

Code of Ordinances

§ 10.19 ALTERING CODE.

It shall be unlawful for any person to change or amend, by additions or deletions, any part or portion of this code or to insert or delete pages, or any portions thereof, or to alter or tamper with such code in any manner whatsoever, except pursuant to ordinance or resolution or other official act of the Board of Commissioners, which will cause the law of the municipality to be misrepresented thereby.

(' 81 Code, § 1-5) Penalty, see § 10.99

§ 10.99. GENERAL PENALTY; CIVIL REMEDIES; ENFORCEMENT OF ORDINANCES; CONTINUING VIOLATIONS.

(A) Unless otherwise specifically provided, violation of any provision of this Code of Ordinances or any other town ordinance shall subject the offender to the remedies provided in this section, except that where the General Statutes of North Carolina provide specific civil remedies for violations of provisions of this Code adopted pursuant to such statutes, such remedies available to the town for enforcement of this Code shall be in addition to the remedies stated in this section.

(B) Violations of all provisions of this Code, unless otherwise specifically provided in this Code and/or specifically enumerated in Table IV of the Table of Special Ordinances of this volume, shall be a misdemeanor and punishable as provided by N.C. Gen. Stat. § 14-4.

§ 33.21 INTERFERING WITH FIREFIGHTING ACTIVITIES BY CONGREGATING IN STREETS

It shall be unlawful to congregate on the streets, alleys or squares near a fire in a manner which would interfere with the activities of the Fire Department.

Penalty, see § 10.99 § 33.22 FALSE FIRE ALARMS. No person shall give or cause to be given any false alarm.

§ 33.23 PROHIBITED ACTS. The activities noted in this section are prohibited within the limits of the Town's primary fire district, as established pursuant to G.S. 160A-435. The prohibited activities are as follows: (1) The storage of explosives and blasting agents; (2) New bulk plants for flammable or combustible liquids; (3) The bulk storage of liquefied petroleum gas; and (4) The storage of other hazardous materials as determined by the Fire Chief.

§ 37.21 SMOKING PROHIBITED IN MUNICIPAL BUILDINGS.

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 town. (Ord. 1993-5, passed 8-16-93) Penalty, see § 37.99

§ 37.22 SMOKING PROHIBITED IN MUNICIPAL VEHICLES.

It shall be unlawful for any person to smoke in any vehicle now or hereafter owned or leased by the city. (Ord. 1993-5, passed 8-16-93) Penalty, see § 37.99

§ 37.99 PENALTY.

Violation of this subchapter shall constitute a misdemeanor punishable in accordance with G.S. § 14-4. (Ord. 1993-5, passed 8-16-93; Am. Ord. 2010-04, passed 02-16-10)

§ 50.02 ACCUMULATION IN FIRE DISTRICT PROHIBITED.

It shall be unlawful for any person to place or permit to accumulate any garbage, trash, debris, empty boxes, containers or other combustible material in any alley or driveway within the fire district. ('81 Code, §6-2) Penalty, see §10.99

§ 50.03 GARBAGE TO BE DEPOSITED IN CANS PROMPTLY.

No garbage that has become decayed or that otherwise shall be a menace to health or cleanliness shall be allowed to remain in any dwelling house, hotel, boardinghouse, cafe, restaurant, lunch stand, meat market, store or other building or on any premises for a longer time than shall be reasonably necessary to remove and deposit the same in a can or cans as hereinafter provided in this chapter. ('81 Code, §6-3) Penalty, see §10.99

§ 50.04 HANDLING OF CERTAIN GARBAGE.

(A) Wet garbage shall not be placed in containers without first being drained. Wood or paper cartons will be cut and flattened and tied in bundles in a secure manner in quantities not to exceed 40 pounds in weight. ('81 Code)

(B) No bulk trash, refuse, tree limbs, shrubbery, cuttings, leaves and other similar matter will be collected unless such matter can meet the following guidelines;

1. All grass clippings, yard debris to be in bags or water resistant containers that can be loaded by one person. Must not include trash (plastic, glass, etc.)
2. Tree and shrub must not exceed 8 feet in length. Large amounts to be placed to accommodate pick up by front-end loader or other equipment. Must not include trash (metal, garbage, plastic, any lumber, shingles, etc.)
3. Leaves will be picked up by the leaf machine between November 1 and March 10 each year. All other times leaves are to be placed in bags for pickup.
4. Appliances, bedding, furniture, homeowner construction materials, etc. may be picked up together. Small pieces of lumber, wallboard or other construction debris must be placed in bags or containers for pickup. All construction material and or white goods must be separate from any garbage.
5. Removal of spoil from large tree removal, clearing of lots or other large areas must require advance pickup arrangements at Town Hall. Property owner will be assessed \$30.00 per load or partial load. Does not include work performed by contractor.

(C) Any other refuse not complying with the foregoing conditions will be collected by the town only under special arrangement made by the owner with the Town Manager. ('81 Code, §6-7) (Am. Ord. 1995-7, passed 09-25-95) Penalty, see §10.99

§ 50.05 REMOVAL OF DEAD ANIMALS.

Upon request made to the Town Manager, the town will remove any dead animal in the town limits providing same is reasonably accessible. ('81 Code, §6-6) Penalty, see §10.99

§ 50.11 DIMENSIONS.

The standard garbage container shall be a covered metal can. The maximum capacity of such can shall be 32 gallons. Such cans shall be no more than 22 inches in diameter or 30 inches in height. ('81 Code, §6-4) Penalty, see §10.99

§ 50.12 PLACEMENT OF CONTAINERS FOR COLLECTION.

Garbage containers shall be placed for collection within three feet of street level, not more than 20 feet from curb line, and easily available to the collectors. Containers shall not be placed where they will interfere with vehicular or pedestrian traffic. ('81 Code, §6-10) Penalty, see §10.99

§ 50.13 OWNER TO REMOVE FROM STREET.

Empty garbage containers will be removed from the street by the owner no later than the day on which garbage is picked up by the town truck. ('81 Code, §6-11) Penalty, see §10.99

§ 50.14 STORAGE AREA TO BE KEPT CLEAN.

Occupants of buildings, whether residential or business, shall be responsible for keeping neat and clean at all times the garbage can area serving the occupant. ('81 Code, §6-12) Penalty, see §10.99

§ 50.15 PROTECTION FROM DOGS.

Garbage containers shall be protected to prevent being overturned by roving dogs or other animals. ('81 Code, §6-14) Penalty, see §10.99

§ 50.16 MOLESTING PROHIBITED.

It shall be unlawful for anyone to damage, molest or otherwise interfere with garbage containers or the contents of garbage containers belonging to or placed by persons on premises other than their own except by permission or at the request of the owner. ('81 Code, §6-13) Penalty, see §10.99

§ 50.32 FRANCHISE FOR PRIVATE COLLECTION.

