

Memorandum

TO: Rep. Jonathan C. Jordan and Sen. Andy Wells—Co-Chairs of the Joint Legislative Administrative Procedure Oversight Committee

Rep. James L. Boles, Jr., Rep. Ted Davis, Jr., and Sen Shirley B. Randleman--- Co-Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety

FROM: T.C. Morphis, Jr. (General Counsel for the Town of Carthage) and Brady Herman

DATE: November 16, 2018

RE: Response to the Requirements set forth in Section 3 of Session Law 2018-69 (House Bill 379) for the Town of Carthage, N.C.

Attached is the response of the Town of Carthage, North Carolina to the requirements set forth in Section 3 of Session Law 2018-69 for local governmental units. The attached document contains a list of all Carthage's ordinances that create criminal offenses pursuant to G.S. 14-4(a), with brief descriptions of the prohibited conduct. Additionally, here is a [link](#) to the Town of Carthage's website for a reference to the ordinances summarized.

If you have any questions about this Memorandum, please contact either T.C. Morphis by email at morphis@broughlawfirm.com, or Brady Herman at bherman@broughlawfirm.com, at The Brough Law Firm, tel: (919)-929-3905. Also, please acknowledge receipt of this Memorandum and its sufficiency in complying with Session Law 2018-69, Section 3.

TITLE V: Public Works

Chapter 50: Garbage

Section 50.02—Approved Containers Required: Prohibits throwing, placing, or depositing any garbage or refuse of any kind on any public or private property, except in approved containers as required by this Chapter. All occupants of every building within the Town must use 95- gallon containers provided by the Public Services and all containers must be kept in a clean and sanitary condition.

Section 50.03—Burning Garbage: Prohibits burning or setting fire to any garbage or refuse, including leaves, for the purpose of disposal.

Section 50.04—Burying of Refuse: Prohibits burying any refuse for the purpose of disposal unless a valid permit has been obtained from the Town Public Works Director.

Section 50.05—Accumulation of Garbage or Refuse Prohibited: Prohibits permitting the accumulation of garbage or refuse on any premises longer than is reasonably necessary to remove and deposit aforesaid garbage in the appropriate containers as required in this Chapter.

Section 50.20—Pre-Collection Practices: Prohibits placing any containers used for the collection of garbage or refuse next to the street before 6:00 p.m. on the day prior to collection by the Town. Requires all garbage and reuse to have the liquid drained therefrom before it is placed in the container for collection.

Section 50.23—Unlawful to Damage or Displace Containers: Prohibits damaging, displacing, or otherwise interfering with any garbage containers or the contents therein unless it is by the true owner or with the permission of the owner.

Section 50.24—Bulk/Yard Debris Collections: Requires any tree limbs for collection by the Town to be no longer than six (6) feet in length, and no more than three (3) inches in diameter. All limbs must be placed and stacked in a proper pile next to the street. Light refuse must be securely contained in plastic bags weighing no more than 50 pounds each for the Town to collect. There is a 20 bag limit per pick-up.

The Town will not collect (1) any commercially-cut limbs or debris; (2) any materials from vacant lots; or (3) materials that are not approved as set forth in this Chapter, including but not limited to waste materials, large rocks, trees stumps, tree limbs longer than six feet in length, mattresses, carpets, other heavy objects, or any other building materials. Requires all commercial establishments that generate in excess of three 95-gallon containers of trash to contract with a private firm for a dumpster and collection.

Chapter 51: Water and Sewer

Water System Usage

Section 51.070—System Ownership: The entire water system, up to and including the meters and meter vaults, are the property of the Town subject only to encumbrances entered into by the Town Board. Requires any new lines installed to be properly conveyed to the Town free of encumbrances. The water lines beyond the meter connection are the property and responsibility of parties other than the Town.

Section 51.071—Meter Maintenance: Requires all water meters to be kept in proper operating order by the Town, however, the cost of all repairs, other than normal wear and tear, will be the responsibility of the property owners being served. The Town will be responsible for all cost and repairs for normal wear and tear, and may, at its option, have the repairs done by outside agents and the costs ascribed as indicated above.

