

The complete Moore County Code of Ordinances can be found at https://www.moorecountync.gov/images/departments/board-of-commissioners/code_of_ordinances/Moore_County_NC_Republication_thru_supp5.pdf

The following is a list of applicable ordinances that create offenses punishable as misdemeanors under G.S. 14-4(a).

MOORE COUNTY CODE OF ORDINANCES

CHAPTER 1: GENERAL PROVISIONS

Sec. 1-11. General penalty; continuing violations.

Wherever in this Code or in any ordinance of the county any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful or an offense or a misdemeanor, where no specific penalty is provided, the violation of any such provision of this Code or any such ordinance shall be punished by a fine of not more than \$50.00 or by imprisonment for not more than 30 days for each separate violation. Each day any violation of this Code or any ordinance shall continue shall constitute a separate offense, unless otherwise specified.

State law references—Violations of county ordinances deemed misdemeanors punishable as prescribed above, G.S. 14-4. See also, G.S. 153A-123, prescribing alternate methods for enforcement of ordinances and authorizing the making of each day's continuing violation a separate offense; injunction, G.S. 1-485 et seq.

Sec. 1-12. Alternate remedies for enforcement.

In addition to the provisions of section 1-11, any provision of this Code or other ordinance of the county may be enforced by any one or more of the remedies authorized by G.S.153A-123 of the general statutes.

CHAPTER 3: AIRPORTS

Sec. 3-4 Fueling

- (a) No aircraft shall be fueled or drained while the aircraft engine is running or while the aircraft is in a hangar or an enclosed area
- (b) During all fuel operations the aircraft shall be grounded by an approved method.

- (c) Smoking or lighting of an open flame shall be prohibited within 50 feet of any fueling operation.
- (d) Fueling operations shall be conducted and fuel trucks shall be parked at least 50 feet from any hangar or building.
- (e) All fuel dispensing equipment shall be of a modern design and shall be kept in safe and nonleaking condition.
- (f) All aviation fuels will be dispensed on the airport property only by the FBO or by vendors holding a permit issued by the airport manager. No company or individual shall transport flammable liquids into any aircraft on any portion of the airport property. At no time will any individual or company refuel or permit refueling of an aircraft with automotive type fuel.

Sec. 3-5 Fire Regulations

- (a) Smoking or lighting of an open flame is prohibited at places with posted signs, within 50 feet of any aircraft and within 50 feet of hangars, fuel trucks, fuel loading stations, and tank farms.
- (b) No person shall start an open fire anywhere on the airport without permission of the airport manager.
- (c) No person shall store material or equipment, use inflammable liquids or gases, or allow their premises to become in such condition so as to violate, in any manner, the fire code in force in the area of the airport.
- (d) Tenants of all hangars and buildings shall provide suitable fire extinguishers and equipment, they shall be kept in good condition as recommended by the fire marshal and inspected at least every 12 months by trained personnel.
- (e) Tenants and persons are required to keep their premises clean and clear of all rubbish, junk, debris, old aircraft and vehicles, and any other unsightly objects. If after warning by the airport manager, the area is not cleaned; cleaning will be done by the airport manager and billed to the tenant or person.

Sec. 3-6 Weapons

No person, except law enforcement officers, duly authorized government agencies or members of the armed forces of the United States on official duty, shall carry weapons on the airport. Cased sporting guns carried for transshipment are exempted.

Sec. 3-7. Explosives.

No person shall store, keep, handle, use, dispense or transport at, in or upon the airport, any Class A or Class B explosives (as defined in the Interstate Commerce

Commission Regulations for Transportation of Explosives and Other Dangerous Articles), or any dynamite, nitroglycerine, plastic explosives (C-4), black powder, fireworks, fire arms, ammunition, blasting caps or other easily flammable solids.

Sec. 3-8. Toxic and radioactive substances.

No person shall store, keep, handle, use, dispense or transport at, in or upon the airport any Class A poisons or toxic substances (as defined in the Interstate Commerce Commission Regulations for Transportation of Explosives and Other Dangerous Articles), or any other poisonous substances, liquid or gases, compressed gas, or any radioactive article, substance or material.

Sec. 3-9. Personal conduct.

(a) Loud, drunk or disorderly conduct is prohibited on airport premises and in any area of the airport leased to a tenant.

(b) The open display and use of alcoholic beverages is prohibited on airport premises and in any area of the airport leased to a tenant.

(c) Loitering on and interference with the operations of the airport and airport personnel are prohibited.

(d) Gambling is prohibited on airport premises and in any area of the airport leased to a tenant.

(e) Tenants and their employees shall conduct themselves with decorum and with deference to the public at all times. The airport is a public facility for the people of the county and the lease arrangement had by tenants does not give the tenant or its employees the right to act discourteously to the public or do any acts which would bring discredit to the county.

Sec. 3-10. Operation of aircraft while impaired; damaging aircraft or airport facilities; trespassing.

A person who commits any of the following acts commits a criminal offense:

(1) Operation of an aircraft, whether on the ground, on the water, or in the air while under the influence of any impairing substance; or after having consumed sufficient alcohol to have a blood alcohol concentration of 0.04 or more.

(2) Infliction of serious bodily injury by operating an aircraft while impaired.

(3) Without permission of the owner, tampering with or damaging any airplane or other aircraft, or any personal property under the control of or being used by any public or private airport or aircraft landing facility.

(4) Without permission, entering enclosed or posted airport property that is under the control of or is being used by any public or private airport or aircraft landing facility.

(c) *Penalties.* Penalties for violation of this section are as follows:

(1) An individual operating an aircraft is presumed impaired if he has a blood alcohol concentration of 0.04 or more. The first conviction constitutes a misdemeanor punishable as provided in section 1-11 of this Code.

(2) Any person who, without permission of the owner, tampers with or damages any airplane or other aircraft is subject to punishment as provided in section 1-11 of this Code.

