

Clinton City Code – Misdemeanors

Sec. 1-10. - General penalty; enforcement of ordinances; continuing violations.

Unless otherwise specifically provided, violation of any provision of this Code or any other city ordinance shall be a misdemeanor, as provided by section 14-4 of the general statutes.

Sec. 4-2. - Interference with the animal control officer.

No person shall interfere with, hinder, or molest the animal control officer or any of his agents in performing any of his duties, or seek to release any animal from custody, except as provided in this chapter.

Sec. 4-6. - Keeping of certain animals within city prohibited.

It shall be unlawful for any person, other than a person described in the second sentence of this section, to keep or maintain overnight any horse, mule, cow, cattle, sheep, hog, or goat within the corporate limits of the city; and it shall be unlawful for any person to keep or maintain any live fowl for any period of time within the corporate limits of the city except while transporting the same through the corporate limits of the city and the same are securely confined. The keeping of maintaining of any of the named animals by a public educational institution for educational purposes located within the corporate limits of the city is exempt from this section.

Sec. 4-7. - Animals on streets and sidewalks.

It shall be unlawful to ride, drive or lead any horse, cow or other hoofed animal on any sidewalk or street. Exceptions may be made by special permit approved by the city manager for carnivals, parades, or other special events permitted by the city.

Sec. 4-2. - Interference with the animal control officer.

No person shall interfere with, hinder, or molest the animal control officer or any of his agents in performing any of his duties, or seek to release any animal from custody, except as provided in this chapter.

Sec. 4-6. - Keeping of certain animals within city prohibited.

It shall be unlawful for any person, other than a person described in the second sentence of this section, to keep or maintain overnight any horse, mule, cow, cattle, sheep, hog, or goat within the corporate limits of the city; and it shall be unlawful for any person to keep or maintain any live fowl for any period of time within the corporate limits of the city except while transporting the same through the corporate limits of the city and the same are securely

confined. The keeping of maintaining of any of the named animals by a public educational institution for educational purposes located within the corporate limits of the city is exempt from this section.

Sec. 4-7. - Animals on streets and sidewalks.

It shall be unlawful to ride, drive or lead any horse, cow or other hoofed animal on any sidewalk or street. Exceptions may be made by special permit approved by the city manager for carnivals, parades, or other special events permitted by the city.

Sec. 4-9. - Dangerous animals, owning or keeping prohibited.

It shall be unlawful for any person to own, keep, possess or in any way maintain a wild or dangerous animal within the corporate limits of the city. After a determination by the designated agent or employees of the city that particular animal is wild or dangerous, the owner or keeper of such animal shall have it humanely destroyed, or shall otherwise remove it from within the corporate limits of the city.

Sec. 4-11. - Teasing and molesting.

It shall be unlawful for any person to tease, bait or in any way molest any animal.

Sec. 4-24 - Keeping and penning; sanitary quarters required.

It shall be unlawful for any person to own, to keep custody of or to take care of four (4) or more dogs, five (5) months or older, who are frequently outside on the premises, unless the person has a special permit issued by the animal control officer. (g)

It shall be unlawful for the owner or custodian of any animal to maintain such animal in quarters that are not sanitary or humane.

Sec. 4-25. - Animals creating nuisance.

It shall be unlawful for any person to own, keep, possess or maintain an animal in such a manner so as to constitute a nuisance.

Sec. 5-21. - Unlawful to deface number.

It shall be unlawful for any person to alter, deface, or take down any number placed on any property in accordance with this article, except for repair or replacement of such number.

Chapter 6 – CEMETERIES

Rules re interments, burial permits, monuments etc. in City owned cemeteries

Sec. 6-8. - Violation of chapter.

A violation of any provision of this chapter shall be a misdemeanor punishable with a fine not to exceed five hundred dollars (\$500.00) as provided in G.S. 14-4.

Chapter 7 - CIVIL DEFENSE

🏰 ARTICLE II. - STATE OF EMERGENCY

Sec. 7-22. - Violation of restrictions.