No person other than the town shall perform, for pay, the service of collecting, hauling and disposing of refuse, trash and garbage from within the town limits unless franchised to do so by the town. ('81 Code, §6-17) (Ord. passed 7-27-72) Penalty, see §10.99

§ 51.02 CONNECTION REQUIRED; PERMIT; TAP FEE.

(B) It shall be unlawful for any connection to be made to the town sewerage system without first obtaining a permit from the Town Manager and paying the sewerage tap charge. ('81 Code, §16-63) Penalty, see § 10.99

§ 51.07 PRIVIES.

No privy of any kind shall be permitted in the town where a town sewer is reasonably accessible. When privies are permitted, they shall be constructed in accordance with the regulations of the State Board of

Health and located only according to the recommendations of the Rutherford-Polk Health Officer. Privies altered or reconstructed shall also conform to these regulations, and a permit shall be obtained for all privies before construction or alteration. ('81 Code, §16-62) Penalty, see §10.99

§ 51.08 SEPTIC TANKS.

(A) Septic tanks may be installed where a sewer line is not reasonably accessible, provided such tank is constructed in accordance with the specifications of the State Board of Health, and a permit therefor is issued by the Town Manager.

(B) Any building or structure which is located below every sewer line within 200 feet of said building shall be provided with a septic tank built in accordance with the appropriate state code. ('81 Code, §16-61) Penalty, see §10.99

§ 51.09 TAMPERING AND DAMAGING SEWER SYSTEM OR EQUIPMENT PROHIBITED.

(A) It shall be unlawful for any person to place or deposit any object, liquid or other substance in a sewer that will damage or obstruct the normal use of the sewerage system or to in any way damage any line, manhole or other part of the system, and such person shall be assessed with the cost of repair or expense of restoring the system. ('81 Code, §16-65)

(B) It shall be unlawful for any unauthorized person to tamper with or damage in any manner any part of the sewerage system. ('81 Code, §16-66)

(C) No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any equipment or materials belonging to the town, and used for the purpose of making measurements, tests or examinations and left upon the premises of a person discharging wastes into the sewer. This protection against damage also shall apply to any part of the public sewerage system. Any person violating this provision shall be subject to immediate arrest and prosecution. ('81 Code, §16-104) (Ord. passed 4-14-69) Penalty, see §10.99

Sewer Use Ordinance

(C) OTHER AVAILABLE REMEDIES

Remedies, in addition to those previously mentioned in this ordinance, are available to the POTW Director who may use any single one or combination against a noncompliant user. Additional available remedies include, but are not limited to:

(1) Criminal Violations.

The District Attorney for the applicable Judicial District may, at the request of Tryon, prosecute noncompliant users who violate the provisions of N.C.G.S. 143-215.6B. [Note: Under North Carolina law, it is a crime to negligently violate any term, condition, or requirement of a pretreatment permit, or negligently fail to apply for a pretreatment permit, issued by local governments (G.S. 143-215.6B(f)), to knowingly and willfully violate any term, condition, or requirement of a pretreatment permit, or knowingly and willfully fail to apply for a pretreatment permit, issued by local governments (G.S. 143-215.6B(g)), to knowingly violate any term, condition, or requirement of a pretreatment permit issued by

local governments, or knowingly fail to apply for a pretreatment permit, knowing at the time that a person is placed in imminent danger of death or serious bodily injury, (G.S. 143-215.6B(h)), and to falsify information required under Article 21 of Chapter 143 of the General Statutes (G.S. 143-215.6B(i)).]

Water

§ 52.04 TAMPERING PROHIBITED.

It shall be unlawful for any person to change, unscrew or in any other way tamper with any hydrant or water cock, meter or other part of the pipes, tank, tower or fixtures connected with the water system of the town. This section shall not apply to an employee of the town or a plumber authorized by the town in the performance of necessary work on the water system. ('81 Code, §16-37) Penalty, see §52.99

§ 52.05 HOT WATER HEATERS.

The supply lines to gas, electric or oil-fired water heaters, range boilers, sterilizers or any other such device used to heat systems containing water shall be equipped with:

- (A) A combination pressure-temperature relief valve;
- (B) A proper check valve which shall prevent the backflow of water into the town water meter;
- (C) A tee with drain outlet or stop and waste cock. ('81 Code, §16-38) Penalty, see §52.99

§ 52.10 CONNECTIONS WITH PRIVATE SYSTEMS; USE OF PRIVATE LINES.

(A) Connections with private water systems, gravity-fed or open reservoirs or cisterns or any other water source are prohibited.

(B) All private water service lines extending from the town meter to the residence or other such building in use by the owner shall be of either galvanized steel or copper pipe, or equal material as approved by the Town Manager, and no other type material shall be permitted to be connected to the town water distribution system.

(C) It shall be the responsibility of the owner of said private water service line to have installed, at his cost, a check valve and a pressure-reducing valve as required by the Town Manager.

(D) No water connection shall be made and water turned on until inspection by the Town Manager or authorized agent to insure that the provisions of divisions (B) and (C) of this section have been met. ('81 Code, §16-28) Penalty, see §52.99

§ 52.20 SIZE.

Water supply pipes shall be of sufficient size to permit an ample flow at all times. ('81 Code, §16-26) Penalty, see §52.99

§ 52.21 PROTECTION FROM FROST.

All pipes shall be laid below the normal frost line and exposed hydrants, taps and spigots shall be provided with stop and waste cocks below frost level. ('81 Code, §16-27) Penalty, see §52.99

§ 52.30 REQUIRED.

No water shall be supplied to any customer except through a water meter of a style, pattern and quality approved by the Town Manager. ('81 Code, §16-32) Penalty, see §52.99

§ 52.31 LOCATION; EASEMENTS.

All meters shall be set at the curb or in the public right-of-way. In no instance shall the town water distribution system traverse private property without a duly executed and recorded easement approved by the Town Attorney and the Town Manager. ('81 Code, §16-33) Penalty, see §52.99

§ 52.99 PENALTY

- (A) Any violation of the provisions of this chapter, for which another penalty has not been provided, shall constitute a misdemeanor, punishable upon conviction by a fine not to exceed \$500 or imprisonment not exceeding 30 days as provided by G.S. §160A-175.

§ 70.02 OBEDIENCE TO POLICE.

No person shall willfully fail or refuse to comply with any lawful order, or direction, by a police officer.

('81 Code, § 9-25) Penalty, see § 70.99

§ 70.04 APPLICATION TO PUBLIC EMPLOYEES.

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, this state, county or town and it shall be unlawful for any said driver to violate any of the provisions of this chapter, except as otherwise permitted in this chapter, or by state statute.

('81 Code, § 9-27) Penalty, see § 70.99

§ 70.21 OBEDIENCE TO TRAFFIC-CONTROL DEVICES.