(3) Any person who enters onto enclosed or posted aircraft property without permission is subject to punishment as provided in section 1-11 of this Code.

Sec. 3-31. Operation, parking restricted to certain areas.

(a) Unless authorized by the airport manager, no highway or automotive vehicle shall be operate on the airport except on roadways, parking areas, and other areas that are specifically designated for such vehicles. Such vehicles shall be parked in the manner prescribed by the airport manager while on the airport and as indicated by posted signs.

(b) Fixed base operator or commercial enterprise customers shall park in areas designated by the airport manager.

(c) The area marked "Loading Zone" is designated a temporary parking zone with a one-half-hour time limit.

Sec. 3-32. Driving between aircraft and loading gate or fence.

When aircraft are parked on the ramp or apron for the purpose of loading or unloading, no vehicle shall be driven between the aircraft and the loading gate or fence.

Sec. 3-33. Required markings.

All vehicles operating within the landing area shall be painted a bright yellow or international orange, or display an international orange and white checkered flag of not less than three feet square, with one-foot squares. Flags may be obtained from the FBO for those vehicles operating within the landing area on an infrequent basis.

Sec. 3-34. Accidents to be reported.

Every accident involving injury or property damage shall be reported to the airport manager immediately, or within 12 hours of such accident.

Sec. 3-35. Safe operation required; insurance.

No vehicle shall be operated on the airport in a careless or negligent manner, or in disregard for the safety of others, or in excess of posted speed traffic signs. Any person operating a vehicle on the airport must carry liability insurance on such vehicle of at least \$1,000,000.00.

Sec. 3-57. Taxing, parking between gasoline pumps and flight operations area.

Aircraft shall not be parked or taxied between the gasoline pumps and the flight operations area.

Sec. 3-58. Starting, running up engines.

Aircraft engines shall be started and run up only in the places designated for such purposes. At no time shall engines be run up when hangars, shops, airplanes, or any buildings or persons are in the path of the propeller stream or jet exhaust. Testing of engines, other than prior to take off, shall not be accomplished on Whispering Pines end of the airport.

Sec. 3-59. Parking and storage areas.

No aircraft shall be parked, stored, or repaired at the airport except in the areas designated for such use.

Sec. 3-61. Accident reports.

The pilot of an aircraft involved in an accident on the airport, causing personal injury or property damage, shall report the accident to the airport manager immediately. In the event that he is unable to do so, the FBO shall make such report. An accident occurring near the airport should be reported by the pilot if able to do so, or by anyone having knowledge thereof, to the sheriff's department and/or to the civilian authorities having jurisdiction over the area.

Sec. 3-63. Taxiing restricted.

(a) No person shall taxi an aircraft until he has ascertained, by visual inspection of the area, that there will be no danger of collision with any person or object in the immediate area.

(b) Aircraft shall be taxied at a safe and reasonable speed with due respect for other aircraft, persons and property.

Sec. 3-64. Take-offs and landings—Generally.

All take-offs and landings shall be confined to the runways and all movement of aircraft shall be limited to the hard surface areas. This restriction does not apply to aircraft using Runways 14—32 or while taxiing to and from those runways.

Sec. 3-67. Noise abatement.

Noise abatement procedures will be followed by all multi-engine aircraft operating from the airport. Upon takeoff from Runway 5 or 23, multi-engine aircraft will maintain takeoff headings until reaching 1,500 feet above mean sea level (MSL), at which time turns may be made to departure or assigned headings. An aircraft, failing to meet the noise standards of the Federal Air Regulations (FAR) Part 36, shall not take off or land between 10:00 p.m. and dawn, except that nothing herein shall be construed to prevent an emergency landing.

Sec. 3-70. Trespassing.

No persons except airmen, duly authorized personnel, passengers going to and from aircraft, or persons being personally conducted by airport attendants shall be permitted to enter the landing area proper, taxi space, or aprons. However, this does not give any person so excepted the privilege of unrestricted use of the airport. These privileges are confined to the necessary use of these spaces in connection with the flights, inspections and routine duties.

Sec. 3-88. Safety restrictions.

(e) An ultralight operator involved in an accident on the airport shall report such accident immediately, if able to do so, to the airport manager. Ultralight aircraft accidents occurring within two miles of the airport shall be reported in writing to the AOPA Air Safety Foundation within 24 hours of the occurrence. Reportable accidents are those involving serious injuries, fatalities, or substantial damage. In addition to the written report, such accidents shall be reported to the airport manager as soon as possible.

CHAPTER 4 ANIMAL CONTROL

Sec. 4-3. Cruelty to animals.

A. It shall be unlawful for any person molest, torture, torment, deprive of necessary sustenance, cruelly beat in any manner, mutilate, kill, wound, maim, disfigure, injure, poison, burn or scald with any substance, drown, abandon or subject to conditions detrimental to its health or general welfare, any animal, or to cause or procure such action.

B. It shall be unlawful for any person to in any manner tease, annoy, disturb, molest, or irritate an animal that is confined to the owner's premises.

C. It shall be unlawful for any owner or keeper to fail to provide his animal, or an animal entrusted to his care, with proper shelter and protection from the weather, sufficient and wholesome food and water to keep said animals in good health and comfort, with the opportunity for vigorous daily exercise, humane care, veterinary treatment and care when needed to prevent the spread of infectious diseases, injury or suffering.

D. Owners shall provide Proper food, drink, shade, shelter and care.

E. It shall be unlawful for any person to tether, chain or fasten any animal in such a manner as to permit it to be upon any public sidewalk or street, or to leave it unattended while tethered, chained or fastened on public property. It shall be unlawful to tether, chain or fasten an animal in such a manner as to cause it injury or pain, or not permit it to reach shelter, food and water.

F. Declawed cats (cats with front and/or hind claws removed) shall not be permitted as outdoor pets and shall be kept strictly indoors.