During the existence of a proclaimed state of emergency, it shall be unlawful for any person to violate any provision of any restriction imposed by any proclamation authorized by this article.

Chapter 9 - FIRE PREVENTION, PROTECTION, AND INSPECTION

Sec. 9-36. - Interference with fire department.

No person shall stand or be in any street, alley, or square near where a fire is in progress, so as to interfere with the duties of the fire department.

No person may interfere with a fireman on duty nor shall any person other than a member of the fire department remain about any fire station, or change, meddle with or handle in any manner any fire engine or other fire apparatus.

- **Sec. 9-37. - Riding on firefighting vehicles**

No person other than a bona fide member of the fire department may mount any fire engine, wagon, or apparatus either at the station, while it is on its way to or from a fire, at any other time, unless by permission of the driver or the officer in command of such engine, wagon or other apparatus.

- **Sec. 9-39. - Unauthorized use of fire apparatus.**

No fire engine, fire truck, or other apparatus shall be removed from the city without the consent of the chief of the fire department or the city manager, and no fire apparatus shall be used for other than firefighting purposes without the consent of the chief of the fire department or the city manager.

- **Sec. 9-40. - Intoxicating liquors on fire department quarters.**

It shall be unlawful to take or cause to be taken any spirituous, vinous, malt or other intoxicating liquors into any of the fire department quarters.

- **Sec. 9-41. - Interfering with alarm system.**

No person shall interfere carelessly or willfully with the fire alarm system or injure the poles, wires, boxes, or other apparatus connected therewith.

- **Sec. 9-42. - Obstructing fire hydrants.**

It shall be unlawful to obstruct any hydrant or fire plug in such manner as to interfere with the easy approach to or the convenient use of it by the fire department.

Chapter 11 - GARBAGE AND TRASH

Sec. 11-10. - Maintenance of rubbish, weeds, long grass, etc. on vacant lots or other premises.

It shall be unlawful to maintain any property, vacant or otherwise upon which there is an uncontrolled growth of noxious weeds, grasses, or bushes to a height in excess of ten (10) inches and causing or threatening to cause infestation by rats, mice, snakes or vermin of any kind or constituting a fire hazard or which is in any way detrimental to the public health, morals, safety or general welfare; provided, however that this section shall not apply to planted and cultivated flowers, shrubbery or other vegetables or crops, property not reasonably accessible to power mowing equipment, and undeveloped parcels greater than five (5) acres in size, except for those portions of tracts greater than five (5) acres in size which constitute a public nuisance.

Further, it shall be unlawful to maintain any land, vacant or otherwise, which has upon it rubbish, waste, stagnant ponds, and fallen trees to such an extent that it is causing infestation by rats, mice, snakes or vermin of any kind or constituting a fire hazard or which is in any way

Chapter 12 – HOUSING

It shall be unlawful for the owner to permit the occupancy by others or for anyone to occupy a dwelling which has been posted with the notices authorized by [section 12-10](#) after the time prescribed in the notice for the vacation of said dwelling, and each day's occupancy after said date shall be a separate and distinct offense.

If any person shall violate any provision of this chapter, he shall be guilty of a misdemeanor and shall be punished as by law provided.

Chapter 14 - LICENSES AND REGISTRATION

- **Sec. 14-19. - Conducting business without a license.**

It shall be unlawful for any person to engage in or carry on a business in the city for which there is required a license, without first having paid the license tax and obtained the license. For the purpose of this section the opening of a place of business, offering to sell followed by a single sale, or the doing of any act or thing in furtherance of the business shall be construed to be engaging in or carrying on such business.

- **Sec. 14-20. - False statements in applications.**

Any person who shall willfully make any false statement in an application for a license under this article shall be guilty of a misdemeanor.

Sec. 14-234. - Penalty.

In addition to or in lieu of remedies authorized in subsection (a) and (c) above, violations of this chapter may be prosecuted as a misdemeanor in accordance with G.S. 160A-175. Conviction of a misdemeanor prosecution under this chapter shall subject the offender to a fine of fifty dollars (\$50.00).

