sewer Service Extension Outside Corporate Limits	Sewer service may be provided to customers outside of the corporate limits of the city upon the following conditions: (1) Developers, subdividers, owners, and others wishing such service shall submit for approval to the city preliminary plans and specifications for all sewer lines for proposed projects which plans shall comply with all requirements made by the city for such installations. Such plans must be approved before final plans are prepared. The city engineer shall review and approve all final plans and specifications as per fee set in city's fee schedule in the city clerk's office. All installations must comply with such plans and must be inspected by a full-time resident inspector during construction and by a city representative upon completion. Construction of the sewer extension shall be a licensed utility contractor under the direction of a professional engineer under contract with developer or the city. As-built, utility plans and letter of certification of completion must be provided to the city and appropriate state agencies. (2) The developers, subdividers, owners, etc., shall provide easements in such form as the city may require for lines, manholes, and appurtenances and for installation and maintenance thereof. Such easements shall be furnished prior to any service being furnished. (3) At the time of submission of plans for the systems the owners shall ask that the property to be served and all improvements thereon be annexed to the city at such times as the city finds this lawful and practical. Such request for annexation shall remain open indefinitely, shall bind the heirs, successors, grantees and assigns of the owner, developer, subdivider, etc., and may be accepted by the city at any time unless the area involved becomes annexed to some other municipality. The request for annexation may be withdrawn if the city does not provide sewer services, as requested by the developer, owner, subdivider, etc., but not if such action is caused by failure to pay for services rendered or for damages done to the system or systems by the willful or negligent acts of the developers, subdividers, owners, etc., or their heirs, successors, grantees, or assigns of the agents, servants, employees, invitees, or licensees or any of them. (4) This article in its entirety shall be in full force and effect with respect to all users outside the city limits that are connected to the city sewer system.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
383	32-167	Water and Sewers: Article IV. Waste Discharge Standards; Financing Sewer Extensions Outside Corporate Limits	(a) All applications for sewer extensions outside the corporate limits shall be made as provided in this article. (b) If an application is approved by the city council, the owner shall be required to pay 100 percent of the total cost of all extensions including the cost of engineering and resident inspection provided by the city, if applicable; provided the city may participate to the extent agreed upon by the city council in the cost of larger size mains that are in excess of the size mains required to serve the project. No reimbursement shall be made upon annexation and all sewer lines connected to the city system and located outside the corporate limits shall become the property of the city at the time such facilities are connected. (c) Prior to the beginning of any construction of sewer extensions by the city, the owner shall deposit with the city funds in an amount equal to 100 percent of the total estimated cost of such extensions. Upon receipt of such funds a written contract shall be entered into by and between the city and the property owner in accordance with the requirements of this article. Such contract shall provide that in the event the funds deposited exceed the amount of the total extension cost when completed, that a portion in excess of the total cost will be refunded to the owner without interest. Such contract shall also provide that if the amount deposited is less than the total cost when completed, the owner shall pay such additional amount to the city upon demand. (d) In lieu of depositing funds, the owner may execute a surety bond or similar document guaranteeing payment for such extension.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.

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384	32-168	Water and Sewers: Article IV. Waste Discharge Standards; Financing Sewer Extensions Within Corporate Limits	(a) Extensions to approved subdivisions or developed property shall be made in the following manner: (1) When application is received requesting the extension of sanitary sewer service to serve property within the corporate limits which is: a. Developed or has been previously approved as a subdivision; or b. Where streets have previously been dedicated and accepted by the city and where such area is not part of a new subdivision which has not been approved by the city; the developer or other person designated by the city council shall estimate the cost of the project and present the application for such extension, the estimated cost and other required information to the city council for approval. If the application is approved by the city council, and subject to the availability of funds, the city will install, or have installed by contract under its supervision, the extension which has been approved, and such extension shall be financed in accordance with subsection (a)(2) of this section. (2) When an approved sanitary sewer extension project has been completed and the total cost thereof has been determined, a percentage of the total cost of such sanitary sewer extension may be assessed against the property owners whose property abuts upon such extension at an equal rate per front foot in accordance with and under the authority granted to the city by G.S. 160A-216 through 160A-237. The remaining percentage of the total cost of such extension shall be borne by the city from funds appropriated for this purpose. The costs of pumping stations and system facilities installed for general public use shall be paid for by the city and shall not be included in the cost shared by property owners. (3) Any property owner shall have the opportunity to pay his proportionate share of the cost of such extension after the assessment roll is confirmed rather than paying his share in equal annual installments with interest as required by the statute. (b) Extensions to proposed subdivisions within the city limits shall be made in the following manner: The provisions of section 32-166 shall be applicable to extensions to and in all proposed subdivisions in the city limits. The developer shall be responsible for 100 percent of the sewer extension costs, including engineering and resident inspection services provided by the city, if applicable. (c) Facilities shall be excluded in determining the owner's share of costs, as follows: When the city determines that it is advisable to install larger-size facilities that are necessary to serve the property whose owner is requesting such extension, the difference in the cost of the larger-size facilities over and above the cost of the facilities required to serve the property whose owner is requesting such extension shall be paid for by the city and excluded from the total cost to the property owner. (d) The following exceptions are authorized: Nothing in this article shall prevent the city council from extending sanitary sewer mains on its own motion without receipt of an application from property owners, and assessing the cost of such extensions in accordance with subsection (a) of this section, when, in the opinion of the city council, the general public interest demands such extension of service.	To identify responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
385	32-190	Water and Sewers: Article V. Water Conservation Restrictions; Water Shortage	(a) A water shortage shall be deemed to exist when the water supply available through the facilities of the city becomes so reduced that the citizens cannot be supplied with water to protect their health and safety without substantially curtailing the water demand. (b) In the event of a water shortage, the mayor of the city is authorized, empowered, and directed to issue a public proclamation declaring to all persons the existence of such state and the severity thereof, and in order to more effectively protect the health and safety of the people within the city, to place in effect the restrictive provisions hereinafter authorized.	To identify authority and responsibility, and to outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
386	32-191	Water and Sewers: Article V. Water Conservation Restrictions; Unlawful to Use Water contrary To the Provisions of Article	In the event the mayor issues any such proclamation described in subsection 32-190(b), then it shall be unlawful for any person, firm, or corporation to use or permit the use of water from the water system except within the restrictions contained in the proclamation until such time as the ordinance is amended or repealed, or until the mayor, by public proclamation, has declared a particular stage of the water shortage to be over and the restrictions applicable to it no longer in effect.	To identify authority and to outline limitations regarding use of city facilities, under certain conditions, to prohibit a threat to the health and/or safety of all citizens.
387	32-192	Water and Sewers: Article V. Water Conservation Restrictions; Restrictive Measures In Effect at Each Stage of Shortage	(a) <i>Stage I.</i> In the event that water pumping levels or mechanical problems exist which limit water production to 90 percent of normal daily demand, a Stage I water shortage alert shall be in effect and the following steps will be taken and these voluntary water restrictions directed: (1) An extensive publicity campaign will be initiated using public media and specialized methods to inform the public of an impending water shortage. (2) Residential consumers will be encouraged to practice the following conservation measures: a. Use shower for bathing rather than bathtub and limit shower to no more than five minutes. b. Limit flushing of toilets by multiple usage. c. Use faucets intermittently while shaving or rinsing dishes and do not allow constant water flow. d. Limit use of clothes washers and dishwashers. When used, operate only when fully loaded. e. Limit lawn watering to that which is necessary for grass to survive. f. Water shrubbery the minimum required to provide for their survival, reusing household water when possible. g. Limit car washing to the minimum. h. Delay washing down outside areas such as sidewalks, patios, etc., until the emergency is over. i. Install water flow restrictive devices in showerheads. j. Use disposable and biodegradable dishes. k. Install water saving devices such as bricks, plastic bottles, or commercial units in toilet tanks. l. Limit hours of operation of water cooled air conditioners which use any public water supply. m. Encourage conservation in public buildings, institutions, dormitories, hotels, etc. by reducing water consumption by installation of water flow control devices, and by only periodic flushing of urinals. (b) <i>Stage II.</i> In the event water pumping levels or mechanical problems exist which limit water production of 80 percent of normal daily demand, a Stage II water shortage emergency shall be in effect, and the restrictions set forth in subsection (a) of this section shall become mandatory and in addition, the following stringent, mandatory water restrictions shall be imposed. It shall be unlawful to: (1) Water lawns, shrubbery, flowers and vegetable gardens except during the hours between 4:00 p.m. and 8:00 p.m. on Saturday. (2) Operate a water cooled air conditioning unit or other equipment using a public water supply that does not recycle cooling water, except when health and safety make this absolutely necessary. (3) Introduce water into swimming pools except to the extent necessary to maintain operation of commercial pools. (4) Wash any motor vehicle including commercial washing. (5) Serve water in a public restaurant except upon request. (6) Allow water to run except when being used in accordance with the water restrictions then in effect or using water in an amount in excess of that necessary to accomplish allowed purposes. (c) <i>Stage III.</i> In the event water pumping levels or mechanical problems exist which limit water production to 70 percent of normal daily demand, a Stage III water shortage crisis shall be in effect and a system of water rationing shall be put in effect in addition to all previously imposed restrictions. (d) The water supply will be controlled and rationed. It shall be unlawful to fail to act in accordance therewith or use water in any manner not permitted or to attempt to evade or avoid water rationing restrictions.	To define responsibility and outline mandated procedures and limitations that ensures the enjoyment and/or safety of all citizens.
388	32-193	Water and Sewers: Article V. Water Conservation Restrictions; Penalty for Violation	Each violation of the provisions of this article shall constitute a separate misdemeanor punishable and upon conviction punished by a fine not exceeding \$50.00 or imprisonment not exceeding 30 days as provided by G.S. 14-4, and in addition thereto, such violation may be enjoined and restrained as provided in G.S. 160A-175.	To clearly define the penalty for violation of the ordinance.

