

Town of North Wilkesboro Ordinances With Criminal Enforcement  
(S.L. 2019-198 Reporting)

<b>Ordinance punishable by G.S. 14-4(a)</b>	<b>Description of conduct subject to criminal punishment under the ordinance</b>	<b>Other notes</b>
NW Town Code Ch. 4 (Animals and Fowl) Sec. 4 – Where grazing prohibited	Unlawful for any person to permit horse, sheep, or livestock to graze on any street right of way, public property, or private property not zoned for such purpose.	We consider this an important public health and safety matter, as grazing animals produce waste and other matters detrimental to public health, and could cause traffic and other public safety concerns if left to roam free.
Ch. 5 (Buildings)	The chapter codifies in town ordinance NC minimum building code, housing code, fire code, and other relevant codes designed to ensure the health, safety, and welfare are residents who occupy built structures in town limits.	In appropriate sections, this chapter specifically cites statutes that enable criminal penalties. We seek to preserve those statutes referenced in this chapter and our ability to charge criminally someone who endangers the safety of town residents.
Ch. 7 (Demonstrations, Parades, and Picketing)	This chapter governs the conditions under which residents may permit, parade, or demonstrate within town limits. It addresses permitting requirements, the process for applying for and receiving a permit, prohibited acts while parading (see below), the conditions under which a permit can be revoked, and other considerations. Section 2 prohibits the carrying of dangerous weapons, and the taking of dangerous dogs.	We hope to preserve this entire chapter as it gives us the tools we need to responsibly police public gatherings which have, of late, been a popular place for criminal activity to flare up. Section 2 in particular, which gives us the ability to police the presence of dangerous weapons, is keenly important.
Ch. 11 (Motor Vehicles and Traffic), Secs. 13-97	These sections govern responsible use of motor vehicles within town limits, addressing traffic control, speeding, parking, abandoned vehicles, and other regulations. The sections do not address vehicle licenses and tax.	We seek to preserve criminal penalties on these sections as traffic and vehicle matters can pose significant public safety challenges if not policed strongly. We do not seek to maintain criminal penalties for administrative violations like failing to maintain a proper license plate, because the public safety purpose is less clear.

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Ch. 12 (Offenses – Miscellaneous), Sec. 6	This section details the prohibition against aiding and abetting violations of town code or other ordinances.	We hope to preserve this section as a tool to use against violators of this code and others to deter their behavior
Ch. 12, Sec. 8	This section governs the business of soliciting alms or fundraising, including the requirement that the solicitor have a permit.	We hope to keep this section and preserve our authority to charge misdemeanor against individuals who are pushy or harassing while soliciting alms.
Ch. 12, Secs. 12 and 14	These sections deal with disorderly conduct and drunkenness on streets/public places, respectively. Sec 12 lists 17 types of disorderly conduct including threats, inciting violence, and blocking traffic.	The list of disorderly conduct in particular covers threats and other behaviors that, by their violent nature, deserve to be kept as criminal offenses. Other activities listed here are commonly preludes to violent behavior, and thus seem criminal.
Ch. 12, Sec. 20	This section addresses mask-wearing and the responsibility of parents or guardians. It prohibits mask-wearing done to conceal the identity of the wearer. The code lists exceptions to the rule, such as children under 13 or workers wearing makes for safety.	As with other offenses in this chapter, mask-wearing is often the prelude to more severe criminal activity and can inhibit law enforcement from conducting legal and legitimate observation.
Ch. 12, Sec. 21	This section prohibits any loud or disturbing noise of such character, intensity, or duration as to be detrimental to the life of health of any individual, or such noises as disturb the quiet and peace of any citizen of the town.	The general consensus amongst public officials in our community is that noise violations are a particularly insidious violation of residents' peaceful enjoyment and we hope to maintain strong tools to enforce and deter this behavior
Ch. 12, Sec. 28	This section prohibits prostitutes from performing certain activities commonly associated with soliciting business.	We seek to preserve the penalties of this section to deter prostitutes and those that solicit them.
Ch. 12, Sec. 32	This section empowers local police to disperse individuals engaged in riots, routs, and unlawful assemblies and arrest those who don't heed their command to disperse.	We seek to preserve this section in order to give local law enforcement an additional tool for crowd control and prevention of violent gatherings.