Chapter 15 - MOTOR VEHICLES AND TRAFFIC

Sec. 15-66. - Fire lanes.

Parking or obstruction prohibited. It shall be unlawful for any person to park and leave unattended a motor vehicle or to put or place any other object, structure or obstruction in a fire lane which has been properly established and marked.

Chapter 16 - OFFENSES AND MISCELLANEOUS PROVISIONS

Sec. 16-1. - Intoxicating beverages—Consumption.

It shall be unlawful to consume intoxicating, beverages, that is, beer, wine or liquor, in any public place or upon or in any public street, sidewalk, alley parking lot, or property owned, leased or maintained by the city or by the state and within the city limits, or on any such place owned, leased or maintained by the city outside the corporate limits except by special event permit issued by the city manager

Sec. 16-2. - Same—Disposal of containers.

It shall be unlawful to drop, throw, cast or deposit any intoxicating beverage container in any public place other than a bona fide disposal site or receptacle, or upon any public street, sidewalk, alley or parking lot, or upon the private premises of another without permission of the owner or person entitled to possession of such premises.

Sec. 16-3. - Possession and discharge of firearms.

Prohibitions appear to be implied from the definitions section.

Sec. 16-4. - Carnivals.

It shall be unlawful for any person to operate, promote, or show a carnival within the city limits. Amusement rides consisting of ferris wheels, merry-go-rounds, and the like are permitted upon the responsible party obtaining the appropriate permits from the chief of police and city manager.

Sec. 16-5. - Noises.

Generally. Subject to the provisions of this section, the creation of any unreasonably loud, disturbing and unnecessary noise is prohibited, as is any noise of such character, intensity and duration as to be detrimental to the life or health of others.

Sec. 16-6. - Throwing missiles over streets or sidewalks.

It shall be unlawful to throw stones, shot or missiles, by hand, slingshot or otherwise, over any of the streets, alleys or sidewalks of the city.

Sec. 16-8. - Smoking prohibited in community theater.

No smoking shall be allowed in any part of the Clinton Community Theater, which is owned by the City of Clinton.

Sec. 16-9. - Fraud.

It shall be unlawful for any person to purchase, rent, or use, the personal property, real property, or facilities of the city, when such person represents that he or she is a resident of the city

Sec. 16-10. - Smoking in municipal buildings.

Smoking regulated in municipal buildings. It shall be unlawful for any person to smoke in any building or facility or portion of a building or facility now or hereafter owned, leased, operated, occupied, managed or controlled by the city except in specially designated smoking areas.

ARTICLE II. - YOUTH CURFEW

It shall be a violation of this section for any person eighteen (18) years or older to aid or abet a juvenile in the violation of [section 16-23](#)(1).

A parent or guardian of a juvenile shall be in violation of this section if he knowingly permits, and/or by inadequate supervision, allows the juvenile to remain on the premises of any establishment or in any public place within the city during the restricted hours.

Sec. 16-27. - Banning authority.

Purpose. The purpose of this section shall be to establish a system for banning individuals, who violate criminal laws or demonstrate detrimental conduct, from property owned or controlled by the city in order to protect citizens and property.

If an individual continues to remain on property from which they are banned, or enters an area they are banned from in the designated time period described in the trespass warning citation then they are in violation of N.C.G.S. 14-159.13, and subject to arrest.

ARTICLE III. - ALARM SYSTEMS REGULATION

It shall be unlawful for any person to activate an alarm for the purpose of summoning either sheriff's department or fire department assistance when no fire, burglary, robbery, or other crime dangerous to life, is being committed or attempted on the premises or otherwise to cause an alarm response where there is no valid basis for causing the same.

ARTICLE IV. - PROHIBITING LOITERING FOR THE PURPOSE OF ENGAGING IN DRUG RELATED ACTIVITY

Sec. 16-62. - Offenses.