TOWN OF MOREHEAD CITY
EXHIBITS
(Attachment to Session Law 2018-69 Response)

CODE OF ORDINANCE EXHIBITS

EXHIBIT 32-12.8(A)

	Inside City	Outside City
Water	\$320 / ERU	\$320 / ERU
Sewer	\$936 / ERU	\$936 / ERU

EXHIBIT 32-12.8(B)

<i>Type of Establishments</i>	<i>Daily Flow for Design</i>
<i>Barber and Beauty Shops</i>	
Barber Shops	50 gal/chair
Beauty Shops	125 gal/booth or bowl
<i>Businesses, offices and factories</i>	
General business and office facilities	25 gal/employee/shift
Factories, excluding industrial waste	25 gal/employee/shift
Factories or businesses with showers or food preparation	35 gal/employee/shift
Warehouse	100 gal/loading bay
Warehouse—self storage (not including caretaker residence)	1 gal/unit
<i>Churches</i>	
Churches without kitchens, day care or camps	3 gal/seat
Churches with kitchen	5 gal/seat
Churches providing day care or camps	25 gal/person (child and employee)
Fire, rescue and emergency response facilities	
Fire or rescue stations without on site staff	25 gal/person
Fire or rescue stations with on-site staff	50 gal/person/shift
Food and drink facilities	
Banquet, dining hall	30 gal/seat
Bars, cocktail lounges	20 gal/seat
Caterers	50 gal/100 sq ft floor space
Restaurant, full service	40 gal/seat
Restaurant, single service articles	20 gal/seat

<i>Type of Establishments</i>	<i>Daily Flow for Design</i>
Restaurant, drive-in	50 gal/car space
Restaurant, carry out only	50 gal/100 sq ft floor space
Institutions, dining halls	5 gal/meal
Deli	40 gal/100 sq ft floor space
Bakery	10 gal/100 sq ft floor space
Meat department, butcher shop or fish market	75 gal/100 sq ft floor space
Specialty food stand or kiosk	50 gal/100 sq ft floor space
<i>Hotels and Motels</i>	
Hotels, motels and bed & breakfast facilities, without in-room cooking facilities	120 gal/room
Hotels and motels, with in-room cooking facilities	175 gal/room
Resort hotels	200 gal/room
Cottages, cabins	200 gal/unit
Self service laundry facilities	500 gal/machine
<i>Medical, dental, veterinary facilities</i>	
Medical or dental offices	250 gal/practitioner/shift
Veterinary offices (not including boarding)	250 gal/practitioner/shift
Veterinary hospitals, kennels, animal boarding facilities	20 gal/pen, cage, kennel or stall
Hospitals, medical	300 gal/bed
Hospitals, mental	150 gal/bed
Convalescent, nursing, rest homes without laundry facilities	60 gal/bed
Convalescent, nursing, rest homes with laundry facilities	120 gal/bed
Residential care facilities	60 gal/person
<i>Park, recreation, campgrounds, R-V parks and other outdoor activity facilities</i>	
Campground with comfort station, without water or sewer hookups	75 gal/campsite
Campground with water and sewer hookups	100 gal/campsite
Campground dump station facility	50 gal/space
Construction, hunting or work camps with flush toilets	60 gal/person
Construction, hunting or work camps with chemical or portable toilets	40 gal/person
Parks with restroom facilities	250 gal/plumbing fixtures
Summer camps without food preparation or laundry facility	30 gal/person
Summer camps with food preparation and laundry facilities	60 gal/person
Swimming pools, bathhouses and spas	10 gal/person
Public access restrooms	325 gal/plumbing fixture
<i>Schools, preschools and day care</i>	
Day care and preschool facilities	25 gal/person (child and employee)
Schools with cafeteria, gym and showers	15 gal/student
Schools with cafeteria	12 gal/student
Schools without cafeteria, gym or showers	10 gal/student
Boarding schools	60 gal/person (student and employee)
<i>Service stations, car wash facilities</i>	
Service stations, gas stations	250 gal/plumbing fixtures
Car wash facilities (if recycling water see Rule .0235)	1,200 gal/bay