- (A) The driver of any vehicle shall obey the directions of any official traffic-control device applicable thereto and placed in accordance with a traffic ordinance of the town, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle.

('81 Code, § 9-51)

- (B) Whenever authorized signs are placed, erected or installed indicating that no right or left, or U-turn is permitted, no driver of a vehicle shall disobey the directions of any such sign, and when authorized markers, buttons or other indications are placed within an intersection indicating the course to be traveled by vehicles traversing, or turning thereat, no driver of a vehicle shall disobey the directions of such indications.

('81 Code, § 9-53)

(C) Whenever authorized signs or markings are placed, erected or installed indicating no-parking zones or safety zones, no driver of a vehicle shall disobey the regulations in connection therewith.

('81 Code, § 9-58) Penalty, see § 70.99

§ 71.01 BLOCKING INTERSECTIONS OR MARKED SIDEWALKS.

No driver shall enter an intersection or a marked sidewalk unless there is sufficient space on the other side of the crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic- control signal indicating to proceed.

('81 Code, § 9-119) Penalty, see § 70.99

§ 71.03 DRIVING THROUGH FUNERAL PROCESSIONS.

No vehicle shall be driven through a funeral procession, except Fire Department vehicles, police patrols and ambulances, when the same are responding to calls.

('81 Code, § 9-121) Penalty, see § 70.99

§ 71.04 BOARDING OR ALIGHTING FROM MOVING VEHICLES.

No person shall board or alight from any public conveyance or other vehicle while such conveyance or vehicle is in motion.

('81 Code, § 9-138) Penalty, see § 70.99

§ 71.05 RIDING ON PORTION OF VEHICLE NOT INTENDED FOR PASSENGERS.

No person shall ride on any public conveyance, or vehicle, or any portion thereof not designed, or intended, for the use of passengers. This provision shall not apply to any employee engaged in the necessary discharge of a duty, or to persons riding within truck bodies in spaces intended for merchandise, or to a person riding on a vehicle in a parade.

('81 Code, § 9-139) Penalty, see § 70.99

§ 71.06 ENTERING OR RIDING VEHICLE WITHOUT CONSENT OF OWNER OR DRIVER.

No person shall enter, jump on, or ride any automobile, or other vehicle, without the consent of the owner or driver.

('81 Code, § 9-140) Penalty, see § 70.99

§ 71.07 PASSENGERS TO REMAIN INSIDE VEHICLE.

No person, when riding, shall allow any part of his body to protrude beyond the limits of the vehicle in which he is riding, except to give such signals as are required by law, and no person shall hang on to any vehicle whatsoever.

('81 Code, § 9-141) Penalty, see § 70.99

§ 71.20 TURNING VEHICLES IN STREETS TO PROCEED IN OPPOSITE DIRECTION.

No driver shall turn any vehicle so as to proceed in the opposite direction in any street or portion of street in the business district except at the space provided for "Turnaround" on the west side of South Trade Street immediately north of its intersection with the tracks of the Southern Railway.

('81 Code, § 9-124) Penalty, see § 70.99

§ 71.21 LIMITATIONS ON 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 movement can be made in safety, and he shall have given ample warning to those who may be behind, by hand and horn or other signal.

('81 Code, § 9-125) Penalty, see § 70.99

§ 71.22 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 areas extending across any alleyway, and upon entering the roadway he shall yield the right-of-way to all vehicles approaching on said roadway.

('81 Code, § 9-126) Penalty, see § 70.99

§ 71.30 RESTRICTION ON SPEED.

A vehicle may not be operated at a speed in excess of the following:

- (A) Those speed limits established as set forth by the city in Chapter 74, Schedule II, or established by any other traffic-control sign posted by the town; or
- (B) Those speed limits established and enforced by the state under G.S. § 20-141(b).
- (C) Provided, further, that at no time shall the speed be greater than is reasonable or prudent under the conditions then existing.

Penalty, see § 70.99

§ 72.16 TOWN HALL PARKING LOT

It shall be unlawful for any vehicle to use the parking lot at Town Hall as a drive thru or shortcut.

(Ord. 1994-13, passed 10-17-94) Penalty, see *70.99

§ 72.12 MOVING CARS FROM PARKED POSITIONS.

Cars parked shall move out in the direction headed, or ff 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 then proceed in the direction they are most nearly headed in.

('81 Code, § 9-133)

§ 73.01 ATTACHING BICYCLES OR TOY VEHICLES TO MOVING VEHICLES PROHIBITED.

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.

('81 Code, § 9-128) Penalty, see § 70.99

§ 73.02 CERTAIN OPERATION OF BICYCLES OR MOTORCYCLES PROHIBITED.

(A) The operator of a motorcycle, or bicycle, when upon a street, shall not carry any person upon the handlebars, frame, or tank of any such vehicle, nor shall any person so ride upon any such vehicle. ('81 Code, § 9-129)

(B) No person shall ride a bicycle or motorcycle on any street without having his hands upon the handlebars, nor shall any person ride a bicycle upon any sidewalk or walkway within the town except upon streets set aside as play streets.

('81 Code, § 9-130) Penalty, see § 70.99

§ 73.03 USE OF COASTER, ROLLER SKATES AND SIMILAR DEVICES

RESTRICTED.

No person upon roller skates, or riding in, or by means of any coaster, skateboard, toy vehicle, or similar devices, shall go upon any roadway, sidewalk or public area, except upon any vehicular area or streets set aside as play streets.

('81 Code, § 9-131) (Ord. 1989-15, passed 9-11-89) Penalty, see §70.99

SCHEDULE I. STOP INTERSECTIONS.

A full stop is required before entering the intersections set forth below:

(A) Any street at intersection with a U.S. or state highway.

(B) Any street where a proper stop sign has been erected.

(C) Chestnut Street at the intersection with Pacolet Street.

(D) Howard Street, westbound traffic at the intersection with Grady Avenue.

(E) New Market Road at the intersection with Trade Street.

(F) Maple Street at the intersection with Howard Street.

(G) Maple Street at the intersection with Palmer Street.

(H) McCown Street at the intersection with Pacolet Street.

(I) McCown Street at the intersection with Trade Street.

(J) Melrose Avenue at the intersection with Chestnut Street.

('81 Code, § 9-56) Penalty, see § 70.99

SCHEDULE II. SPEED LIMITS.