Section 51.072—Type and Location of Meter: Requires all water furnished for a given lot to be used solely for that individual lot and each consumers service must be separately measured at a single delivery and metering point. Water used for purposes that do not result in the water entering into the Towns sanitary sewer system may be entered by separate master meter.

Section 51.073—Town Responsibility: The Town is required to run a service line from its distribution line to the property line where the distribution line runs immediately adjacent and parallel to the property to be served, and for which a tap-on fee is in effect for each size of the meter that has been collection. The Town may install its meter at the property or mutually agreed upon with the owner. The Town does not assume responsibility of inspecting the consumers piping or apparatus, or responsible for any damage done by or resulting from any defect in the piping, fixtures, or appliances on the consumers premises. The Town will not be responsible for any damage of any kind whatsoever, unless there is negligence on the part of the Town.

Section 51.074—Consumer Responsibility: Requires piping on the consumers premises to be arranged so that the connection are conveniently located at or near the Towns lines or mains. If extra meters are needed, each one will be considered as a separate and individual account. All consumers are required to (1) provide a suitable place for the water meter to be placed on the premises so that it is accessible at all times; (2) furnish and maintain a private cutoff valve on the consumers side of the meter; (3) install and maintain the consumers piping and apparatus at their expense and in a safe and efficient manner in accordance with the Towns rules and regulations. If there is any loss or damage to the property of the Town caused by or results from negligence or wrongful act of the consumer, the cost of the necessary repairs or replacements must be paid by the consumer to the Town, and any other liability will be assumed by the consumer.

Section 51.075—Mandatory Connections; Standards: Requires any new house, lot, or subdivision in the Town limits to be connected onto the Town water system, if possible, and must satisfy all the mandatory standards as set forth and designated in the Town Code.

Section 51.077—Police Purpose Limitations: During any period in which an ordinance is in effect limiting or prohibiting certain types of water usage in the Town or within one mile therein, whoever is found violating the limits or prohibitions must have the water service to the property where the violation took place turned off. The water service will not be reinstated until a reconnect charge is paid in full. The Town Manager is authorized to terminate any service who repeatedly violates the limits or prohibits of this section.

Sewer System Usage

Section 51.90—System Ownership: the entire sewer system, up to and including the meters and water vaults, pump stations, force mains, and service laterals while on public property are the property of the Town subject to encumbrances entered into by the Board. Requires any new lines installed by others to be properly conveyed to the Town free of encumbrances in a manner satisfactory to the Town Attorney.

Section 51.091—Line and Lateral Maintenance: Mandates that it is the responsibility of the Town to maintain all sewer lines, service laterals, and sewage pumping stations that are owned by the Town in an operable condition. The Town has no responsibility for stoppages in public right of ways other than from broken or leaking Town pipes, or tree roots on public rights-of-ways. Any stoppages that are cleared and/or repaired by the Town will be billed to the responsible party.

Section 51.092—Town responsibility: It is the responsibility of the Town with regard to new taps to install and maintain up to the property line at the rates set forth in the Town's fee schedule. The Town is not responsible for any damage resulting from sewage or the use of sewers on the consumers premises or defects in the piping, fixture, or appliance therefrom, unless the damage or defect results directly from negligence on the part of the Town. The Town is not be responsible for any negligence of third parties or forces beyond the control of the Town resulting in any interruption of sewer service.

Section 51.093—Consumer Responsibility: The consumer is responsible for (1) installing and maintain piping and apparatus and done at their own expense and in accordance with the Town's and State's rules and regulations; (2) permitting access to authorized representatives of the Town; (3) any loss or damage to the property of the Town caused by or results from the negligence or wrongful act of the consumer; and (4) paying the Town for any expenses incurred as a result thereof.