<i>Type of Establishments</i>	<i>Daily Flow for Design</i>
<i>Sports centers</i>	
Bowling center	50 gal/lane
Fitness exercise, karate or dance center	50 gal/100 sq ft
Tennis, racquet ball	50 gal/court
Gymnasium	50 gal/100 sq ft
Golf course with only minimal food service	250 gal/plumbing fixture
Country clubs	60 gal/member or patron
Mini golf, putt-putt	250 gal/plumbing fixture
Go-kart, motocross	250 gal/plumbing fixture
Batting cages, driving ranges	250 gal/plumbing fixture
Marinas without bathhouse	10 gal/slip
Marinas with boathouse	30 gal/slip
Video game arcades, pool halls	250 gal/plumbing fixtures
Stadiums, auditoriums, theaters, community centers	5 gal/seat
<i>Stores, shopping centers, malls and flea markets</i>	
Auto, boat recreational vehicle dealerships/showrooms with restrooms	125 gal/plumbing fixture
Convenience stores, with food preparation	60 gal/100 sq ft
Convenience stores, without food preparation	250 gal/plumbing fixtures
Flea market	30 gal/stall
Shopping centers and malls with food service	130 gal/1,000 sq ft
Stores and shopping centers without food service	100 gal/1,000 sq ft
Transportation terminals—air, bus, train, ferry, port and dock	5 gal/passenger

EXHIBIT 32-148

Copper	0.5
Nickel	0.5
Zinc	0.5
Lead	0.5
Cyanide, total	0.5
Cyanide, amenable	0.1
Chromium, total	0.5
Chromium, hexavalent	0.1

TABLE 32-161

Charge/1000 gallons	=	Total cost of O & M
		Total volume of flow
		(in thousands of gallons)

TABLE 32-162

Surcharge =	(O & M cost/unit of BOD + O & M cost/unit of suspended solids + O & M cost/unit of any pollutant) volume contribution of user/time
-------------	--

UNIFIED DEVELOPMENT ORDINANCE EXHIBITS

EXHIBIT 4-28

Certificate of Ownership.

I hereby certify that I am the owner of the property shown and described hereon which is located within the subdivision jurisdiction of Morehead City, and that I hereby adopt this plan of subdivision with my free consent and establish minimum building setback lines as noted.

Date

Owner

Certificate of Survey and Accuracy.

In accordance with the Standards of Practice for Land Surveying in North Carolina, on the face of each map prepared for recordation there shall appear a certificate acknowledged before an officer authorized to take acknowledgments and executed by the person making the survey or map, including deeds and any recorded data shown thereon. The certificate shall include a statement of error of closure calculated by latitudes and departures. The map shall clearly indicate all lines which were not actually surveyed and a statement shall be included in the certificate revealing the sources of information from which the map was prepared. The certificate shall take the following general form:

I, _____, certify that this map was [drawn by me], [drawn under my supervision] from [an actual survey made by me] [an actual survey made under my supervision] of [deed description recorded in Book _____, Page _____, etc.] [other]; that the ration of precision as calculated by latitudes and departures is 1: [that the boundaries and lines not surveyed are shown as broken lines platted from information found in Book _____, Page _____] and that this map was prepared in accordance with NCGS Section 47-30, as amended.

Witness my hand and seal this _____ day of _____, 20 _____.

Official Seal _____
Registered Land Surveyor

Registration Number

Certificate of Approval for Recording.

I hereby certify that this subdivision plat has been found to comply with the Subdivision Regulations of Morehead City, North Carolina, and that this plat has been approved by the Town of Morehead City for recording in the Office of the Register of Deeds of Carteret County.

Municipal Clerk
Morehead City, North Carolina

Date

ADVANCE TO NEXT PAGE

EXHIBIT 4-29I

Certificate of Ownership.

I hereby certify that I am the owner of the property shown and described hereon which is located within the subdivision jurisdiction of Morehead City, and that I hereby adopt this plan of subdivision with my free consent and establish minimum building setback lines as noted.

Date

Owner

Certificate of Survey and Accuracy.

In accordance with the Standards of Practice for Land Surveying in North Carolina, there shall appear on the face of each map prepared for recordation a certificate acknowledged before an officer authorized to take acknowledgments and executed by the person making the survey or map, including deeds and any recorded data shown thereon. The certificate shall include a statement of error of closure calculated by latitudes and departures. The map shall clearly indicate all lines which were not actually surveyed and a statement shall be included in the certificate revealing the sources of information from which the map was prepared. The certificate shall take the following general form:

I, _____, certify that this map was [drawn by me], [drawn under my supervision] from [an actual survey made by me] [an actual survey made under my supervision] of [deed description recorded in Book _____, Page _____, etc.] [other]; that the ratio of precision as calculated by latitudes and departures is 1: [that the boundaries and lines not surveyed are shown as broken lines platted from information found in Book _____, Page _____] and that this map was prepared in accordance with NCGS Section 47-30, as amended.

Witness my hand and seal this _____ day of _____, 20 _____.

Official Seal

Registered Land Surveyor

Registration Number

Certificate of Approval of the Design and Installation of Streets, Utilities, and Other Required Improvements.

I hereby certify that all streets, utilities, and other required improvements have been installed in a manner approved by the appropriate state or local authority and according to Morehead City specifications and standards in the _____ Subdivision or that guaranties of the installation of the required improvements in an amount and manner satisfactory to the Town of Morehead City have been received, and that the filing fee for this plat has been paid.

City Manager
or Authorized Representative

Date

EXHIBIT 4-29P

Certificate of Approval for Recording.