I. When an animal is transported in a motor vehicle, the owner or driver is responsible for maintaining control of the animal in a safe manner at all times during transport, which shall include having the animal under the owner's or driver's restraint when released from the vehicle in a public place, with the exception of law enforcement dogs or hunting dogs being released on Public Game Lands.

J. It shall be unlawful for any person to place, or confine or allow such animal to be confined in such a manner that it must remain in a motor vehicle or trailer under such conditions or for such periods of time as may endanger the health or well-being of the animal due to heat, lack of food or water, or any circumstance that might cause suffering, disability or death.

K. An animal found confined in a motor vehicle in a public place under weather conditions that endanger its life, as determined by the sheriff, an animal control officer, an animal cruelty officer or law enforcement officer, is a violation of this section. Any law enforcement or animal control officer is hereby authorized to enter such vehicle and rescue such animal and impound it in accordance with section 4-61. A prominent written notice shall be left on or in the vehicle advising that the animal has been removed under the authority of this section and impounded in accordance with section 4-61 at the animal shelter.

L. All persons who injure or kill a domesticated animal by running over, into, or otherwise coming in contact with such an animal with an automobile, motorcycle, bicycle or other vehicle shall notify the owner of the animal immediately. If the owner is not known, the person who injured or killed the animal shall immediately notify the sheriff.

M. It shall be unlawful for any person to tether any fowl. Fowl used in the training or demonstration of hunting dogs are exempt from this provision.

N. If any person, firm or corporation sells, or offers for sale, barter or gives away as premiums living baby chicks, ducklings, or other fowl or rabbits under eight weeks of age as pets or novelties, such person, firm or corporation shall be guilty of a Class 3 misdemeanor, pursuant to G.S. 14-363.1. However, this section shall not be construed to prohibit the sale of non-domesticated species of chicks, ducklings, or other fowl, or of other fowl from proper brooder facilities by hatcheries or stores engaged in the business of selling them for purposes other than for pets or novelties.

O. It shall be unlawful to color, dye, stain or otherwise change the natural color of baby chickens, other fowl or rabbits.

P. Trapping:

1. It shall be unlawful to set traps such as leg hold, soft leg hold, offset leg hold, Conibear, and spring wire traps within a residential community or within 1,000 feet of a rural residence where domestic animals might run loose, without the permission of the property owner. The owner of such trap shall have his name and contact information permanently affixed to the trap.

2. It shall be unlawful for any person to willfully set a trap for the sole purpose of trapping domestic animals (dogs, cats, puppies, kittens) with the exception of live, humane traps.

Sec. 4-4 Confinement and control of vicious or dangerous domestic animals

It shall be unlawful for any person to keep any vicious, fierce or dangerous animal within the county unless it is confined within a secure building or enclosure, or is restrained by means of a leash or other like device and firmly under control at all times.

Sec. 4-5 Animals creating nuisance prohibited.

It shall be unlawful for a person to fail or refuse to abate the nuisance as required by this chapter. Such person will be subject to the criminal and civil sanctions provided in section 4-10.

Sec. 4-6. Luring, enticing and seizing an animal.

It shall be unlawful for any person to entice or lure any animal out of an enclosure or off the property of its owner or keeper, or to seize any animal while the animal is held or controlled by its owner or keeper or while the animal is on the property of its owner or keeper.

Sec. 4-8 Nondomestic animals prohibited.

A. No person shall possess or harbor any non-domestic animal that is dangerous to persons or property or that has the potential for being dangerous to persons or property. This section shall not apply to bona fide circuses or petting zoos.

B. No person shall possess a wolf or wolf hybrid or a coyote or coyote hybrid except as permitted by the North Carolina Wildlife Resources Commission.

Sec. 4-9. Interference with enforcement.

It shall be unlawful for any person to interfere with, hinder, or molest the employees of the animal operations department or persons duly authorized by this chapter in performing their duties, or to release any animal in the custody of such persons.

Sec. 4-10. Penalty for violation.

A. The violation of any provision of this chapter shall be a misdemeanor and any such violation shall be punishable as provided in G.S. 14-4. Each day's violation of this chapter shall be a separate offense. Payment of a fine imposed in criminal proceedings pursuant to this subsection does not relieve a person of liability for civil penalties, taxes or fees imposed under this chapter.

ARTICLE II. RABIES CONTROL

Sec. 4-32. Vaccination of dogs, cats and ferrets.

A. It shall be unlawful for an owner or keeper to fail to provide current vaccination against rabies for any dog, cat or ferret four months of age or older and equine six months of age or older. Should it be deemed necessary by the health director that other animals be vaccinated in order to prevent a threatened epidemic or to control an existing epidemic, it shall be unlawful for an owner or keeper to fail to provide current vaccination against rabies for that animal. The time or times of vaccination shall be established by the Commission for Public Health. Rabies

vaccine shall be administered only by a licensed veterinarian or by a certified rabies vaccinator.

B. Only animal rabies vaccine licensed by the United States Department of Agriculture and approved by the Commission for Public Health shall be used on animals in this state.

Sec. 4-33. Rabies tag and certificate.

B. It shall be unlawful for any dog, cat or ferret owner or keeper to fail to provide the animal with a collar or harness to which are securely attached a current rabies tag as issued under this section and identification tag bearing owner's name and/or telephone number. The collar or harness, with attached tag, must be worn at all times. Cats shall not be required to wear the metallic tag, but the owner of the cat shall maintain the rabies vaccination certificate, with a physical description of the animal, as written evidence to prove that the animal has a current rabies vaccination.

F. It shall be unlawful for any person to use for any animal a rabies vaccination tag/certificate issued for any other animal.

Sec. 4-34. Notice to health director or designated representative when person bitten; confinement of animal.