(A) Pursuant to the authority of G.S. § 20-141(f), it shall be unlawful to operate a vehicle in excess of 20 miles per hour on the following streets and highways:

<i>Street</i>	<i>Location</i>	<i>Ord. No.</i>	<i>Date Passed</i>
North Trade Street (US 176)	From Howard Street to Pacolet Street (SR 1116)		11-9-64
South Trade Street (US 176)	From Pacolet Street (SR 1116) to McCown Street		11-9-64
First Street, Broadway Avenue, Whitney Avenue, Second Street		1995-6B	
Jackson Street (SR 1508)	From eastern corporate limits to Markham Road	1999-__	8-21-00
Markham Road (SR 1508)	From Jackson Street to the northern limits (approximately .35 miles north from Jackson Street)	1999-__	8-21-00

Penalty, see 70.99.

(B) Pursuant to the authority of G.S. § 20-141(f), it shall be unlawful to operate a vehicle in excess of 25 miles per hour on the following streets and highways:

<i>Street</i>	<i>Location</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Braewick Road (SR 1116)	From Melrose Avenue (SR 1116) to Carolina Drive (SR 1116)		11-9-64
Carolina Drive (SR 1116)	From Braewick Road (SR 1116) to the southern corporate limit (approximately 0.2 mile south of Hillswick Road (SR 1118))		11-9-64
Chestnut Street (SR 1116)	From Pacolet Street (SR 1116) to Melrose Avenue (SR 1116)		11-9-64
Cleveland Road	From East Howard Street to Markham Road		11-15-99
Melrose Avenue (SR 1116)	From Chestnut Street (SR 1116) to Braewick Road (SR 1116)		11-9-64
Pacolet Street (SR 1116)	From Trade Street to Chestnut Street (SR 1116)		11-9-64
All Streets Unless Otherwise Posted	Inside Town Limits	2000-__	4-24-00

Penalty, see 70.99

(C) Pursuant to the authority of G.S. § 20-141(f), it shall be unlawful to operate a vehicle in excess of 35 miles per hour on the following streets and highways:

<i>Street</i>	<i>Location</i>	<i>Ord. No.</i>	<i>Date Passed</i>
New Market Road (SR 1502)	From Vaughn Street (SR 1504) to the eastern corporate limit (approximately 0.3 mile east of Vaughn St.)		11-9-64
Lynn Road (NC 108)	From North Trade Street (US 176) to Scriven Road (SR 1505)		11-9-64
Scriven Road (SR 1505)			11-9-64
Scriven Road (SR 1506)	From McDonald Street to Bacon Street		11-9-64
North Trade Street (US 176)	From Howard Street to the northern corporate limit		11-9-64
South Trade Street (US 176)	From McCown Street to the southern corporate limit (approximately 0.15 mile south of Jervey Road)		11-9-64
All Streets Posted With 35 mph Signs	Inside Town Limits	2000-__	4-24-00

('81 Code, § 9-135) Penalty, see § 70.99

SCHEDULE III. PROHIBITED TURNS.

(A) Left turns are prohibited at the intersection of Trade Street at Pacolet Street. ('81 Code, § 9-54)

(B) No complete U-turns shall be made at the following intersections:

(1) Between intersections on any street in the business zone, except at designated turnarounds.

(2) Maple Street and Trade Street.

(3) Pacolet Street and Oak Street with Trade Street.

(4) Palmer Street and Trade Street.

('81 Code, § 9-55) Penalty, see § 70.99

§ 90.03 ABANDONED VEHICLE 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 a vehicle to be abandoned as the term is defined herein.

(B) Upon investigation, proper authorizing officials of the town may determine that a vehicle is an abandoned vehicle and order the vehicle removed. (Ord 1991-2, passed 12-16-91) Penalty, see § 10.99

§ 90.04 NUISANCE VEHICLE 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 Town Building Inspector may determine and declare that a vehicle is a health or safety hazard and a nuisance vehicle as defined above, or order the vehicle removed. (Ord 1991-2, passed 12-16-91) Penalty, see § 10.99

§ 90.15 UNLAWFUL REMOVAL OF IMPOUNDED VEHICLE.

It shall be unlawful for any person to remove or attempt to remove from any storage facility designated by the town any vehicle which has been impounded pursuant to the provisions of this chapter unless and until all towing and impoundment fees which are due, or bond in lieu of such fees, have been paid. (Ord 1991-2, passed 12-16-91) Penalty, see § 10.99

§ 93.02 URINATING, DEPOSITING HUMAN WASTE.

No person shall urinate or deposit any human waste of any kind on any street, lot or premises except in approved sanitary facilities.

('81 Code, § 7-7) Penalty, see § 93.99

§ 93.03 ACCUMULATION OF STAGNANT WATER.

No owner or occupant of any property shall allow stagnant water to accumulate or remain in cellars or anywhere on their premises.

('81 Code, § 7-8) Penalty, see § 93.99

§ 93.04 ABANDONED ICEBOXES.

It shall be unlawful to abandon or leave unattended any icebox, chest or other closeable container which cannot be opened from within, unless the door or closing device has been demolished, destroyed or made inoperative.

('81 Code, § 8-12) Penalty, see § 93.99

§ 93.05 POISONS, HARSH CHEMICALS AND OTHER HARMFUL MATERIALS.

It shall be unlawful to expose in any accessible place or abandon or leave unattended any poison, corrosive material, violent biological substance or radioactive material unless the same has been rendered harmless.

('81 Code, § 8-13) Penalty, see § 93.99

§ 93.12 HINDERING HEALTH OFFICER.

It shall be unlawful for any person to hinder, obstruct or delay the Health Officer or any of his assistants in the lawful discharge of their duties.

('81 Code, § 7-4) Penalty, see § 93.99

§ 93.99 PENALTY.

Any person, firm, or corporation who violates any provision of this chapter for which another penalty is not specifically provided shall, upon conviction, be subject to a fine not exceeding \$50 or by imprisonment for a term not exceeding 30 days. A separate offense shall be deemed committed upon each day during which a violation occurs or continues. ('81 Code, § 1-7)

§ 95.01 WOODLAND PARK USE REGULATIONS.

The following regulations are hereby imposed upon the ten-acre tract of property owned by the town and commonly referred to as Woodland Park:

- (A) The park and grounds shall close at dark.
- (B) No loitering shall be permitted upon the park and grounds.
- (C) The possession or consumption of alcoholic beverages shall be prohibited.
- (D) No motorized vehicles or bicycles shall be permitted upon the park and grounds.
- (E) Open fires, burning and camping shall be prohibited upon the park and grounds. (Ord. passed 8-11-80) Penalty, see § 10.99

§ 96.01 NAMING, CHANGING NAME OF STREETS.

It shall be unlawful for any person to change the name of any street in the town without the permission of the Board of Commissioners. It also shall be unlawful for any person to give any name to any new street that already has been given to any other street in the town and the naming of all streets in the town hereinafter laid out or established by any firm or corporation must first be approved by the Board

before the names of said streets are placed thereon. ('81 Code, § 14-1) (Ord. passed 9-12-60) Penalty, see § 10.99

§ 96.02 USE OF SIDEWALKS TO DISPLAY WARES.