I hereby certify that this subdivision plat has been found to comply with the Subdivision Regulations of Morehead City, North Carolina, and that this plat has been approved by the Planning Board/Council for recording in the Office of the Register of Deeds of Carteret County.

Municipal Clerk
Morehead City, North Carolina

Date

EXHIBIT 4-32

	Minor		Major		
	P	F	S	P	F
Title Block	X	X	X	X	X
a) Subdivision Name					
b) Location by Township, County and State					
c) Date of Survey					
d) Date of Plat Preparation					
e) Numerical and Graphic Scale					
f) Zoning Designation					
g) Name of Surveyor, Engineer, Land Planner, Architect					
Vicinity Map	X	X	X	X	X
Corporate Boundaries of Town, Township, County (if applicable)	X	X	X	X	X
Name, Address, Phone Number of Owner(s), Surveyor, Engineer, Land Planner, Architect	X	X	X	X	X
Registration numbers and seals of Professional Engineer and Registered Land Surveyor	X	X	X	X	X

Zoning classification of adjoining properties	X	X	X	X	X
Existing buildings or other structures including culverts, water courses, storm drains, etc.	X	X	X	X	X
Consecutively numbered lots and blocks	X	X	X	X	X
Approximate lot lines and dimensions	X		X	X	
Exact lot lines and dimensions		X			X
Location of CAMA AECs and 404 wetlands, flood hazard zones, and natural features affecting the site	X	X	X	X	X
Topographic map with contour intervals no greater than 2' at a scale of not less than 1" = 100' for existing and finished grade elevations		X		X	
List of square footage per lot with a notation of the square footage of wetlands and remaining area per lot	X	X		X	X

North arrow and orientation	X	X	X	X	X
Bearings and distances of subdivision boundaries	X	X	X	X	X
Names of adjoining subdivisions and/or property owners	X	X	X	X	X
Existing property lines on tract to be subdivided and abutting property lines on adjoining tracts	X	X	X	X	X
Total acreage of tract to be subdivided	X	X	X	X	X
Total number of lots	X	X	X	X	X
Minimum lot size	X	X	X	X	X
Total acreage in parks, recreation areas, and other nonresidential uses	X	X	X	X	X
Minimum building setback lines	X	X	X	X	X

Street information				X	X
a) Proposed layout					
b) Existing and platted streets on adjoining property					
c) Right-of-way, locations and dimensions					
d) Pavement widths					
e) Approximate grades					
f) Typical street cross-section					
g) Proposed street names					
h) Type of street dedication (public)					
i) Site distances					
j) Street length					
k) Street disclosure statement					
Engineering data for all street corners and curves				X	X

Location and dimensions of any:	X	X		X	X
a) Utility and other easements					
b) Landscape and screening areas					
c) Parks and recreation areas					
d) School sites					
e) Areas to be dedicated to or reserved for public use					
f) Drainage easements					
g) Public or private water lines					
h) Public or private sanitary sewer lines					
Profiles based upon mean sea level datum for sanitary sewers and storm sewers	X	X		X	X
Name and location of any property listed on the National Register of Historic Places		X	X	X	
DOT driveway permit, if required				X	
Any necessary water and sewer utility plans				X	X

Any necessary water and sewer utility plans				X	X
Copy of proposed deed restrictions and restrictive covenants, if any	X	X		X	X
Letter from Stormwater Management approving the stormwater management plan, if required by state	X			X	
Lot-by-lot evaluation letter from the Carteret County Environmental Health Department, if not connecting into approved public sewage disposal system		X		X	
Letter approving Erosion and Sedimentation Control Plan, if required by state	X			X	
Major CAMA Permit, if required	X			X	
Digital copy of map (i.e., PDF, JPEG)		X	X	X	X
Landscaping Plan prepared in accordance with Article 15				X	X

EXHIBIT 11-1

TABLE OF PERMISSIBLE USES AND SPECIAL USES

Use/District	(definition)	R5	R55	R7	R10	R15	R15M	R155M	R20	RMF	O & P	PD	MA	CD	CM	D8	CN	CH	I	PM	FP	IC
Accessory building/use	Yes	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Accessory outdoor displays	Yes													P		P	P	P				
Accessory outdoor storage*																		P				
Accessory retail sales																			P			
Accessory personal services	Yes									S												
Adult day care center	Yes									S	P							S	S			
Adult day care center, family	Yes	S	S	S	S	S	S	S	S	S	S											
Adult establishment*																		P				
Amusement arcade	Yes	Refer to: Recreation use, indoor																				
Animal hospital/veterinary clinic	Yes																S		P			
Answering service		Refer to: Communication services																				
Auction house	Yes																	P				
Auditorium																						P
Automobile repair garage*	Yes																	P	P			
Automobile service station*	Yes													S		S		P	P			
Bar/cocktail lounge*	Yes													Sc		S		P				
Barber/beauty shop		Refer to: Personal services																				
Beauty shop		Refer to: Personal services																				
Bed and breakfast	Yes									S			P		P							
Boardinghouse	Yes									S												
Boat ramp, regional public																				P		
Boat sales/storage	Yes	Refer to: Retail, marine-related (excludes commercial marinas)																				
Boat storage															P		P	S	P			
Bulk storage, general:																						
Body art studio, accessory																S						
Agricultural products																			P	P		
Bulk storage compatible with the uses in the district, not associated with any type of freight, cargo or commodities, indoor and outdoor																		S	S			
Lime and fertilizer storage																			P	P		
Nonhazardous materials																			P	P		
Petroleum plant/storage		Refer to: Fuel services																				
Storage of bulk and break-bulk freight, cargo and commodities, indoor and outdoor																				P		
Storage of roll-on/roll-off freight, cargo and commodities, indoor and outdoor																				P		
Woodchips/wood pellets																			P	P		
Bus station		Refer to: Passenger transportation and incidental services																				
Bus terminal		Refer to: Passenger transportation and incidental services																				
Business residence*	Yes									S			P		P	P	S					
Campground		Refer to: Recreation use, outdoor																				
Car wash	Yes																	P				
Cargo, salvage																				P		
Cellular telephone service		Refer to: Communication services																				

Cemetery*	Yes	S	S	S	P	P	P	P	P											S
Cemetery, pet																	P			
Child day care	Yes									S	P		S		S	S	S			
Child day care, afterschool	Yes									S	P					S	S			
Child day care, home*	Yes	S	S	S	S	S	S	S	S	S	S									
Church*	Yes	S	S	S	S	S	S	P	P	P	P	P	S		S		S			P
Circus, carnival, fair																		P	P	
Clinic	Yes										P		P	P		P				