A. When a person has been bitten by an animal, it shall be the duty of such person, or his parent, guardian or person standing in loco parentis of such person if such person is a minor, and the person owning such animal or having the same in his possession or under his control, to notify the health director or person duly authorized by the health director immediately and give their name, address and phone number, age and sex of the person bitten; and the owner or person having such animal in his possession or under his control shall immediately securely confine the animal for ten days at the expense of the owner in such place as may be designated by the health director.

Sec. 4-38. Unlawful killing or releasing of certain animals.

It shall be unlawful for any person to kill or release any animal under observation for rabies, or any animal under observation for biting a human, or to remove such animal from the county without written permission from the health director.

Sec. 4-39. Failure to surrender animal for confinement or destruction.

It shall be unlawful for any person to fail or refuse to surrender any animal for confinement or destruction as required in this chapter when such demand is made by the health director.

Sec. 4-40. Failure to report/submit suspected rabies cases for evaluation

It shall be unlawful for any person to fail to report/submit to a licensed veterinarian or animal control officer any domestic or wild animal with symptoms compatible with rabies. Failure to comply with this provision may result in said person being liable for financial expenses incurred as a result of his negligence.

Sec. 4-68. Keeping stray animals; requirements; failure to surrender.

A. It shall be unlawful for any person to knowingly and intentionally harbor, feed, keep in possession by confinement or otherwise allow to remain on his property, any animal that does not belong to him, unless he has, within 72 hours from the time such animal came into his possession, notified the sheriff

B. It shall be unlawful for any person to refuse to surrender any such stray animal to the sheriff upon demand.

Sec. 4-86. Security dogs.

A. It shall be unlawful to keep, maintain or use any dog in the county for the purpose of protecting any commercial or industrial property, or person on such property, unless a permit has first been obtained from the sheriff in accordance with the provisions of this section, and unless such permit shall remain unsuspended and unrevoked. A conspicuous warning sign shall be posted near entrances and exits to property declaring a security dog is present.

B. It shall be unlawful to keep, maintain or use any patrol or security dog for the purpose of protecting any residential property, or person on such property, unless a permit has first been obtained from the sheriff in accordance with the provisions of this section, and unless such permit shall remain unsuspended and unrevoked.

D. The animal must be kept in an enclosure with a fence six feet high (or higher, if the animal control officer, considering the history, size and strength of the dog, determines a higher fence is necessary).

E. A warning sign (i.e., "Security Dog On Premises") in form and size satisfactory to the sheriff must be posted, which must be visible from 20 feet on all sides of the fence. The owner is required to notify the sheriff immediately if the dog is at large or attacks a person or another animal.

Sec. 4-88. Mandatory spay/neuter of adopted animals.

Any group, organization or entity offering animals six months of age or older for adoption in the county must provide written proof of sterilization to the prospective adoptive owner prior to adoption or make prepaid arrangements for a spay/neuter surgery prior to the animal being placed into a home. Any adopted dog or cat that is less than six months of age shall be sterilized by its owner within ten (10) days of reaching six months of age. The owner or keeper of such a dog or cat who violates this section shall be subject to the fines and penalties set forth in section 4-10 and/or the impoundment of the animal.

6. CABLE TELEVISION REGULATON

Sec. 6-4. Discriminatory practices prohibited.

No grantee shall deny service, deny access, or otherwise discriminate against subscribers, programmers, or general citizens on the basis of race, color, religion, national origin, sex, disability, or age. Every grantee shall strictly adhere to the equal employment opportunity requirements of state and federal law. Each grantee shall comply at all times with all other applicable federal, state, and local laws, and all executive and administrative orders relating to non-discrimination.

Sec. 6-5. Subscriber privacy.

Grantees shall at all times comply with the federal subscriber privacy requirements codified at 47 U.S.C. Sec. 551.

Sec. 6-22. Unlawful to operate without a franchise.

It shall be unlawful for any person to construct, operate or maintain a cable system or to provide cable service in the county without a franchise. Any such person shall be subject to a fine of \$500.00 per day. The payment of such fine notwithstanding, all such violators shall be subject to all other applicable provisions of this chapter, including but not limited to the payment of a franchise fee.

6.5 PUBLIC SAFETY

Sec. 6.5-4. Violations.

It shall be a misdemeanor for any person to violate any of the provisions of this article or plans issued pursuant to the authority contained herein, or to willfully obstruct, hinder or delay any member of the emergency management organization as herein defined in the enforcement of the provisions of this article or any plan issued thereunder.

Sec. 6.5-46 Franchise required.

- (a) No person either as owner, agent, or otherwise, shall furnish, operate, conduct, maintain, advertise, or otherwise be engaged in or profess to be engaged in the business or service of emergency and/or non-emergency transportation of patients within the county unless the person holds a valid permit for each ambulance used in such business or service issued by the North Carolina Department of Health and Human Services, Division of Human Resources, and the North Carolina Office of Emergency Medical Services, and has been granted a franchise for the operation of such business or service by the County.

8. Health and Sanitation

Article III Hazardous Waste and/or low level radioactive waste management

Sec. 8-83 Enforcement

Any noncompliance with conditions of a county permit or operation of a facility without a permit, any release of hazardous or low-level radioactive waste in amounts sufficient to constitute a hazard to the public health and safety, any noncompliance with the procedural requirement of this article or refusal to permit county officials designated under this article to enter buildings, structures, enclosed areas or other areas in the performance of their lawful duties, any refusal to pay taxes and fees as provided for by this article, and any failure or refusal to provide information or apply for amendment to a permit as may be required by this article upon proper notice shall be a misdemeanor, which may be punished as indicated in title 14 of the general statutes.

Article IV Solid Waste

Sec 8-163 Enforcement

Any person who violates the rules and regulations set forth in this article shall be guilty of a misdemeanor and shall be subject to a fine or not more than \$50.00 or imprisonment of not more than 30 days, as specified by section 14-4 of the general statutes.