No person shall place for display or sale any goods, wares or merchandise of any kind upon any of the sidewalks of the town. ('81 Code, § 10-10) Penalty, see § 10.99

§ 96.03 THROWING OR BURNING TRASH ON SIDEWALK PROHIBITED.

No paper, straw, lemon peel, banana peel, watermelon rind or any trash of any kind shall be thrown or swept upon any sidewalk or street of the town, nor shall any trash, refuse or rubbish be burned thereon. ('81 Code, § 14-5) Penalty, see § 10.99

§ 96.04 OVERHEAD, COVERED PASSAGEWAY REQUIRED AT BUILDING SITE.

Before building or remodeling at any place where the same is in close proximity to the sidewalk, an overhead covered passageway shall be constructed so as to leave the sidewalk unobstructed and provide safe and easy passage. ('81 Code, § 14-9) Penalty, see § 10.99

§ 96.05 STRUCTURES AND APPURTENANCES OVER SIDEWALKS.

No person shall erect over any sidewalk or street any part of a building except marquees and signs which are approved by the Town Manager. Awnings may be attached to buildings, provided they are supported upon metallic frames and are at least seven feet above the level of the sidewalk. All signs and other advertising matter shall be properly supported and the bottom of such signs shall be not less than ten feet above the street, sidewalk or other public way. Any drainage from a marquee, awning or any other superstructure shall be carried off under the sidewalk to the storm gutter in a manner approved by the Town Manager. ('81 Code, § 14-10) Penalty, see § 10.99

§ 96.07 DAMAGE TO LIGHTS, SIGNS.

No person shall injure, tamper with, remove or paint upon or deface any sign, signpost, street light, traffic signal or bulletin board or other municipal property upon the streets and sidewalks except employees of the town in performance of their duties. ('81 Code, §14-17) Penalty, see § 10.99

§ 96.08 DAMAGING SHRUBBERY.

It shall be unlawful for any person to cut, dig up, disfigure or mar any tree or shrubbery upon the streets, parks and parkways of the town without first obtaining from the Town Manager a permit to do so. Upon the issuance of a permit, any cutting shall be under the direction of the Town Manager or such town employee as he may designate. ('81 Code, § 14-18) Penalty, see § 10.99

§ 96.20 TRAINS NOT TO BLOCK STREETS.

It shall be unlawful for any person to stop, or cause to be stopped, any railroad train within the corporate limits of the town in such a position as to simultaneously close any two adjacent street crossings for a period of more than five minutes. ('81 Code, § 9-2) Penalty, see § 10.99

§ 96.21 REMOVAL OF SNOW AND ICE.

Every occupant of a store building in front of which the sidewalk is paved with stone, brick, asphalt or cement shall remove snow, ice or other obstructions from the sidewalk at the earliest possible time and as soon as the weather permits. ('81 Code, § 14-6) Penalty, see § 10.99

§ 96.22 PROPERTY OWNER TO KEEP SIDEWALKS CLEAR.

Every person having a graded driveway or lot in the town which drains upon the sidewalk or street of the town and from which gravel, dirt, trash or rubbish washes upon the street or sidewalk shall clean the adjoining sidewalk and remove the gravel, dirt, trash or rubbish therefrom as often as may be necessary to keep the sidewalk or street clean and free thereof. ('81 Code, § 14-7) Penalty, see § 10.99

§ 96.23 PLACING OBJECTS ON STREETS AND SIDEWALKS.

No brick, stone or wood or other substance obstructing the free passage of persons and vehicles shall be placed or suffered to lie in any of the alleyways, streets or other routes of the town, nor shall any person place on or in any of the streets, sidewalks or alleyways of the town any boxes, crates, casks, barrels of any description or any other obstruction of any kind. Provided that any person erecting a building may, with permission, place building material for immediate use on the streets in such a way as to not interfere with the usual traffic. Provided further that garbage and other trash which the town's Sanitary Department normally collects may be put in suitable containers and placed on the sidewalk a reasonable time prior to the normal scheduled garbage collection. ('81 Code, § 14-8) Penalty, see § 10.99

§ 96.30 STREETS NOT TO BE DAMAGED.

It shall be unlawful for any person to drag or run or cause to be dragged or run any harrow, tractor with cleats or lugs, or other implement, engine, machine or tool upon any asphalt, bithulithic, warrenite or other permanently paved street of the town which shall be liable, in any way, to injure or cut the surface thereof. It also shall be unlawful to injure any unpaved street in the same manner. ('81 Code, § 14-14) Penalty, see § 10.99

§ 96.31 VEHICLES ON SIDEWALKS.

It shall be unlawful to drive or park any motor vehicle, wagon, trailer or other wheeled equipment that shall weigh more than 1,000 pounds per axle on or over any sidewalk or curb in the town except over or on driveways provided across said sidewalks and curbs. ('81 Code, § 14-15) Penalty, see § 10.99

§ 96.32 DAMAGE TO BRIDGES, CULVERTS.

No person shall injure or misplace any part of any bridge, culvert, ditch and drain, or other property belonging to or used by the town, nor place any obstruction on any culvert, ditch or drain. ('81 Code, § 14-16) Penalty, see § 10.99

§ 96.33 DAMAGING SIDEWALKS.

(A) It shall be unlawful for any person to break up, destroy or otherwise damage any sidewalk within the corporate limits of the town without first obtaining from the Town Manager a permit to do so.

(B) Any person who violates the terms of division (A) shall be liable for the repair of the sidewalk and upon notice from an officer of the town shall forthwith repair the same at his own expense, and upon failure to so repair the sidewalk, after notice, each day the same is permitted to remain unrepaired shall constitute a separate offense or violation of this section.

(C) If the owner of the property adjoining any sidewalk shall permit the sidewalk to be broken or destroyed and shall fail to repair the same after five days' notice by the Town Manager, the same may be repaired by the town and shall be a charge against the property of the adjoining landowner and shall become a lien against said property from the date of the repair and such amount as is paid out by the town for the repair of the same shall be chargeable from the date of repair at the rate of 6% per annum. ('81 Code, § 14-19) Penalty, see § 10.99

§ 96.34 PERMIT REQUIRED FOR CONSTRUCTION, REPAIR, DESTRUCTION.

It shall be unlawful for any person to make any excavation for, or to lay or construct any paving or curbing on any street, sidewalk, alley or driveway laid out and established for the use of the public generally in the corporate limits of the town and under control of the town, or to tear up, change, repair, reconstruct or to interfere in any way therewith, or to cut or change any curbing thereon, where the same has heretofore been constructed, without first having made application, paid the fee and obtained a permit therefor, and executed the bonds required by this chapter. ('81 Code, § 14-20) Penalty, see § 10.99

§ 96.35 APPLICATION FOR PERMIT.