[illegible][illegible]

Dwelling, single-family detached	Yes	P	P	P	P	P	P	P	P	S	P	S	S				
Dwelling, staff, single-family																	P
Dwelling, two-family (duplex)	Yes	P		P					P	S	P						
Emergency shelter mission*	Yes											P	P				
Fabricating shop (majority of products sold at retail, on premises)	Yes											S	S	S	P		
Family care home*	Yes	P		P	P	P	P	P	P	S	S						
Family shelter home	Yes	P		P	S	S	S	S	S	S	P						
Farmer's market	Yes											S	S				

[illegible][illegible]

[illegible]

Rest home		Refer to: Nursing home																				
Restaurant	Yes											S	P. a		P	P	P	P	P	P		
Restaurant, drive-in	Yes																		P			
Retail, indoor	Yes												P. a		P		P	P				
Retail, indoor with gas pumps and storage	Y-Retail																	P	P			
Retail, marine-related with or without outdoor storage	Y-Retail																		P			
Retail, marine-related without outdoor storage															P		P					

[illegible][illegible][illegible]

[illegible]

~refer to additional requirements in [Article 12](#)

*refer to additional requirements in [Article 14](#)

b - Permitted in a PD of any size

c - East of 10th Street (see [§ 14-26](#) for additional requirements)

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EXHIBIT 13-1

13-1 - Schedule of Development Requirements



District	Minimum Lot Area (Square Feet)			Minimum Lot Width (Linear Feet)			Minimum Front Setback (Linear Feet)			Minimum Side Setback (Linear Feet)			Minimum Rear Setback (Linear Feet)			Maximum Height† (Feet)	Maximum Lot Coverage
	First Unit	Second Unit	Multi- family	First Unit	Second Unit	Multi- family	First Unit	Second Unit	Multi- family	First Unit	Second Unit	Multi- family	First Unit	Second Unit	Multi- family		
R5	5,000 7,000 ****	2,500	43,560	50 50		*	15 25 ****		*	7 10 ****		*	15 15		*	50 50	40% 40%
R5S	5,000 7,000 ****			50 50			15 25 ****			7 10 ****			15 15			50 50	40% 40%
R7	7,000	3,500		65	10		25			10			15			50	40%
R10	10,000			70			20			10			25			50	40%
R15	15,000			80			20			10			25			50	40%

R15M	15,000			80			20			10			25			50	40%
R15SM	15,000			80			20			10			25			50	40%
R20	20,000			100			30			10			25			50	40%
RMF	18,000		*	65	20	*	25		*	10	4	*	20		*	50	40%
O&P	5,000	2,500		50			15 *****			7			15			70	40%
PD	**	**	**	**	**	**	**	**	**	**	**	**	**	**	**	70	**

MA							25			***			***			70	40%
CD	*****	*****	*****				None			*****	*****	*****	*****	*****	*****	70±	N/A
CM							10			***			***			70	50%
DB	*****	*****	*****				None			*****	*****	*****	*****	*****	*****	70±	N/A
CN							25			***			***			50	40%
CH							25			***			***			70	40%
I							25			***			***				40%

PM							25			***			***				40%
FP							30			***			***			35	40%
IC	435,600						50			15			30			50	40%

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EXHIBIT 15.3

Table 15-3.1 Minimum Planting Sizes

Planting Type	Minimum Planting Size
Canopy Tree	1.5" Diameter at Breast Height (DBH)
Understory Tree	0.75" DBH or minimum 8' height multi-trunk (min. 3 trunks)
Evergreen	6' height
Shrub	15" height

EXHIBIT 15.4

Table 15-4.1 Tree Preservation Credits

Existing Tree DBH	Tree Preservation Credits
6 to 11.99 inches	6
12 to 17.99	7
18 inches plus	8

EXHIBIT 15-5.1 (A)

Table 15-5.1 Type of Screening Required

		Abutting Zone or Use			
		Group 1	Group 2	Group 3	Group 4
Zone or Use of Property under Development	Group 1				
	Group 2	A			
	Group 3	B	A		
	Group 4	C	C	A	

EXHIBIT 15-5.1 (B)

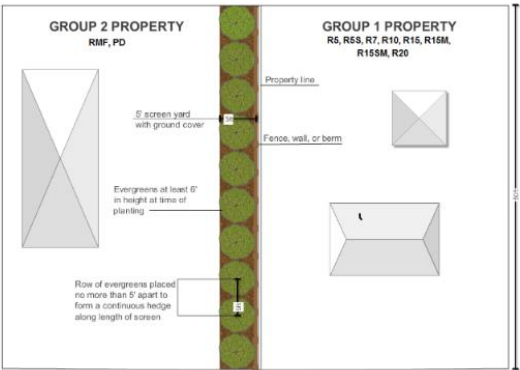


EXHIBIT 15-5.1 (C)

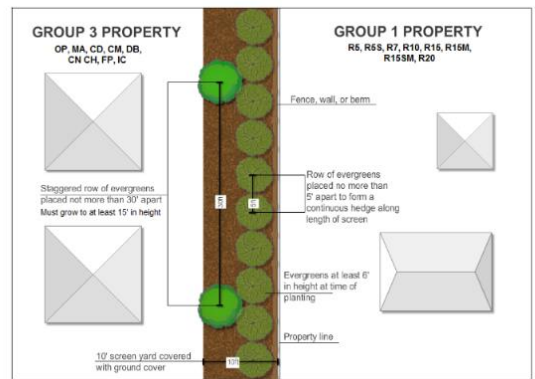


EXHIBIT 15-5.1 (D)

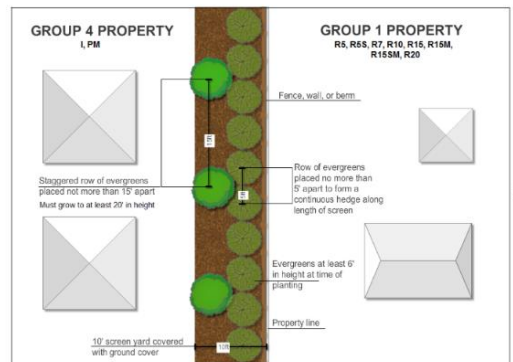


EXHIBIT 15-5.2 (A)