Section 51.094—Mandatory Connections; Standards: Mandates (1) all sewer lines to be constructed, tested, sterilized, and tested in compliance with the State standards established by the Director of Public Works; (2) all lines installed must be witnessed by a designated representative of the Town regarding the infiltration, exfiltration, and mineral tests; (3) and all lines accepted by the Town will have plans and specification approved by the State and done in strict compliance with those plans.

Section 51.095—County Sewer Use Ordinance Compliance: Requires all sewerage discharges to comply with the county sewer use ordinance

Water and Sewer Extension

Section 51.110—Infrastructure: Requires the Town to provide the extension of water supply and wastewater collection services to every residence and business within the Town limits and will not be extended to customers outside the Town limits unless the property owner petitions for annexation of his or her property. Prohibits any new wells to be drilled with the Town limits, provided that existing wells may be used for outside use. Requires infrastructure fees or impact fee to be levied by the Town as payment for the construction and maintenance of the water and or/ wastewater facilities and systems. Developers of subdivisions and commercial facilities are required to install wastewater lines within the subdivision and developments and must provide the lines, pumps, and related facilities as are necessary to provide the services.

Section 51.111 Availability: All existing or future users within the Town limits or its existing area may be served by the Town water system, subject only to the availability of capacity. The Director of Public Works is required to evaluate each system that is tied with the Town and apply suitable requirements. Any system tied into the Town system must cooperate with the Director by providing drawings or the system and securing a proper access point for the consumers premises.

Section 51.112—Town Service: The Town has the obligation to provide all existing water users in the Town with an adequate supply of water. Any property receiving water or sewer service is required to be annexed into the Town. Any extensions in and to subdivisions and new streets or unopened streets will be at the developer's expense. The Town Board must approve or disapprove of all extensions.

Section 51.113— Water Extension Rates: Requires the rate structure as set forth and designated in the Town fee schedule to apply to all existing users, or users to be extended to or served upon this subchapter.

Section 51.125—Sewer Extension Availability: The Town sewer service is only available as shown on the map on record in the office of the Public Works Director, which may be amended from time to time. Requires owners where water service from the Town is available that all water discharged into the sewer system be purchased from the Town.

Section 51.126— Sewer Extension Rates: Requires the rate structure as set forth and designated in the Town fee schedule to apply to all existing users, or users to be extended to or served upon this subchapter.

Section 51.141—Water and Sewer Identity Theft Prevention Program Purpose: Requires every financial institution and creditor, under the red flag rule, to establish an identity theft program tailored to its size, complexity, and the nature of its operation.

Section 51.146 Administration and Updates to Program: This program must be periodically reviewed and updated to reflect changes in risks to customers and the soundness of the Utility from identity theft. The responsibility for developing, implementing and updating this program lies with an Identity Theft Committee for the Utility. The Committee is headed by a Program

Administrator who may be the head of the Utility or his or her appointee. The Program Administrator is responsible for the following, including but not limited to the program administration, ensuring appropriate training of Utility staff on the program, reviewing any staff reports regarding the detection of red flags and the steps for preventing and mitigating identity theft, determining which steps of prevention and mitigation should be taken in particular circumstances, and considering periodic changes to the program.

TITLE IX- General Regulations

Chapter 90: Animals

Section 90.015—Unlawful Acts Specified: Prohibits (1) maliciously molesting, torturing, tormenting, killing, or doing any other act that is determinantal to an animals health or general welfare; (2) teasing, annoying, or disturbing an animal that is confined to the owners premises; (3) any owner to fail to provide his or her animal with proper care, shelter, food, water; (4) tethering, chaining, or otherwise fastening an animal in a manner so as to cause it injury or pain, or not to permit it to reach shelter, food, and water.

Section 90.016—Food, Drink, Shelter, Care: Requires all animals to have (1) a suitable quantity of food within a 24 hour period that is sufficient to maintain an adequate level of nutrition for the animal; (2) continuous access to a supply of clean water; (3) convenient access to shelter appropriate to the species throughout the year and if any artificial shelter is built for such animal, it must be structurally sound and in good repair ; and (4) proper medical and treatment for deliberating injuries, parasites, and disease, and sufficient to maintain the animal in good standing health.