The owner of any lot adjoining or abutting upon any street, sidewalk, alley or driveway proposing to, in any way, excavate, lay, make, construct, alter, change, tear up, cut, reconstruct or in any manner interfere with any curbing, paving or hard surface treatment thereon, and any contractor, person, firm or corporation proposing or intending to do so for such lot owner, or for any other person, shall first make to the Town Manager a written application therefor, stating the nature, extent and location of the same and shall not begin, do or perform said acts on any of them until the fees required by this chapter shall have been paid and bonds given and approved and a permit has been issued therefor by the Town Manager. Only one permit is necessary and required for any one project; but any, each and every person, firm or corporation performing or allowing any of the said things without first obtaining or there having been obtained a permit shall be guilty of a violation of this subchapter. ('81 Code, § 14-21) Penalty, see §10.99

§ 96.36 BOND REQUIRED BEFORE WORK STARTED.

Where a bond is required, no work shall be done in or on any established street, sidewalk, alley or driveway, nor shall any permit be issued until a damage indemnity bond in an amount and in a form satisfactory to and approved by the Town Manager and fled with him and with such surety to be approved by him to indemnify and hold the town harmless from any damage to any person or property by reason of or growing out of such work or in connection therewith and also until another separate

construction performance bond be so executed and approved to hold the town harmless from any cost or expense incurred in restoring, putting down or completing such work in accordance herewith and the terms thereof. ('81 Code, § 14-22) Penalty, see § 10.99

§ 96.41 PERMIT TO CUT STREETS OR SIDEWALKS.

It shall be unlawful for any person to make any cut or excavation through the paved portion of any street or sidewalk in the town without first obtaining permission to do so on forms to be provided by the town. Provided that before any such permit is issued there shall be executed to the town, on a form approved by the town, a bond in a sum sufficient to insure that said streets or sidewalks will be replaced in a good and workmanlike manner. Said bond shall run for a period of not less than 12 months, so that if the place where said excavation or cut is made shall give trouble within said period of 12 months, then and in such event, the town will be protected against loss or damage by reason of repair to such cut or excavation. ('81 Code, § 14-12) Penalty, see §10.99

§ 96.42 EXCAVATIONS TO BE COVERED, LIGHTED.

It shall be unlawful for any person making any excavations for any purpose whatsoever in any of the streets or sidewalks to fail to securely cover such excavations with planks or place ropes around the same three feet from the ground, or to fail to place a sufficient number of lights around such excavation before dark and to keep such lights burning all night every night such excavation shall be open. ('81 Code, § 14-13) Penalty, see § 10.99

§ 97.04 TIME LIMITS.

It is unlawful for any minor to be or remain upon any public place as defined in this chapter in the town between midnight Friday and 5:00 a.m. on Saturday, or between midnight Saturday and 5:00 a.m. on Sunday, or between the hours of 11:00 p.m. and 5:00 a.m. of the following morning on Sunday, Monday, Tuesday, Wednesday, or Thursday.

(Ord. 1992-4, passed 6-15-92) Penalty, see § 97.99

§ 96.50 HOUSE NUMBERS TO BE DISPLAYED.

(A) It shall be the duty of the owner of each house or building in the town to display properly on the front thereof in a position easily observed, the proper number of his house or building, for the ascertainment of which he shall apply to the Town Manager.

(B) Upon notice by the Town Manager to any owner or occupant of any house or building, it shall be the duty of such owner or occupant, within ten days after such notice shall have been given assigning to such house or building a number or numbers, to cause said house or building to be numbered as required at the expense of such owner or occupant. ('81 Code, § 14-2) (Ord. passed 9-12-60) Penalty, see § 10.99

§ 96.51 FALSIFYING, OBLITERATING HOUSE NUMBERS.

(A) It shall be unlawful for the owner or occupant of any house or building in the town to which a street number has been assigned and affixed to attach or paint on such house or building any figure tending or

purporting to indicate a street number other than the number so indicated to be the number assigned to such house or building as herein provided.

(B) It shall be unlawful for any person to remove, obliterate or destroy any such house or building number attached to or painted on such house or building, as required to be displayed by the provisions hereof. ('81 Code, § 14-3) (Ord. passed 9-12-60) Penalty, see § 10.99

§ 96.64 PUBLIC ASSEMBLY, PARADE AND PICKETING REGULATIONS.

(A) It shall be unlawful to unreasonably hamper, obstruct, impede, or interfere with a public assembly, parade, or picketing or with any person, vehicle, or animal participating or used in the public assembly, parade or picketing. Spectators of public assemblies, parades and picketing shall not physically interfere with individuals engaged in such activities. Spectators and persons attending or participating in a public assembly, parade or picketing shall not speak fighting words or threats that would tend to provoke a reasonable person to a breach of the peace.

(B) It shall be unlawful for the operator of a motor vehicle to drive between vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade.

(C) Spectators and persons attending or participating in a public assembly, parade or picketing shall be subject to all applicable local, state and federal laws.

(D) Nothing in this chapter prohibits a law enforcement officer from issuing a command to disperse in accordance with North Carolina General Statutes § 14-288.5 in the event of a riot or disorderly conduct by an assemblage of three or more persons.

(E) It shall be unlawful for any person to violate any provision of this chapter or to violate any term or condition of a permit issued pursuant to this chapter.

§ 97.06 RESPONSIBILITY OF ADULTS.

It is unlawful for any parent, guardian, or other person charged with the care and custody of any minor to allow or permit such minor to be in or upon, or remain in or upon a public place within the town within the curfew hours set by § 97.04, except as otherwise provided in § 97.05.

(Ord. 1992-4, passed 6-15-92) Penalty, see § 97.99

§ 97.07 RESPONSIBILITY OF BUSINESS ESTABLISHMENTS.

It is unlawful for any person, firm, or corporation operating a place of business or amusement to allow or permit any minor to be in or upon, or to remain in or upon, any place of business or amusement operated by them within the curfew hours set by § 97.04, except as otherwise provided in § 97.05.

(Ord. 1992-4, passed 6-15-92) Penalty, see § 97.99

§ 97.09 AIDING AND ABETTING BY ADULT GUARDIAN OR PARENT.

It shall be a violation of this chapter for an adult, guardian or parent to allow, permit, encourage, aid or abet a minor in the violation of § 97.04, except as otherwise provided in § 97.05.

(Ord. 1992-4, passed 6-15-92) Penalty, see § 97.99

§ 97.10 REFUSAL OF GUARDIAN OR PARENT TO TAKE CUSTODY OF A MINOR.

If any guardian or parent refuses to take custody of his/her minor child found in violation of this chapter, the officers with custody of said minor shall contact the Polk County Department of Social Services and release the minor to that agency for temporary placement in a foster home. The adult will be subject to a criminal citation pursuant to § 97.99.