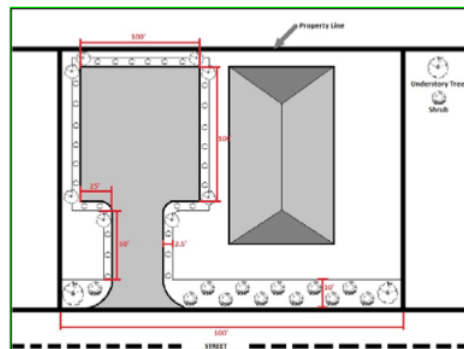


EXHIBIT 15-5.2 (B)



EXHIBIT 15-5.2 (C)

Table 15-5.2 Parking Area Planters

Size of Parking Area Planter (Sq. Ft.)	Number of Trees in Planter	Distance Parking Space may be Located from Landscaped Area (Ft.)
200—499	1 canopy or 2 understory	100
500—899	2 canopy or 4 understory	130
900+	3 canopy or 6 understory	150

EXHIBIT 18-5.2

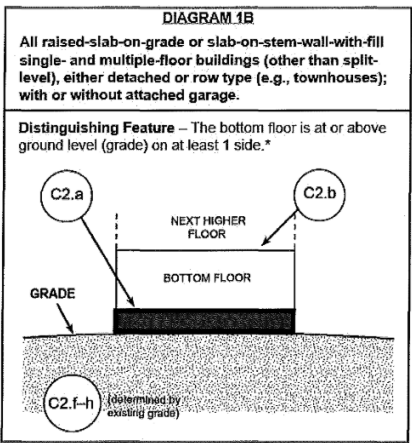


EXHIBIT 19-3.2

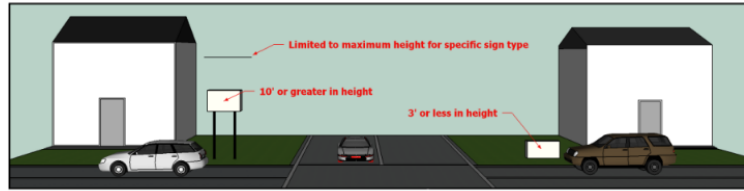


EXHIBIT 19-3.4



EXHIBIT 19-5.1



Example of Allowable Wall Sign Area Calculation

EXHIBIT 19-5.2

Table 19-5.1 Requirements for Wall Signs

Standard	Requirement
Maximum Sign Area	1.5 square foot per lineal frontage of the building wall to which the sign is attached.
Maximum Projection	No more than 12" from the plane of the wall.
Illumination Permitted?	In accordance with subsection 19-3.3.
Changeable Copy Permitted?	In accordance with subsection 19-3.4.
Where Permitted	Non-residential districts; Freestanding walls at subdivision, multifamily, and planned development entrances
Permit Required?	Yes

EXHIBIT 19-6 (A)

Table 19-6.1 Area and Quantity Requirements for Primary Freestanding Signs

Size and Type of Development	Maximum Number of Signs	Max. Area Per Face
Residential 500+ units	1 per street entrance	120 Square Feet
Residential 300 to 500 units	1 per street entrance	80 Square Feet
Residential up to 300 units	1 per street entrance	40 Square Feet
Nonresidential 250,000+ SF of building area	1 per street front	154 SF [plus 8 SF per additional advertised tenant up to a maximum of 96 SF*]
Nonresidential 100,000 to 250,000 SF of building area	1 per street front	120 SF [plus 8 SF per additional advertised tenant up to a maximum of 64 SF*]
Nonresidential 40,000 to 100,000 SF of building area	1 per street front	80 SF [plus 8 SF per additional advertised tenant up to a maximum of 40 SF*]
Nonresidential 2,500 to 40,000 SF of building area	1 per street front	80 SF [plus 8 SF per additional advertised tenant up to a maximum of 32 SF*]
Nonresidential up to 2,500 SF of building area	1 sign maximum	64 Square Feet

* Additional allowable square footage of sign area per additional advertised tenant is subject to approval of a multi-tenant signage plan in accordance with subsection 19-6.7.

Table 19-6.2 Requirements for Primary Freestanding Signs

Standard	Requirement
Height	Maximum height of 20 feet or the height of the nearest roofline, whichever is less. Signs within 50 feet of an intersection shall also meet the requirements of subsection 19-3.2(C).
Setbacks — Noncorner Lots:	Minimum 10' setback from any property line unless at an intersection.
Setbacks — Corner Lots:	Minimum 10' setback from any property line and a minimum distance of 40 feet from the intersection point. If the owner of a corner lot should choose to use a single freestanding sign on the site in lieu of one sign per street front, one single freestanding sign may be located a minimum 10' setback from both property lines. Should the owner opt to add additional primary freestanding signage, all primary freestanding signs on the site will need to be located to meet the minimum 40' distance requirement.
Signs in Districts with No Front Setback Requirement (e.g. CD, DB):	No front setback required; however, the requirements of subsection 19-3.2. remain applicable.
Illumination Permitted?	In accordance with subsection 19-3.3.
Changeable Copy Permitted?	In accordance with subsection 19-3.4 and the following: No primary freestanding sign containing electronic changeable copy sign shall exceed 50 percent of the total sign area for any individual freestanding sign.

Setbacks — Corner Lots:	Minimum 10' setback from any property line and a minimum distance of 40 feet from the intersection point. If the owner of a corner lot should choose to use a single freestanding sign on the site in lieu of one sign per street front, one single freestanding sign may be located a minimum 10' setback from both property lines. Should the owner opt to add additional primary freestanding signage, all primary freestanding signs on the site will need to be located to meet the minimum 40' distance requirement.
Signs in Districts with No Front Setback Requirement (e.g. CD, DB):	No front setback required; however, the requirements of subsection 19-3.2. remain applicable.
Illumination Permitted?	In accordance with subsection 19-3.3.
Changeable Copy Permitted?	In accordance with subsection 19-3.4 and the following: No primary freestanding sign containing electronic changeable copy sign shall exceed 50 percent of the total sign area for any individual freestanding sign.
Where Permitted	Non-residential districts; Subdivision, multifamily, and planned development entrances
Permit Required?	Yes