Division 2. Solid Waste Container Regulations

Sec. 8-177

Any person who violates the rules and regulations set forth in this division shall be guilty of a misdemeanor and shall be subject to a fine or not more than \$50.00 or imprisonment of not more than 30 days, as specified by G.S. 14-4. Each day a violation occurs is a separate violation.

Sec. 8-181 Residential Waste:

Container sites owned and operated by County for residential waste only. Use only during operating hours.

Sec. 8-182 Unacceptable Materials

No person shall place in a solid waste container site unacceptable items.

Sec. 8-183 Fire Prevention

It shall be unlawful to set fire in a solid waste container. No person shall place in a container embers, ashes or other material which creates a fire hazard.

Sec. 8-184 Scavenging

It shall be unlawful for any person to remove any item from a solid waste container. No person shall climb on, around or inside a container. No person shall open or attempt to open any solid waste container. No person shall cause any damage to inflicted upon s solid waste container.

Sec. 8-185 Loitering

No person shall loiter and/or congregate on any container site property and no vehicle shall be left unattended on said property.

Sec. 8-186 Littering

Solid waste shall be placed in and not around a container.

Article V Land Clearing and Inert Debris Landfills

Sec. 8-214 Penalties

The owner of any land located within the jurisdiction of this article, who thereafter develops or uses or allows the development or use of his her land in violation of this article shall be guilty of a class 3 misdemeanor. Each day is a separate and distinct offense.

ARTICLE VI Mining

Sec. 8-312 Issuance of Permit

Operating a mine or mining operation that is created, developed or expanded, as elsewhere provided in this article, after the adoption of this article, without a valid special use mining permit is a class 3 misdemeanor punishable by a fine or imprisonment as provided by G.S. 14.4(a).

Sec. 8-321 Penalties for violations

Any owner of any land who thereafter develops or uses or allows the development or use of his or her land in violation of this article shall be guilty of a class 3 misdemeanor. Each day is a separate and distinct offense.

CHAPTER 9 LICENSES, PERMITS AND MISCELLANEOUS BUSINESS REGULATIONS

Article II: Pine Straw Purchases

(a) Every person engaged in the purchase of pine straw in the county shall keep a book in which shall be legibly written, at the time of each transaction, the following information:

(1) An account of each transaction, including the quantity of pine straw purchased, which shall include the number of bales purchased if in that form or, if not, by truckload quantity or any other conveyance used for transporting the pine straw to the place of business of the purchaser.

(2) The amount of money paid for the pine straw.

(3) The date of the transaction.

(4) The name and place of business or residence of the person selling the pine straw to the purchaser.

(b) Such book shall be a permanent record to be kept at all times on the premises of the place of business of the purchaser and shall be made available, during regular business hours, to any law enforcement officer who requests to inspect the book.

Sec. 9-27. Purchasers to require certain information of sellers.

The purchaser or his employee or agent pursuant to this article shall require the person selling straw to present two forms of positive identification, identifying the person as the case may be; provided, however, that the presentation of any one state or federal government issued identification containing a photographic representation imprinted thereon shall constitute compliance with the identification requirements of this section. The purchaser or his employee or agent shall legibly record this identification information next to the person's name and residence in the book heretofore required to be kept.

Sec. 9-28. Sellers to furnish vehicle information to purchasers.

Sellers of pine straw shall be required to make available to the purchaser the license number and registration information of the vehicle used to transport such pine straw.

Sec. 9-29. Penalties.

Any purchaser who fails to keep and maintain records as required by this article shall be guilty of committing a misdemeanor and upon conviction, shall be punished as provided by section 1-11 of this Code.

ARTICLE III. MESSAGE THERAPY REGULATIONS*

Sec. 9-43. Massage of private parts prohibited.

- (a) No person licensed as a massagist under section 9-46 hereof shall massage or offer to massage the private parts of another person upon the licensed premises.
- (b) No person, corporation, partnership or association licensed under section 9-47 hereof shall allow, permit or condone any person to massage or offer to massage the private parts of another person upon the licensed premises.

Sec. 9-44. Sexual arousal or stimulation prohibited.

- (a) No person licensed under section 9-46 hereof shall massage any individual in a manner which is reasonably calculated to sexually stimulate or arouse the person being massaged. Intentional touching of the private parts of a person being massaged constitutes prime facie evidence of an attempt to sexually arouse or stimulate such person.
- (b) No person, corporation, partnership or association licensed under section 9-47 hereof shall allow, permit or condone any person to massage any individual in a manner which is reasonably calculated to sexually stimulate or arouse the person being massaged. Intentional touching of the private parts of a person being massaged constitutes prime facie evidence of an attempt to sexually arouse or stimulate such person.

Sec. 9-45. Exemptions.

Requirements of this article shall have no application to or effect upon:

- (a) Physicians, surgeons, chiropractors, osteopaths, physical therapists or podiatrists duly licensed to practice in this state, registered or licensed practical nurses governed by the North Carolina Nursing Practices Act, and individuals employed by any of the aforementioned to perform massage therapy. Certification of said authorization and employment must be given to the county manager by the physician, surgeon, chiropractor, osteopath, physical therapist, podiatrist or registered or practical nurse employing the massage therapist.
- (b) Athletic directors or trainers who are affiliated with an accredited educational institution or professional sports team, and whose work is limited to athletic team members.
- (c) Licensed cosmetologists, barbers or beauty culturists who do not give, or hold themselves out to give massage treatments other than are customarily given in such establishments, solely for the purpose of beautification.
- (d) Employees of regularly established and licensed hospital, sanitarium or nursing home. No other persons not duly qualified and licensed as a massage therapist under this article may render massage therapy.

Sec. 9-46. Licensing of massage therapists.

- (a) No person shall engage in the business of massage therapy unless such person shall have first applied for and received a privilege license as required by this section.

Sec. 9-47. Licensing of massage therapy establishments.

(a) No person, partnership, corporation, or association shall operate a massage therapy establishment as herein defined unless such person, partnership, corporation or association shall have first applied for and received the privilege license provided by this section.