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Ch. 12, Sec. 32.1-5	These section outline violations regarding the display and exhibition of sexually explicit material in areas where they might be visible to juveniles.	This section attempts to convey community standards regarding sexually explicit material, and enforcement mechanisms. We seek to preserve these sections as a strong deterrent against predators and other child abusers who may use this type of material to lure children.
Ch. 12, Sec. 35	This section addresses 'loitering for the purposes of drug related activity'. It prohibits behavior such as "repeatedly pass[ing] to or receiv[ing] from passers-by, whether on foot or in a vehicle, or by courier, money or objects" and other behaviors commonly associated with drug activity.	This section increases local law enforcement's ability to detain individuals whose activities -by virtue of their nature and because of where they are performed- strongly suggest involvement in drug activity.
Ch. 12, Sec. 36	The section addresses interference with town officers and employees "by threat, assault, or otherwise."	If the ability to charge this section criminally were reversed, the economics would favor offenders as they could send a conspirator to interfere with local officers and prevent enforcement of criminal activity for the low price of a civil citation.
Ch. 12, Sec. 37	The section addresses impersonation of town officers or employees.	We seek to preserve this section so as to maintain criminal remedies against individuals who perform the wanton and insidious crime of impersonating public servants, as this activity endangers lives.
Ch. 12, Sec. 39	This section prohibits tampering, rendering inoperative, destroying, damaging, defacing, or otherwise interfering with town property.	Again, we seek to preserve this section so that offender who tamper with town property as a means to prevent town enforcement of more serious crimes can be held accountable.
Ch. 12, Secs. 43 and 43.1	These sections make misdemeanors any defacement of ornamental trees on public property in town, specifically listing trees planted along the town's "Memorial Ave." honoring veterans of WWI	We hope to preserve the penalties in this section as a symbol of the town's enduring commitment to honoring veterans of the Great War.

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Ch. 12, Sec. 44	This section defines 'vagrant' and prohibits vagrancy. It invokes local police to enforce NCGS section 14-336	We seek to preserve this section so as to have the tools to take strong action against repeat vagrants who continually practice vagrancy despite officers' warnings.
Ch. 12, Sec. 45	This section makes unlawful the discharge of any firearm within the town limits without permission of the chief of police	We see this as a tool to strongly enforce and deter dangerous acts that, by their nature, endanger the lives of residents.
Ch. 12, Sec. 47	This section prohibits fishing, loitering, or loafing on an urban bridge crossing the Yadkin River within town limits	The width of this bridge and the amount of traffic that crosses it make any sort of static object a significant traffic matter. We hope to preserve this so that we may have tools to keep traffic flowing safely along its length.
Ch. 12, Sec. 53	This long section describes offenses and exceptions to the town's juvenile curfew	We seek to preserve the penalties in this section so that the town has strong tools to protect children.
Ch. 15 (Streets and Sidewalks), Secs. 5-9	These sections prohibit behaviors -such as driving across a construction zone on a street, or erecting a fence across a right of way- that may obstruct the free flow of traffic.	We seek to preserve these sections so as to have tools to deter and prevent individuals from obstructing traffic and endangering the general public.
Ch. 17 (Taxis and Vehicles for Hire)	This chapter governs the provision of taxis and vehicles for hire in the town limits. It prohibits certain illicit practices, sets the conditions for permits, and outlines appropriate charges.	We seek to preserve the penalties for violations of this section so as to ensure that all taxis and vehicles for hire are legitimate businesses and do not pose a danger to town residents.