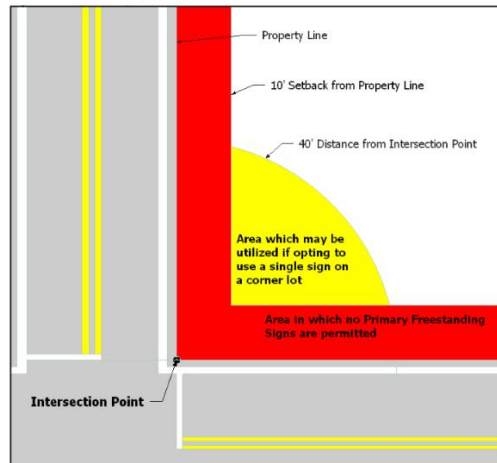
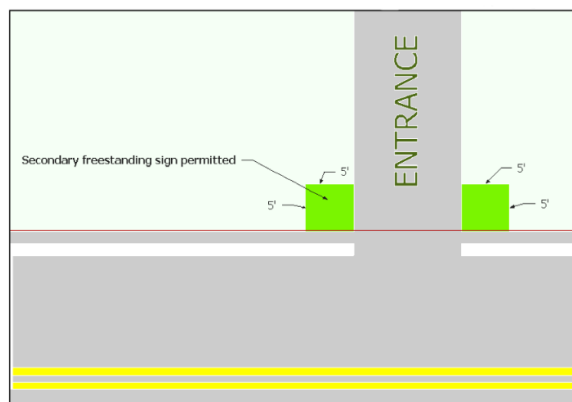


EXHIBIT 19-6 (B)

Table 19-6.3 Requirements for Secondary Freestanding Signs

Standard	Non-Residential Districts
Maximum Sign Area Per Face	6 Square Feet
Maximum Number of Signs	1 per entrance.
Height	Maximum height of 3 feet. Signs within 50 feet of an intersection shall also meet the requirements of subsection 19-3.2(C).
Illumination Permitted?	Internal illumination, only, and in accordance with section 19-3.3.
Changeable Copy Permitted?	No
Where Permitted	Non-residential districts
Permit Required?	Yes



Secondary Freestanding Sign Locational Requirements

EXHIBIT 19-6 (C)

Table 19-6.4 Freestanding Sign Requirements for Non-Residential Uses in Residential Districts

Standard	Non-Residential Districts
Maximum Sign Area Per Face	16 Square Feet
Maximum Number of Signs	1 per street front
Height	Maximum height of 7 feet. Signs within 50 feet of an intersection shall also meet the requirements of subsection 19-3.2(C).
Setback Requirement	Minimum 10-foot setback from any property line.
Illumination Permitted?	Internal illumination only, and in accordance with subsection 19-3.3.
Changeable Copy Permitted?	In accordance with subsection 19-3.4 and the following: Electronic changeable copy shall not exceed 50 percent of the total sign area for any individual freestanding sign.
Where Permitted	Residential districts
Permit Required?	Yes

EXHIBIT 19-7

Table 19-7.1 Requirements for Outdoor Advertising Signs

Standard	Requirement
Height	Maximum height of 20 feet. Signs within 50 feet of an intersection shall also meet the requirements of subsection 19-3.2(C).
Setbacks — Noncorner Lots:	Minimum 10' setback from any property line unless at an intersection.
Setbacks — Corner Lots:	Minimum 10' setback from any property line and a minimum distance of 40 feet from the intersection point.
Maximum Sign Area Per Face	96 SF
Maximum Number of Signs	1 sign permitted per 500 feet radius.
Where Permitted	CH, I, and PM districts located along Highway 70 and Highway 24. Outdoor advertising signs shall not be located closer than 100 feet to a residentially-zoned property. The minimum distance between outdoor advertising signs shall be 500 feet radius.
Illumination Permitted?	In accordance with subsection 19-3.3.
Changeable Copy Permitted?	In accordance with subsection 19-3.4 and the following: Changeable copy of outdoor advertising signs is permitted if a permit has been issued by the North Carolina Department of Transportation to allow electronic changeable copy of the signage.
Permit Required?	Yes

EXHIBIT 19-8

Table 19-8.1 Requirements for Temporary Signs

Standard	Residential Districts	Non-Residential Districts
Maximum Sign Area Per Face	6 SF	16 SF
Maximum Number of Signs	1 per street front with no more than 2 sign faces per sign	1 per street front with no more than 2 sign faces per sign
Height	Maximum height of 4 feet. Signs within 50 feet of an intersection shall also meet the requirements of subsection 19-3.2(C).	Maximum height of 7 feet. Signs within 50 feet of an intersection shall also meet the requirements of subsection 19-3.2(C).
Illumination Permitted?	No	No
Changeable Copy Permitted?	No	No
Where Permitted	Residential zoning districts	Non-residential zoning districts
Permit Required?	No	No



EXHIBIT 19-9.1

Table 19-9.1 Requirements for Interior Parking Area Signs

Standard	Requirement
Maximum Sign Area	6 Square Feet
Maximum Number of Signs	No closer than 75 feet to another interior parking lot sign.
Height	Maximum height of 8 feet.
Setback	Interior parking area signs may not be visible from the right-of-way.
Illumination Permitted?	No
Changeable Copy Permitted?	No
Where Permitted	Non-residential zoning districts
Permit Required?	Yes

EXHIBIT 19-9.2

Table 19-9.2 Requirements for Menu Board Signs

Standard	Requirement
Maximum Sign Area per Face	Drive-Through Menu Board: 35 SF Preview Menu Board: 16 SF Parking Stall Menu Board: 8 SF
Maximum Number of Signs	Drive-Through Menu Board: 1 per drive-through Preview Menu Board: 1 per drive-through menu board Parking Stall Menu Board: 1 per stall
Height	Drive-Through Menu Board: 8 feet Preview Menu Board: 6 feet Parking Stall Menu Board: 6
Setback	Text may not be visible from street right-of-way
Illumination Permitted?	Internal illumination permitted in accordance with 19-3.3.
Changeable Copy Permitted?	In accordance with subsection 19-3.4.
Where Permitted	Non-residential zoning districts. Drive-Through Menu Board and Preview Menu Board signs must be located no more than 10 feet from a drive-through lane.
Permit Required?	Yes



EXHIBIT 9-10

Table 19-10.1 Requirements for Inflatable Displays

Standard	Requirement
Maximum Number of Signs	1 inflatable display per property
Height	Tethers of floating inflatables shall be limited to a maximum height of 50 feet. Inflatable displays within 50 feet of an intersection shall also meet the requirements of subsection 19-3.2(C).
Where Permitted	Non-residential zoning districts
Duration	Maximum of 5 days in any 30-day period
Setback	Tethers shall be set back from the property line 1 foot for every 1 foot in height
Illumination Permitted?	In accordance with subsection 19-3.3.
Permit Required?	Minimum Charge Permit

EXHIBIT 9-11

Table 19-11.1 Requirements for Banners

Standard	Requirement
Maximum Sign Area	See Associated Wall Sign or Freestanding Sign Requirements
Maximum Number of Signs	
Height	
Setbacks	
Where Permitted	
Illumination Permitted?	In accordance with subsection 19-3.3.
Changeable Copy Permitted?	No
Permit Required?	Minimum Charge Permit