Section 90.017—Declawed Cats: Prohibits permitting declawed cats to be outdoor pets, and requires these cats be kept strictly indoors.

Section 90.018—Animal Enclosure: Requires all animals primary enclosure to be constructed in a manner and with materials as to minimize the risk of injury to the animal and must have a sufficient usable amount of space to keep the animal in good condition. All cats are required to be kept in a structurally sound manner, maintained and good repair, and otherwise have the minimum amount of floor space as set forth in the Town code based on age and species.

Section 90.019—Equine Provision: Requires all animals to have reasonable access to shelter appropriate for its state of health. Outdoor shelters must have a minimum of three sides and a waterproof roof sufficient to allow two feet of clearance from the animal in an erect position and must contain at least 150 square feet per horse. Fencing is required to ensure the animal is securely enclosed at all times. If the animal can no longer live, it is the responsibility of the owner to ensure that the animal is euthanized in a humane manner. If the animal is euthanized on the owner's property, it is the responsibility of the owner to see that the animal is buried within 24 hours and 100 feet away from any water source. The driver of any vehicle who injures or kill an equine domestic animal must notify law enforcement or county Animal Control.

Section 90.20—Transport of Animals by Motor Vehicle: It is the responsibility of the owner when transporting an animal in a motor vehicle to control the animal at all times, including when the animal is released from the vehicle in a public place. This section does not apply to law enforcement dogs or hunting dogs released on public game lands.

Section 90.021—Unlawful Conditions for Confining Animals in Vehicles: Prohibits placing, confining, or allowing any animal to be placed or confined in a manner that would endanger the health or well-being of the animal due to heat, lack of food or water, or any other circumstances which might cause suffering, disability, or death.

Section 90.023—Tethering of Fowl Prohibited: Prohibits any person to tether any fowl except fowl used in the training or demonstration of hunting dogs.

Section 90.025—Dyeing of Animals Prohibited: Prohibits coloring, dying, staining, or otherwise changing the natural color of baby chickens, rabbits, or other fowl.

Section 90.026—Trapping of Animals Restricted: Prohibits (1) a person to willfully set a trap for the sole purpose of trapping a domestic animal, except live humane traps; or (2) setting traps, such as leg hold, conibear, and spring traps within a residential district or within a 1,000 feet of a rural residence where domestic animals might run loose, without the permission of the property owner. Requires all traps to have the owners name and contact information affixed thereof.

Section 90.027—Luring or Enticing Animals: Prohibits (1) enticing or luring any animal out of an enclosure on the property of its owner; or (2) seizing any animals while the animal is held or controlled by its owner while it's on the property of the owner.

Section 90.040—Keeping of Vicious or Dangerous Domestic Animal Restricted: Prohibits keeping any vicious or dangerous domestic animal in the Town unless it is confined within a structure, building, or enclosure, or is otherwise restrained by means of a leash or similar device and firmly under control at all times.

Section 90.042—Requirements of Owner of Vicious Dog: Requires all owners of vicious animals to (1) keep the animal in a secured enclosure as set forth in the Town Code; (2) post a warning sign that a vicious dog is on the premises; and (3) notify animal control immediately if the vicious dog gets loose or attacks a person or another animal.

Section 90.055—Unlawful for Animal Keeper to Create Nuisance: Prohibits an owner or keeper to permit an animal in his or her care to create a nuisance as defined in the Town Code.

Section 90.059—Unlawful to Fail or Refuse to Abate: Prohibits any person to fail or reuse to abate a nuisance as required by this subchapter.

Section 90.085—Dangerous Non-Domestic Animals Prohibited: Prohibits possessing or harboring any non-domestic animal that is dangerous or potentially dangerous to persons or property. This section does not apply to bona fide circuses or petting zoos.

Section 90.086—Wolves and Coyotes Prohibited: Prohibits possessing a wolf or wolf hybrid, or a coyote or coyote hybrid, except as permitted by the State Wildlife Commission.