§ 97.99 PENALTY.

Anyone who violates any provision of this chapter shall be subject to a fine of \$50 and/or imprisonment up to 30 days.

(Ord. 1992-4, passed 6-15-92)

§ 111.03 CONSUMPTION OF ALCOHOLIC BEVERAGES ON TOWN PROPERTY AND PUBLIC VEHICULAR AREAS. (a) It shall be unlawful for any person to consume any alcoholic beverage as defined by G.S. 18B-101 on any property owned or controlled by the Town of Tryon or upon any public vehicular area, provided that this section shall not apply to:

1. The premises of those establishments that have an "on premises" ABC permit as prescribed under G.S. 18B-1001;
2. The consumption of malt beverages or unfortified wine on the sidewalks on the north side of Trade St. between Palmer St. and New Market Rd., and at the Towncontrolled plaza area at the northwest corner of N. Trade St. and Maple St., between the hours of 12:00 P.M. (noon) and 11:00 P.M., subject to and in accordance with all provisions contained in Chapter 18B of the North Carolina General Statutes and any and all regulations which have been or may promulgated thereunder;
3. The consumption of malt beverages or unfortified wine in Rogers Park and on the sidewalk of W. Howard St. abutting Rogers Park during i) Town-sponsored events and ii) Town-approved events for which an alcohol permit has been issued by the Town, subject to and in accordance with all provisions contained in Chapter 18B of the North Carolina General Statutes and any and all regulations which have been or may promulgated thereunder;
4. At such places and times as the Town's Board of Commissioners may authorize by separate resolution, subject to and in accordance with all provisions contained in Chapter 18B of the North Carolina General Statutes and any and all regulations which have been or may promulgated thereunder.

§ 112.01 TRAVELING SHOWS.

It shall be unlawful for any traveling theatrical company, vaudeville or moving picture show, exhibiting under canvas or in tents, circuses, menageries, wild west, dog and pony shows, carnival companies or combination of shows or other exhibition under canvas or tent for amusement, charging admission fees, to perform or exhibit without a license and permit from the Town Manager. ('81 Code, § 10-21) Penalty, see § 10.99

POOLROOMS

§ 112.10 CLOSING TIME.

All poolrooms within the town shall close at 12:00 a.m. (midnight) and the premises shall be vacated promptly. ('81 Code, § 10-43) Penalty, see § 10.99

§112.11 PREMISES TO BE OPEN TO PUBLIC VIEW.

Premises used for pool playing shall be open to public view from the street. All pool tables in poolrooms within the town shall be kept in open view of the street and no tables or other games shall be kept in a room which is not open to view from the street. ('81 Code, § 10-44) Penalty, see § 10.99

§ 112.12 DISORDERLY CONDUCT PROHIBITED.

It shall be unlawful for any person to act in a disorderly manner, as defined by G.S. § 14288.4(a), in any poolroom in the town. ('81 Code, § 10-46) Penalty, see §10.99

§ 112.13 SLOT MACHINES, GAMBLING DEVICES PROHIBITED.

It shall be unlawful to operate any other games, slot machines or gambling devices in a poolroom or any room adjacent thereto and a part of said place of business within the town. ('81 Code, § 10-47) Penalty, see § 10.99

§ 112.14 INSPECTION OF PREMISES.

Any police officer of the town shall have the right to enter all poolrooms in the town at all times and inspect the same without interference on the part of the owners or operators of the same. ('81 Code, § 10-48) Penalty, see §10.99

§ 112.15 COMPLIANCE; EFFECT OF VIOLATION ON LEASE.

(A) It shall be unlawful for the owners or operators of a poolroom within the town limits to allow any person to violate this subchapter and the violation thereof shall be prima facie evidence of intent on the part of the owner or operator of said place of business to violate this subchapter.

(B) Any person or his agent, servant or employee owning or operating a poolroom within the town who shall violate this subchapter or any part thereof upon conviction, shall forfeit his license and right to operate a poolroom within the town. ('81 Code, § 10-49) Penalty, see §10.99

§ 113.99 PENALTY.

Conducting business within this town without having paid the privilege license tax imposed by this chapter or without posting a license pursuant to §113.44 of this chapter is a misdemeanor, punishable as provided in G.S. §105-109. Each day that a person conducts business in violation of this chapter is a

separate offense. Payment of a fine imposed in criminal proceedings pursuant to this section does not relieve a person of his liability for taxes imposed under this chapter. (Ord. 1989-5, passed 6-12-89)

§ 114.10 REQUIRED FOR OPERATION.

It shall be unlawful for any person to operate a taxicab upon and over the streets of the town without having first applied for and secured from the Board of Commissioners a Certificate of Convenience and Necessity as hereinafter set forth. ('81 Code, §15-2) Penalty, see §10.99

§ 130.01 LOITERING PROHIBITED.

(A) It shall be unlawful for any person to stand or congregate with other persons on any street or sidewalk within the town limits in such a way as to obstruct traffic. ('81 Code, § 8-2) (Motion of 1-10-66) Penalty, see § 10.99

(B) Due to excessive calls to this particular area regarding vandalism, noise, littering and illegal drug activity, it shall be unlawful for any person to loiter upon or within five feet of the concrete block wall between the fence on the Roseland Center property and Peake Street. For the purposes of this section, the expression "to loiter" shall be defined as: To be dilatory, to spend time idly, to stay or remain, to saunter, to delay, to stand around or, in informal parlance, "hang around."

(Ord. 1995-5, passed 7-17-95; Am. Ord. 2006-11, passed 2-21-06; Am. Ord. 2010-04, passed 0216-10)

§ 130.02 ALCOHOLIC BEVERAGES PROHIBITED ON CITY PROPERTY AND PUBLIC VEHICULAR AREAS.

(A) It shall be unlawful for any person to consume any alcoholic beverage as defined by G.S. § 18B-101 on any property owned or controlled by the town or upon any public vehicular area; provided that this section shall not apply to the following: the premises of those establishments that have an "on premises" ABC permit as prescribed under G.S. § 18B-1001, or within the boundaries of Harmon Field during the designated dates and times of the Blue Ridge Barbecue – Craft & Music Festival. This section would not apply to the Harmon Field cabin. Alcoholic beverages would be allowed at the Harmon Field cabin upon approval by both the Town and the Harmon Field Board of Supervisors.

(B) Such public vehicular area shall mean and include any drive, driveway, road, roadway, street, sidewalk, alley, parking area, or other space open for the purpose of vehicular or pedestrian traffic or operation upon the grounds; including the following:

(1) Any public or private hospital, college, school or church, or any institution maintained and supported by the state, Polk County, or the town;

(2) Any service station, car wash, supermarket, store, restaurant, amusement center, lounge, shopping center, establishment or groups of such establishments, providing parking space for customer, patrons, employees or the public. ('81 Code, § 8-3) (Ord. passed 7-9-73; Am. Ord. passed 06-23-94) (Ord. 1996-8, passed 9-16-96) Penalty, see § 10.99

§ 130.03 JUMPING ON TRAINS.