EXHIBIT 9-12

Table 19-12.1 Requirements for Flag Signs

Standard	Requirement
Maximum Sign Area	24 square feet per sign
Maximum Number of Signs	The minimum spacing between flags in non-residential districts, except CD and DB, shall be a minimum of 50 LF. In CD and DB, 1 flag is permitted per parcel.
Height	Maximum height of 20 feet or the height of the nearest roof line, whichever is less.
Minimum Vertical Clearance:	CD and DB districts: 7 feet or the height of the nearest entrance door, whichever is greater. Feather flags are excluded from this requirement.
Setback Requirements	Non-residential districts except CD and DB: Minimum 10-foot setback from any property line. CD and DB Districts: No setback shall be required, except that a right-of-way usage permit is required in order to locate a flag sign within the right-of-way.
Illumination Permitted?	In accordance with subsection 19-3.3.
Where Permitted	Non-residential zoning districts.
Permit Required?	No permit required unless located on a public sidewalk or right-of-way in the CD or DB zoning district. If located on a public sidewalk or right-of-way, a right-of-way usage permit is required.

EXHIBIT 9-13

Table 19-13.1 Requirements for Canopy Signs

Standard	Requirement
Maximum Sign Area	Maximum area of 25 percent of the vertical canopy face.
Setback Requirements	Non-residential districts [except CD and DB]: May not extend more than 24 inches into a required front setback yard. CD and DB: May be located no closer than 2 feet to the curb line of any street.
Minimum Vertical Clearance	9 feet
Illumination Permitted?	Internal illumination, only.
Changeable Copy Permitted?	In accordance with subsection 19-3.4.
Where Permitted	Non-residential districts
Permit Required?	Yes



Signs on Gas Station Canopies Are a Type of Canopy Sign

EXHIBIT 9-14

Table 19-14.1 Requirements for Awning

Standard	Requirement
Maximum Sign Area	12 square feet per sign face
Setback Requirements	Non-residential districts [except CD and DB]: May not extend more than 24 inches into a required front yard. CD and DB: May be located no closer than 2 feet to the curb line of any street.
Minimum Vertical Clearance	9 feet
Illumination Permitted?	In accordance with subsection 19-3.3.
Changeable Copy Permitted?	No
Where Permitted	Non-residential districts
Permit Required?	Yes



Awning Signs

EXHIBIT 9-15

Table 19-15.1 Requirements for Window Signs

Standard	Requirement
Where Permitted	Non-residential districts
Permit Required?	No permit shall be required and the window sign shall not count towards the wall sign calculation, provided that the window sign does not extend beyond the outside perimeter of any window.



Window Signs

EXHIBIT 9-16

Table 19-16.1 Requirements for Suspended Signs

Standard	Requirement
Maximum Sign Area	12 SF per sign face
Maximum Number of Signs	1 per establishment
Setback Requirements	May be located no closer than 2 feet to the curb line of any street.
Minimum Vertical Clearance	9 feet
Illumination Permitted?	In accordance with subsection 19-3.3.
Changeable Copy Permitted?	No
Where Permitted	Non-residential districts
Permit Required?	Yes

EXHIBIT 9-17

Table 19-17.1 Requirements for Projecting Signs

Standard	Requirement
Maximum Sign Area	12 SF per sign face
Maximum Number of Signs	1 per establishment
Setback Requirements	May be located no closer than 2 feet to the curb line of any street.
Minimum Vertical Clearance	9 feet
Illumination Permitted?	In accordance with subsection 19-3.3.
Changeable Copy Permitted?	No
Where Permitted	Non-residential districts
Permit Required?	Yes



EXHIBIT 19-18

Table 19-18.1 Requirements for Roof Signs

Standard	Requirement
Maximum Sign Area	32 SF
Maximum Number of Signs	1 per establishment
Illumination Permitted?	In accordance with subsection 19-3.3.
Changeable Copy Permitted?	No
Where Permitted	DB district lots located on the south side of Evans Street and Shepard Street between S 4th Street and S 8th Street, excluding the "jib" area.
Permit Required?	Yes



EXHIBIT 19-19

Table 19-19.1 Requirements for A-Frame and T-Frame Signs

Standard	Requirement
Maximum Sign Area	8 SF per side
Maximum Number of Signs	1 per establishment in non-residential districts except CD and DB. In CD and DB, one per establishment per street front.
Locational Requirements	Must be located within 10 feet of the wall of the primary structure.
Height	Maximum height of 4 feet.
Maximum Width	2 LF
Illumination Permitted?	No
Changeable Copy Permitted?	No, except chalk board signs
Where Permitted	Non-residential districts
Permit Required?	No permit required unless located on a public sidewalk or right-of-way. If located on a public sidewalk or right-of-way, a right-of-way usage permit is required.



EXHIBIT 19-20

Table 19-20.1 Requirements for Pedestrian Wayfinding Signs

Standard	Requirement
Maximum Sign Area	2 SF
Where Permitted	Within or adjacent to CD and DB districts on private property or within Town rights-of-way subject to Town approval.
Permit Required?	Yes

EXHIBIT 19-21

Table 19-21.1 Requirement for Fence Screening Signs

Standard	Requirement
Height	The maximum height shall be limited by the height of the fence and be subject to the maximum height requirements of section 14-1 .
Illumination Permitted?	No
Where Permitted	All zoning districts provided there is an active building permit on file for the site at which the fence screening is located.
Permit Required?	No

EXHIBIT 19-22

Table 19-22.1 Requirement for Pole Banner Signs

Standard	Requirement
Maximum Sign Area	15 SF with a maximum horizontal sign width of 2.5 feet and a maximum vertical sign length of 6 feet.
Maximum Number of Signs	2 per light pole. If 2 signs are used instead of 1, the signs must be situated directly side-by-side.
Minimum Vertical Clearance	8 feet above a walking surface. 14 feet above a parking area. Shall not hang over a travel lane. Minimum of 3 feet below any luminaries from where a ballast connects to a pole.
Height	The maximum height of the top of the flag and its supporting bracket is 20 feet or the height of the nearest roof line, whichever is less.
Where Permitted	Non-residential districts.
Permit Required?	Yes



EXHIBIT 19-23

Table 19-23.1 Requirements for Governmental Signs and Flags

Standard	Requirement
Setback Requirements	May not be located within the right-of-way unless authorized by the Town or State.
Illumination Permitted?	In accordance with subsection 19-3.3.
Where Permitted	All zoning districts
Permit Required?	No