Section 90.100—State Laws Control: Prohibits any animal owner or person to fail to comply with the state laws relating to the control of rabies and the vaccinations required.

Section 90.101—Vaccinations Required to Stay Current: Prohibits any owner to fail to provide current vaccination against rabies for any dog or cat four months older, or an equine six months of age or older.

Section 90.102—Rabies Tag and Certificate: Requires a rabies tag to be issued to the owner or keeper of any dog or cat vaccinated and prohibits any owner to fail to provide the animal with a collar or harness to which a rabies tag must be securely attached.

Section 90.107—Unlawful to Kill or Release Animals Under Observation: Prohibits (1) killing or releasing any animal under the observation for rabies or biting another human; or (2) removing the animal from county control without written permission from the Health Director.

Section 90.108—Failure to Surrender Animal for Confinement or Destruction: Prohibits failing or refusing to surrender any animal for confinement or destruction as required under this Chapter at the direction of the Health Director.

Section 90.109—Failure to Report Suspected Rabies Case: Prohibits failing to report or otherwise submit to a licensed veterinarian or animal control of any domestic or wild animal with symptoms compatible of amounting to rabies.

Section 90.120—Impoundment Permissible: Any animal that appears to be a stray or abandoned, rescued in a manner due to cruel treatment, not wearing a proper vaccination tag, or not under restraint in violation of this Chapter may be seized, impounded, and confined in animal shelter by the Town.

Section 90.122—Redemption by Owner of Keeper: The owner or keeper of any animal impounded pursuant to this Chapter may redeem the animal and regain possession within 72 hours thereof. Payment of the daily boarding cost and impoundment fee will not relieve the owner from the responsibility for all penalties which may be imposed for a violation of any of the provisions of this Chapter.

Section 90.127—Keeping Stray Animals: Prohibits (1) intentionally or knowingly harboring, feeding, keeping in possession by confinement, or otherwise allowing to remain on his or her property, any animal which does not belong to him or her; or (2) refusing to surrender any stray animal to animal control or a person duly authorized by the Health Director. These provisions do not apply if within 72 hours from the time the animal came into possession, the person notified the animal control office or person designated by the Health Director. Any person who notifies animal control will be deemed temporary custodian of the animal and subject to the requirements of this Chapter.

Section 90.140—Security Dogs Permit Required: Prohibits keeping, maintain, or using any dog, patrol or security dog for the purposes of protecting any commercial, industrial, or residential property, or persons on the property, unless a valid permit has been obtained from the Board of Health and has complied with all the regulations promulgated by the Board of Health.

Section 90.141—Collecting for Resale: Prohibits collecting any dog or cat for the purposes of resale unless a valid permit has been obtained from the Health Director in accordance with the provisions of this section.

Section 90.155—Livestock Regulations: Prohibits any person or business to keep, maintain, or allow to run at large, any cow, horse, pony, mule, sheep, goat, chicken, duck, goose, turkey, other fowl, hog, pig, or other livestock or wild animal on any lot or within any pen, stable, or other enclosure or building within the corporate limits of the Town. This provision does not apply to the keeping of cows, horses, ponies, mules, sheep, goats, ducks, geese, or chickens if the certain conditions and requirements are met and complied with for the keeping and maintaining of these animals as set forth and designated in this section of the Town Code. The slaughtering of any animal is strictly forbidden.

Chapter 92: Streets and Sidewalks

Section 92.02—Obstruction of Streets Prohibited: Prohibits (1) any person or business to obstruct any public street, sidewalk, alley, road, or alley way within the corporate limits; (2) allowing any object or display on any sidewalk or other exterior areas intended for public pedestrian traffic to remain overnight or after normal business hours; and (3) obstructing pilling, placing, or leaving, either temporarily or permanently, any trash, refuse, garage, lumber, or any other materials upon any Town road, street, or right-of-way, or over any ditches, drainways, or culverts on any road or street of the the Town street system. Business may obtain a sidewalk permit form the Town to allow displays on public sidewalks, subject to the conditions and requirements as set forth in this section of the Town Code.