Sec. 9-48. Posting of license.

(a) Every massage therapist licensed under section 9-46 herein shall post the license required by this ordinance in his or her work area at all times.

(b) Every person, corporation, partnership or association licensed under section 9-47 herein as a massage therapy establishment shall post such license in a prominent place at all times.

Sec. 9-50. Employees.

(a) No person, corporation, partnership or association licensed under section 9-47 herein as a massage therapy establishment shall allow or permit any person to massage or treat any person upon the premises operated by the licensee, or in any other location under their authority, or at their direction unless the person giving such massage or treatment is licensed under this ordinance pursuant to section 9-46.

(b) No person, corporation, partnership or association licensed pursuant to section 9-47 herein shall employ any person under the age of 18 years in the operation of a massage therapy business, unless said person is enrolled in coursework related to massage therapy at an accredited and licensed educational facility. The person cannot be employed for more than two years at the massage therapy business while enrolled.

Sec. 9-55. Penalties.

Any person convicted of violating any provision of this article shall be guilty of a misdemeanor punishable by a fine of up to \$500.00 or 30 days in jail, or both. Each separate violation shall constitute a separate offense.

ARTICLE II. NOISE CONTROL*

Sec. 10-41. Loud, raucous, disturbing or unnecessary noise.

(a) It shall be unlawful for any person or group of persons, regardless of numbers, to willfully make, continue or cause to be made or continue any loud, raucous, disturbing or unnecessary noise, which term shall mean any sound which, because of its volume, duration or character, annoys, disturbs, injures or endangers the comfort, health, peace, or safety of reasonable persons or ordinary sensibilities within the limits of the County of Moore. The term loud, raucous, disturbing or unnecessary noise shall be limited to loud, raucous, disturbing or unnecessary noise heard upon the public streets, in any public park, in any school or public building or upon the grounds thereof, in any church or hospital or upon the grounds thereof, upon any parking lot open to members of the public as invitees or licensees, of any

occupied residential unit which is not the source of the noise or upon the grounds thereof.

(b) In addition to the common meanings of words, the following definitions shall be used in interpreting this article and the following acts, among others, are declared to be loud, raucous, disturbing or unnecessary noises in violation of this article, but said enumeration shall not be deemed to be exclusive:

(1) Language. Using any unreasonably loud, raucous, disturbing, offensive, or insulting language or shouting so as to annoy or disturb that quiet, comfort, or response of any person within the area of audibility.

(2) Blowing horns. The sounding of any horn, whistle or signal device on any automobile, motorcycle, bus, or other vehicle or railroad train, except as a danger signal or as required by law, so as to create any unreasonable, loud, raucous, disturbing or unnecessary sound or the sounding of such devices whether mounted on a vehicle or not, intermittently or continuously, for a period in excess of 30 seconds.

(3) Radios, phonographs, CD player, tape player, television. The playing of any radio, phonograph, CD player, tape player, television set or other machine or device for the producing of sound, a musical instrument, or a performing band, in such manner or with such volume so as to annoy or disturb the quiet, comfort or repose of any person in any dwelling, hotel, motel or other type of residence within the area of audibility.

(4) Sirens. The use of any gong, bell or siren upon any vehicle or upon any property other than by police, sheriff, fire, ambulance or other emergency vehicles.

(5) Noise to attract attention. The use of any drum, loudspeaker, sound amplifying device, or other instrument for the purpose of attracting attention, by creation of a loud, raucous or disturbing noise, to any performance, show, sale display, or advertisement of merchandise or any business or activity for any other purpose, unless a permit for such sound amplification has been obtained from the sheriff.

(6) Blowers, engines. The operating of any noise-creating blowers, power fan, or any internal combustion engine or the repairing, rebuilding, or testing of any such device, machine, or vehicle, the operation of which causes noise in such a manner as to disturb the peace, quiet and comfort of the residents of any residential area between the hours of 10:00 p.m. and 6:00 a.m., except for such emergency repairs as may be necessary in order to return the vehicle to proper working order for immediate use.

(7) Operation of vehicles. All noises coming from any motor vehicles or internal combustion engines not properly equipped with the manufacturers' standard mufflers or noise reducing equipment in use or not in proper operating condition, or the operating of a motor vehicle in any manner which creates loud or unnecessary grating, grinding, rattling or noise other than normal designed operation.

(8) Fireworks. The explosion of any fireworks unless under a written permit obtained from the County of Moore.

(9) Hawking, peddling or soliciting. The unreasonably loud, raucous, jarring or disturbing, shouting, crying or singing of peddlers, hawkers, or vendors, which creates a nuisance to persons within the area of audibility.

(10) Violent acts. Engaging in any act in a violent and tumultuous manner by two or more persons.

(11) Construction operations. The erection (including excavation), demolition, alteration, or repair of any building or other structure other than between the hours of 6:00 a.m. and 10:00 p.m.

(12) Schools, churches, etc. The creating of any loud, raucous, jarring or disturbing noise on any street or property adjacent to any school, institution of learning, church, or any public building while the same is in use, which unreasonably interferes with the normal operations or workings of such institution.

(13) The commission of any other act in such a manner so as to cause a loud, raucous, disturbing or unnecessary noise as set forth in this section.

Sec. 10-44. Enforcement; injunction; penalties.

(a) The violation of any provision of this article shall be a Class 3 misdemeanor and any person convicted of such violation shall be fined not less than \$100.00 and not more than \$500.00. Payment of a fine imposed in criminal proceeding pursuant to this subsection does not relieve a person of his liability for taxes or fees imposed under this article.

(b) In addition, enforcement of this article may be by appropriate equitable remedy, injunction or order of abatement issuing from a court of competent jurisdiction pursuant to G.S. 153A-123(d) and (e).

(7) Each violation shall be considered a separate offense.

(d) This article shall be enforced by the Moore County Sheriff or his deputy.