It shall be unlawful for any person to jump on or from any moving train within the corporate limits of the town. However, this section shall not apply to the employees of the railroad operating such trains,

employees of express companies, news agencies, nor to persons in the United States mail service. ('81 Code, § 8-4) Penalty, see § 10.99

§ 130.04 POSTING BILLS.

It shall be unlawful for any person or any agent thereof to affix in any manner any advertising device, sign, placard or other similar material to the poles of the power company and the telephone and telegraph company, or any other post, pole or tree in the public right-of-way. ('81 Code, § 8-7) Penalty, see § 10.99

§ 130.05 THROWING STONES OR OTHER MISSILES.

It shall be unlawful for any person to throw stones or other missiles, to use a slingshot, blowgun or bow and arrow, or shoot an airgun at any person, building, vehicle, animal or bird within the town; provided, however, that this section shall not apply to a participant in any game or sport conducted under recognized rules. ('81 Code, § 8-10) Penalty, see § 10.99

§ 130.06 SPOTLIGHTS PROHIBITED.

It shall be unlawful for any person to shine or direct any spotlight, flashlight or other light, focusing or reflecting device on another person or on any building or vehicle belonging to another person in the town; provided, however, this section shall not apply to any police officer or firefighter while performing official duties. ('81 Code, § 8-11) Penalty, see § 10.99

§ 130.07 DISCHARGING FIREARMS.

It shall be unlawful for any person to discharge a gun, pistol or other firearm within the town, except in case of necessary defense of person or property. This section shall not apply to police officers while performing official duties.

('81 Code, § 8-9) Penalty, see § 10.99

§ 130.08 PROHIBITION OF THE CARRYING AND DISPLAY OF HANDGUNS, FIREARMS AND OTHER WEAPONS AT CERTAIN PUBLIC LOCATIONS.

(A) Concealed Handguns.

(1) Possession Prohibited. No person shall carry a concealed handgun in town-owned buildings, on the appurtenant premises of those buildings, or in town "recreational facilities," as defined by G.S. 14-415.23(c), at Harmon Field and Ziglar Field. Notwithstanding the foregoing, nothing in this section shall prohibit a concealed handgun permittee from securing the handgun within an enclosed compartment of a locked motor vehicle.

(D) Violation. The carrying of concealed handguns or the possession or display of any firearm or other weapon as defined in this section, in or upon any of the locations specified by this section, shall constitute a misdemeanor and subject any violator(s) so convicted to such penalties as may be imposed by the court.

(Ord 1995-10, passed 09-25-95; Am. Ord. 2016-02, passed 03-15-16)

§ 130.09 AN ORDINANCE REGULATING SMOKING IN MUNICIPAL BUILDINGS AND VEHICLES

Section 1. Definitions.

(a) "Smoking" shall mean the inhaling, exhaling, burning or carrying of a lighted pipe, cigar, cigarette or other combustible tobacco product.

Section 2. Smoking Prohibited in Municipal Buildings. 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 Town of Tryon.

Section 3. Smoking prohibited in Municipal Vehicles. It shall be unlawful for any person to smoke in any vehicle now or hereafter owned or leased by the city.

Section 4. Penalty. Violation of this ordinance shall constitute a misdemeanor punishable in accordance with N.C.G.S. 14-4.

Zoning Ordinance

10.4 Violations; Remedies

Any of the following shall be a violation of this Ordinance and shall be subject to the enforcement remedies and penalties provided by this Article and by State law.

A. Development Without Permit

To engage in any development, use, construction, remodeling, or other activity of any nature upon land or improvements thereon subject to the jurisdiction of this Ordinance without all required permits, certificates, or other forms of authorization as set forth in this Ordinance.

B. Development Inconsistent With Permit

To engage in any development, use, construction, remodeling, or other activity of any nature in any way inconsistent with any approved plan, permit, certificate, or other form or authorization granted for such activity.

C. Violation by Act or Omission

To violate, by act or omission, any term, variance, modification, condition, or qualification placed by the Board of Commissioners or its agent boards upon any required permit, certificate, or other form of authorization for the use, development, or other activity upon land or improvements thereon.

D. Use in Violation

To erect, construct, reconstruct, alter, repair, convert, maintain, or use any building or structure or to use any land in violation or contravention of this Ordinance or any other regulation made under the authority conferred thereby.

E. Continue a Violation

Each day's continuation of any of the above violations is a separate and distinct offense.

Section 10.5 Penalties for Violation

A. Violations of this Ordinance shall constitute either a misdemeanor, with a fine not exceeding \$50.00 (fifty dollars) or imprisonment not exceeding thirty (30) days, or, at the election of the Town, shall subject the offender to a civil penalty upon the issuance of a citation for said violation as hereinafter provided. The civil penalty, if not paid to the Town within fifteen days of the issuance of a citation, may be recovered by the Town in a civil action in the nature of debt. Said civil penalties shall be in the amount of \$50.00 (fifty dollars) for each violation and each day any single violation continues shall be a separate violation.

Subdivision Ordinance

Section 5.8 Violations; Penalties and Remedies

A. After the effective date of this Ordinance, no Subdivision Plat of land within the Jurisdiction of this Ordinance shall be filed or recorded until it shall have been submitted to and approved by the appropriate approval authority.

B. The Review Officer shall not certify for recording a Plat of Subdivision of land subject to this Ordinance that has not been approved in accordance with this Ordinance nor shall the Clerk of Superior Court order or direct the recording of a plat if the recording would be in conflict with the provisions of this Ordinance.

C. After the effective date of this Ordinance, any person who, being the owner or agent of the owner of any land within the Jurisdiction of this Ordinance, thereafter subdivides his land in violation of this Ordinance or transfers or sells land by reference to, exhibition of, or any other use of a plat showing a Subdivision of the land before the plat has been properly approved under this Ordinance and recorded in the Office of the Register of Deeds shall subject the violators to the penalties and remedies in this Ordinance. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from such penalties and remedies.

D. Violations of this Ordinance shall constitute either a misdemeanor, with a fine not exceeding fifty (50) Dollars or imprisonment not exceeding thirty (30) days, or, at the election of the Town, shall subject the offender to a civil penalty upon the issuance of a citation for said violation as hereinafter provided. The civil penalty, if not paid to the Town within fifteen days of the issuance of a citation, may be recovered by the Town in a civil action in the nature of debt. Said civil penalties shall be in the amount of \$50.00 (fifty dollars) for each violation and each day any single violation continues shall be a separate violation.