Section 92.03—Littering Prohibited on Streets and Sidewalks, Private Property: Prohibits any person, firm, or corporation to place, throw, dump, or otherwise deposit any materials or any type of litter upon any street, alley, park, sidewalk, or upon any public or private property. This provision will not apply to private property with written permission from the owner.

Section 92.04—Littering from Vehicles: Prohibits any person, while driving or a passenger in a vehicle, to throw or deposit litter upon any street or other public place within the Town, or upon private property.

Section 92.05—Mud Deposits on Streets: Prohibits any person operating a vehicle with dual wheels or four-wheel drive, to track or cause mud and dirt to be deposited on the paved portion of any Town street or road so as to create a hazard to the traveling public. Any person who is in violation of this section must immediately be removed.

Section 92.06—Unlawful to Damage Street Surface or Shoulders with Vehicle: Prohibits moving any object, tractor, farm equipment, or vehicle of any kind on the Town streets system that will

cut, mutilate, or damage the surface of the street, road, bridge, or right-of-way, without written permission from the Town.

Section 92.07—Maintenance of Public Areas: Requires every owner, lessee, tenant, occupant, or other person in charge of any commercial establishment or other premise which maintains any paved or unpaved areas for the use to the public, either for parking or as access area, must keep and maintain the areas clean and free from trash, litter, rubbish, and any materials liable to be blown, deposited, or cast on the street or other public way.

Chapter 94: Parks and Recreation

Section 94.15—Hours of Operation: Prohibits entering or remaining in any Town public park area except during those hours of operation generally open to the public, unless express permission has been obtained by the Town.

Section 94.17—Unlawful Personal Conduct: Prohibits any person to engage in the following conduct or activities in a public park: (1) disorderly conduct, (2) activity which may constitute a hazard to the safety of himself or other persons, (2) threatening conduct or excessively noisy conduct, (4) throwing rock or objects of any kind, or (5) interfering with or hindering any Town employee in the performance of their respective duties.

Section 94.18—Destruction of Park Property: Prohibits (1) destroying, mutilating, damaging, or defacing any structures, facilities, equipment, or property within the Town parks; and (2) digging or otherwise disturbing any grass areas, or in any way damage or injure the natural beauty or usefulness of any area within the park.

Section 49.19—Interference with Surveillance Equipment: Prohibits interfering with any surveillance equipment in any manner.

Section 94.20—Fires: Prohibits (1) making or kindling any fire in a park, except in an appropriate grill provided by the Town; (2) leaving any fire unattended; or (3) failing to completely extinguish a fire and all of the embers thereof before leaving the fire. Requires all matches and other flammable materials or substances to be disposed of in ash cans.

Section 94.21—Picnic Area: Prohibits leaving a picnic area before the fire is completely extinguished and before all trash and other refuse is thrown in the garbage and recycling bins as provided.

Section 94.22—Littering: Prohibits dumping, depositing, or leaving any bottles, broken glass, paper, garbage, or other refuse or other trash in the park. The refuse, rubbish, and waste must be deposited in receptacles so provided.

Section 94.23—Alcoholic Beverages Prohibited: Prohibits possessing, consuming, displaying, or selling any alcoholic beverages upon the premises of or within any park.

Section 94.24—Firearms: Prohibits any person, except law enforcement officers, to carry, use, or possess a firearm or other dangerous weapon of any nature within the park.

Section 94.25—Advertising: Prohibits placing or erecting any structure, sign, bulletin board, post, or other advertising device of any kind within the park, except those persons who are authorized by the Town.

Chapter 95: Cemeteries

Section 95.02—Prohibited Conduct: Prohibits, in any cemetery: (1) depositing any rubbish, filth, waste, or other unclean substance; (2) disturbing the quiet, repose, and good order; (3) removing, disturbing, or destroying any plant, tree, or shrub; (4) trespassing within the cemetery; or (5) committing any immoral act within therein.