(f) The Moore County Sheriff or his deputy shall enforce this article by any one of the following or by any other manner provided by law:

(4) The Moore County Sheriff or his deputy may issue a misdemeanor warrant immediately.

CHAPTER 10.5 PARKS AND RECREATION

Sec. 10.5-11. Hours of operation.

It shall be unlawful for any person to enter or remain in any public recreation area except during those hours of operation that it is open to the general public, unless express permission has been obtained from the county.

Sec. 10.5-12. Vehicles in public recreation areas.

It shall be unlawful for any person to:

(a) Drive any motor vehicle on any area except designated roads or parking areas, or such areas as may on occasion be specifically designated as temporary areas.

(b) Park a motor vehicle in other than a designated or established parking area.

- (c) Leave a motor vehicle standing or parked in designated or established parking areas or elsewhere in the public recreation areas during hours when the public recreation area is closed.
- (d) Fail to obey all traffic officers and department employees, such persons being authorized and instructed to direct traffic whenever and whenever needed in the parks.
- (e) Fail to observe carefully all traffic signs indicating speed, direction, caution, stopping or parking and all others posted for proper control and to safeguard life and property.
- (f) Leave a bicycle in a place other than a bicycle rack when such is provided and there is space available.
- (g) Ride a bicycle without reasonable regard for the safety of others.
- (h) Ride a bicycle in any area except designated roads or parking areas, designated bicycle trails or such areas as may on occasion be specifically designated as temporary areas.
- (i) Leave a bicycle lying on the ground or paving or set against trees, or in any place or position where other persons may trip over or be injured by it.

Sec. 10.5-13. Personal conduct.

It shall be unlawful for any person to:

- (a) Engage in disorderly conduct of any kind within a public recreation area.
- (b) Engage in any activity which may constitute a hazard to the safety of himself or other persons.
- (c) Dispose of lighted or unlighted matches, cigars, cigarettes or any flammable material or substance in other than trash receptacles or ash cans.
- (d) Engage in threatening language or in excessively noisy conduct of any kind at any time within the public recreation area such that it unreasonably disturbs other patrons.
- (d) Throw rocks or objects of any kind. This does not include balls or games used in athletic events when used in a reasonable manner and in such a way that they do not become hazards to other park patrons.
- (f) Interfere with or in any manner hinder any county employee in the performance of his duties.

Sec. 10.5-14. Destruction of public recreation area property.

It shall be unlawful for any person to remove, destroy, mutilate, damage or deface any structure, monument, planter, fountain, wall, fence, railing, vehicle, bench, tree, plant, pavings or paving materials, signs, notices or placards, whether temporary or permanent, stakes, posts, or other boundary markers, or other structures or equipment, facilities or property or appurtenances whatsoever, either real or personal. It shall be unlawful for any person to dig or otherwise disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of any area.

Sec. 10.5-15. Fires.

It shall be unlawful for any person to make or kindle a fire in any public recreation area, except in a regularly constructed fireplace or grill provided by the county. It shall be unlawful for any person to leave any fire unattended, or to fail to completely extinguish a fire and all the embers thereof before leaving such fire.

Sec. 10.5-16. Selling items prohibited.

Except as part of an approved event, it shall be unlawful for any person to solicit, peddle or beg within any park or sell any merchandise or wares, provided that this section shall not apply to (a) any concession granted by the county or department for a recreation facility; or (b) any solicitation or sale of goods by nonprofit or civic groups, provided that a permit is obtained in advance from the department.

Sec. 10.5-18. Dogs and other animals.

- (a) It shall be unlawful for any person to keep or retain in a public recreation area a noisy, vicious or dangerous dog or other animal.
- (b) Dogs and other pets must be on a leash and under the control of the owner at all times while in the public recreation area.
- (c) Dogs and other pets are permitted only in established or designated parking areas and on designated footpaths or trails.
- (d) Owners are responsible for cleaning up after their dogs or other pets.
- (e) Horses are not permitted in any public recreation area except upon designated and marked bridle trails.

Sec. 10.5-19. Picnic area; camping; hunting; fishing; swimming.

It shall be unlawful to:

- (a) Picnic in a place other than one designated for that purpose.
- (b) Leave a picnic area before the fire is completely extinguished and before all trash in the nature of boxes, papers, cans, bottles, garbage and other refuse is placed in receptacles provided. If no such trash receptacles are available, refuse and trash shall be carried away from the park area by the user to be properly disposed of elsewhere.
- (c) Camp in any area without permission of the director of the parks and recreation department. No person shall set up tents, shacks or any other temporary shelter for the purpose of overnight camping, nor shall any person leave in any park after closing hours any movable structure or special vehicle to be used or that could be used for such purpose, such as a camper-trailer, house trailer or the like without permission of the director of the parks and recreation department.
- (d) Hunt, trap, shoot, kill, wound, molest, capture, chase, willfully frighten, or attempt to harm any wildlife within a public recreation area, except as undertaken by authorized personnel in the exercise of a bona fide wildlife management practice.
- (e) Fish in a public recreation area without a state fishing license, except as provided for in state fishing regulations.

(f) Swim or wade in a public recreation area, except when permitted as a special program or by posted regulation.

Sec. 10.5-20. Littering.

It shall be unlawful for any person to bring in, dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, wastes, garbage or refuse, or other trash in a public recreation area. Such refuse, rubbish and waste shall be deposited in receptacles so provided. Where receptacles are not provided, all such refuse, rubbish or waste shall be carried away from the public recreation area by the person responsible for its presence and properly disposed of elsewhere.

Sec. 10.5-21. Alcoholic beverages.

It shall be unlawful for any person to possess, consume, display or sell any alcoholic beverage upon the premises of or within a public recreation area.

Sec. 10.5-22. Firearms, golf balls, fireworks, etc.