Section 95.03—Vehicles in Cemetery: Requires all vehicles to be driven only on the roadways within the cemetery and at the appropriate speed. Prohibits (1) entering into the cemetery except for the purpose of attending funerals, visiting graves, or other lawful missions; or (2) parking at the cemetery between the hours of 9:00 p.m. and 6:00 a.m.

Chapter 96: Parades and Demonstrations

Section 96.02—Unlawful Participating: Prohibits conducting or participating in any parade or demonstration for any purpose or in any manner other than those set out in the application and permit as provided in this Chapter.

Section 96.18—Issuance of Permit: Any person who is issued a valid permit for conducting or participating in any parade or demonstration must always have the permit in his or her possession during the event and satisfy all conditions set forth in the permit. After a person applies for a permit, the Chief of Police must issue the permit unless he or she makes written finding of fact that the activity or event (1) cannot be conducted without unreasonable interference with normal pedestrian or vehicular traffic flow; (2) unreasonably interferes with normal protection of the police or fire department; (3) is being held for an unlawful purpose, or would otherwise violate federal, state, or local law or ordinance; or (4) requires the closing of or unreasonably restricts the flow of traffic along state highways, at which point permission must be obtained from the appropriate state officials.

Section 96.20—Revocation of Permit: At his or her discretion, the Chief of Police may revoke any permit granted for the purpose of conducting a parade or demonstration if there is (1) a substantial violation of this Chapter or the terms and conditions of the permit; or (2) a violation of other laws by those participating in the parade or demonstration.

Section 96.35—Interference Prohibited: Prohibits (1) hampering, obstructing, impeding, or otherwise interfering with any parade or demonstration being conducted under the authority of a lawfully issued permit as provided in this Chapter; or (2) driving between persons or other vehicles being used for the parade or demonstration.

Section 96.36—Signs: Requires all signs carried by participants during a parade or demonstration to be constructed out of cardboard no thicker than one-fourth of an inch, and supporters used to hold the sign must be made out of non-metallic material no wider than three and one-half inches nor thicker than one inch.

Section 96.37—Parking: When reasonably necessary, the Chief of Police may prohibit or restrict the parking of vehicles along a street or highway constituting a part of the route of a parade or demonstration.

Section 96.38—Dangerous Weapons: The prohibition against the possession of dangerous weapons as provided in G.S. § 14-277.2 and other provisions of law will be strictly enforced during any parade or demonstration.

Section 96.39—Sidewalk Obstruction: Police Officers are required to take reasonable steps to make sidewalks and street access available for pedestrian travel during a parade or demonstration.

TITLE XI- Business Regulations

Chapter 111: Vehicles for Hire

Section 111.01—Certificate Required: Prohibits any person, firm, individual, corporation, or partnership to operate a taxicab business upon and over the streets of the Town without first applying for and obtaining from the Board of Commissioners a certificate as established in this Chapter of the Town Code.

Chapter 112: Peddlers and Solicitors

Section 112.03—Door-to-Door Activities Prohibited: Prohibits any peddler, solicitor, or other seller of merchandise to go in, or on, any private residences within the Town without first having been requested or invited to do so by the owner or occupant, for the purpose of advertising, peddling, or selling merchandise.

Section 112.04—Solicitation of Funds; Registration Required: Prohibits any agent, representative, or person to engage in any activity as a solicitor on the streets, in private residences, in offices, or in places of businesses within the corporate limits of the Town. Any person or group allowed to solicit under this section, including but not limited to elementary or secondary schools, churches, the United Way, or solicitations for Town sponsored events must first register with the Chief of Police in person and supply his, her, or its full name and the name of the organization represented.

Section 112.16—License Required for Transient and Itinerant Merchants and Vendors: Prohibits any transient merchant, itinerant merchant or itinerant vendor to engage in the any business within the Town without first obtaining a valid license in compliance with the provisions of this Chapter.

Section 112.41—Prohibited of Residential Yard Sales: Prohibits conducting any sale of personal property within the Town limits except as by compliance with the duties and requirements set for in this Chapter.

Section 112.61—Magazine Subscription Solicitation: Prohibits any agent, representative, or person to solicit on the public streets, in home and offices of business within the Town limits to solicit any subscriptions to any magazine, periodical publication, or any printed matter to be delivered by mail. This section does not apply to local school children soliciting subscriptions nor any person soliciting the same on behalf of any local church.

Chapter 113: Amusements

Section 113.02—License Required for Game Rooms: Prohibits any person to operate a game room within the Town limits without first applying for and obtaining a license from the Town Board. Every operator of a game room is required to pay a privilege tax annually in accordance with the Town Code.

Section 113.04—Prohibited Conduct: Prohibits licensees or their employees from suffering or permitting (1) any gambling on the licensed premises at any time, or the sale or use of any racing, football, or other parlay cards or gambling boards or devices; (2) the licensed premises to become disorderly, or permit any profane, obscene, or indecent language thereon; or (3) any intoxicating liquors or controlled substances to be sold or kept or consumed on the licensed premises. This section also prohibits hiring any employee who has been convicted of unlawfully selling narcotics or intoxicating liquors, or of any crime which is a felony under the federal and state laws.

Section 113.05—Rules of Operation: Requires (1) all game rooms to be closed from 11:00pm until 7:00am, Sunday through Thursday, and closed by midnight on Fridays and Saturdays; (2) all game rooms to be operated on the ground floor of the building; (3) a clear view of the interior of the building from the street; and (4) an adult 18 years or older managing the business on the premises during the normal hours of operation. Prohibits (1) playing any games during the times when game rooms are required to be closed as set forth above; (2) having any screens, curtains, blinds, or other obstructions to be placed between the entrance of the room where the games are played and the rear wall; (3) loud noises emanating from the licensed premises; or (4) any infant or minor child less than 16 years of age to be allowed on the premises during the hours when the state school system is in operation.

TITLE XIII- General Offenses

Chapter 130: Offense Against Public Property

Section 130.01—Assault on Law Enforcement Canine: Prohibits willfully torturing, beating, kicking, striking, hitting, injuring, or otherwise mistreating any dog owned by the Town, or otherwise willfully interfering with the lawful performance of the dog.

Section 130.03—Discharge of Weapon, Hunting, Prohibited in Bird Sanctuary: Prohibits trapping, hunting, shooting, or otherwise killing any native, wild, or endangered species within the corporate limits of the Town designated as the bird sanctuary area, and all lands owned or leased by the Town outside the corporate limits. Prohibits shooting or projecting any stone, rock, or other hard substance by means of a sling-shot, rifle, bow, or other similar device, or to fire any pistol, gun, or other firearm within the aforementioned area, except: (1) shooting of bows on ones own property, or on another's property with the owners permission; (2) discharging of firearms or shooting devices within legally established shooting ranges; or (3) using firearms for the destruction of rodents or other similar animals or reptiles considered a menace to public health or property with special permission from the Chief of Police.

Section 130.04—Posters, Advertising Prohibited on Poles and Trees: Prohibits nailing, tacking, or fastening in any manner any notice, poster, sign or advertisement to any tree or pole in the corporate limits of the Town.

Chapter 131: Offenses Against Public Peace

Section 131.02—Public Possession or Consumption of Alcohol Prohibited: Prohibits consuming malt beverages and/or unfortified wines on any public street or property owned, occupied, or controlled by the Town, or on public streets, alleys, or parking lots which are temporarily closed to regular traffic for special events.

Section 131.03—Loitering: Prohibits (1) loitering or prowling in any place, at any time, or in any manner not usual for law-abiding individuals under circumstances that warrant alarm for the safety of persons or property in the vicinity; (2) after being first warned by a police officer, or where “no loitering” signs have been posted, loitering, standing, sitting, or lying upon any public street, sidewalk, or portion of private property utilized for public use, so as to hinder or obstruct the free passage of pedestrians or vehicles thereon; or (3) blocking, obstructing, or preventing free access to the entrance of any building open to the public.