(a) It shall be unlawful for any person, except law enforcement officers or duly authorized county employees in the course of their duty, to carry, use or possess a firearm or other dangerous weapon of any nature, including but not limited to archery equipment, air rifles, toy pistols, toy guns, or other toy arms designed to forcibly hurl a projectile or missile at any time or under any circumstances, within a public recreation area.

(b) It shall be unlawful for any person to hit golf balls within any public recreation area, except at designated driving ranges or during permitted events.

(c) The use of fireworks of any type is expressly prohibited except at approved and permitted events.

Sec. 10.5-23. Advertising, etc.

It shall be unlawful for any person to place or erect any structure, sign, bulletin board, post, pole, or advertising device of any kind whatever in any public recreation area, or to attach any notice, bill, poster, sign, wire, rod or cord to any tree; shrub, fence, railing, post or structure within any public recreation area, except such persons as are authorized by the director of the parks and recreation department.

Sec. 10.5-24. General regulations.

(a) Misuse of facilities. Flagrant misuse of parks and recreational facilities will result in forfeiture of future reservation privileges.

(b) Establishment, enforcement of rules, regulations.

(1) The Moore County Parks and Recreation Advisory Committee has the authority and responsibility to establish and enforce rules and regulations governing use of public recreational areas, including hours of operation, proper activities, scheduling of events, activities and exhibitions, and designation of activity areas.

(2) A copy of the rules and regulations governing the use of public recreational areas may be obtained from the parks and recreation department. A violation of any rules

and regulations established by the Moore County Parks and Recreation Advisory Board shall constitute a violation of this chapter.

Sec. 10.5-27. Enforcement.

This chapter may be enforced by any and all remedies authorized by G.S. 153A-123 or other applicable law. In addition, anyone violating any of these provisions may be asked to leave immediately and may be subject to trespass for failing to do so.

CHAPTER 11 ROADS

Sec. 11-1. Fishing from Crains Creek McLauchlin Road bridge prohibited.

Pursuant to the authority granted by G.S. 153A-121, it shall henceforth be unlawful to fish from the bridge over Crains Creek on McLauchlin Road (SR 2014) or from the road or creek banks 100 feet either side of said bridge.

Sec. 11-2. Fishing from Niagara-Carthage Road bridge prohibited.

Pursuant to the authority granted by G.S. 153A-121, it shall henceforth be unlawful to fish from the bridge over Little River on Niagara-Carthage Road (SR 1802) or from the road or creek banks 100 feet either side of said bridge.

Sec 11-23 Any knowing violation of rules controlling naming of roads and addressing requirements shall be guilty of a class 3 misdemeanor.

CHAPTER 13 UTILITIES

Sec. 13-31. Prohibited discharge standards.

(a) General prohibitions. No user shall contribute or cause to be contributed into the POTW, directly or indirectly, any pollutant or wastewater which causes interference or pass through. These general prohibitions apply to all users of a POTW whether or not the user is a significant industrial user or subject to any national, state, or local pretreatment standards or requirements.

Sec. 13-36. Dilution.

No user shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the national categorical pretreatment standards, unless expressly authorized by an applicable pretreatment standard, or in any other pollutant-specific limitation developed by the county or state.

Sec. 13-37. Pretreatment of wastewater.

(a) Pretreatment facilities. Users shall provide wastewater treatment as necessary to comply with this article and wastewater permits issued under section 13-62 of this article and shall achieve compliance with all national

categorical pretreatment standards, local limits, and the prohibitions set out in section 13-31 of this article within the time limitations as specified by EPA, the state, or the superintendent, whichever is more stringent.

Sec. 13-39. Hauled wastewater.

(a) Septic tank waste may be introduced into the POTW only at locations designated by the Superintendent, and at such times as are established by the superintendent. Such waste shall not violate division 2 of this article or any other requirements established by the county. The superintendent may require septic tank waste haulers to obtain wastewater discharge permits.

(b) The superintendent shall require haulers of industrial waste to obtain wastewater discharge permits. The superintendent may require generators of hauled industrial waste to obtain wastewater discharge permits. The superintendent also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this article.

(c) Industrial waste haulers may discharge loads only at locations designated by the superintendent. No load may be discharged without prior consent of the superintendent. The superintendent may collect samples of each hauled load to ensure compliance with applicable standards. The superintendent may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.

(d) Industrial waste haulers must provide a waste-tracking form for every load.

Sec. 13-61. Wastewater discharges.

It shall be unlawful for any person to connect or discharge to the POTW without first obtaining the permission of the county. When requested by the superintendent, a user must submit information on the nature and characteristics of its wastewater within 30 days of the request.

Sec. 13-62. Wastewater permits.

All significant industrial users shall obtain a significant industrial user permit prior to the commencement of discharge to the POTW.

Sec. 13-72-77

Compliance reports required.

Sec. 13-75. Reports of changed conditions.

Each user must notify the superintendent of any planned significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least 30 days before the change.

Sec. 13-76. Reports of potential problems.

(a) In the case of any discharge...the user shall immediately telephone and notify the POTW director of the incident. This notification shall include the location of the

discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.

(b) Within five days following such discharge, the user shall, unless waived by the POTW director, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences.

Sec. 13-77. Reports from unpermitted users.

All users not required to obtain a wastewater discharge permit shall provide appropriate reports to the superintendent as the superintendent may require.

Sec. 13-78 Notice of Violation/repeat sampling and reporting

If sampling performed by a user indicates a violation, the user must notify the POTW director within 24 hours of becoming aware of the violation.

Sec. 13-79 Notification of the discharge of hazardous waste

The county prohibits the discharge of any hazardous wastes without notification to and approval of the POTW director.

Sec. 13-91. Monitoring facilities.

The county requires the user to provide and operate at the user's own expense, monitoring facilities to allow inspection, sampling, and flow measurement of the building sewer and/or internal drainage systems.

Sec. 13-169

Water meter tampering and water theft prohibited.