It shall be unlawful for a person to remain or wander about in a public place in a manner and under circumstances manifesting a purpose to engage in a violation of any provision of the North Carolina Controlled Substances Act, G.S. 90-86 et seq.

Sec. 16-63. - Fines.

A violation of any provision of this section shall be a misdemeanor punishable with a fine not to exceed five hundred dollars (\$500.00) as provided by G.S. 14-4.

- **ARTICLE V. - REGULATION OF AGGRESSIVE PANHANDLING**

- **Sec. 16-81. - Begging, panhandling, or soliciting contributions.**

- No person shall beg, panhandle, or solicit contributions in a public place in a manner so as to intimidate another person or by accosting another person, or by forcing oneself upon the company of another person.

ARTICLE IV. - RECREATION FACILITIES

- **Sec. 18-50. - Destruction of property.**

It shall be unlawful for any person to remove, destroy, mutilate or deface any structure, monument, statue, planter, fountain, wall, fence, railing, vehicle, bench, picnic table, tree, plants, or any other property in any recreation area or recreation center.

- **Sec. 18-51. - Disorderly conduct.**

It shall be unlawful for any person to use any profane, boisterous or insulting language or to be guilty of disorderly conduct of any kind in any recreation area.

It shall be unlawful for any person to make or cause to be made any loud, disturbing or unnecessary noises in any recreation area except normal cheering and applauding during the progress of a duly authorized activity.

- **Sec. 18-52. - Firearms.**

It shall be unlawful for any person, except duly authorized recreation department employees, officials, or law enforcement officers in the course of their duties, to discharge, shoot, fire or explode any firearm, or any air rifle, toy pistol, toy gun, or other toy designed to forcibly hurl a projectile or missile, at any time and under any circumstances within any recreation area, or to carry any firearms or dangerous weapons in any recreation area. Archery equipment, slingshots or other similar devices shall be shot or discharged only in those areas within the recreation department specifically set aside for such purposes and so posted.

- **Sec. 18-53. - Alcoholic beverages and narcotic drugs.**

It shall be unlawful for any person to bring upon, possess, consume or display any beer, wine, malt or alcoholic beverage containing more than one (1) percent of alcohol or any narcotic drugs in any recreation area; and it shall be unlawful for any person under the influence of the above listed beverages or any narcotic drugs to enter or remain within any recreation area.

- **Sec. 18-54. - Molesting animals.**

It shall be unlawful for any person to trap, catch, wound or kill or cause to be injured, treat cruelly, or tease, or attempt to trap, catch, wound, kill, injure or tease any bird or animal or molest or rob any nest of any bird, or any lair, den or burrow of any animal in or upon any recreation area owned by the city and administered by the recreation department or its designated officials.

- **Sec. 18-55. - Gambling.**

It shall be unlawful for any person to conduct or carry on any game of chance in any recreation area or recreation center at which any money, property, or other thing of value is bet, whether the same be in the stake or not.

- **Sec. 18-56. - Leaving refuse in recreation areas.**

Except in containers provided for that purpose, no person shall leave, deposit, dump, throw, cast, lay or place, or cause to be deposited, dumped, thrown, cast, laid, or placed any ashes, trash, rubbish, soil, earth, paper, garbage, refuse, debris, plant clippings or limbs or leaves in or upon any recreation areas or in any watercourse, lake, pond or slough within any recreation areas. Dumpsters placed on recreation and park areas shall be used for park refuse only. It shall be unlawful for private citizens or businesses to use park dumpsters for their private refuse.

- **Sec. 18-57. - Fires.**

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

- **Sec. 18-58. - Excavating and metal detecting on city property.**

It shall be unlawful for any person to make an excavation in any recreation area for any purpose without written permission from the recreation department or its designated official.

Sec. 18-62. - Selling, peddling, begging.

It shall be unlawful for any person to engage in soliciting, peddling, begging, selling or plying the vocation of a solicitor, agent, peddler, beggar, or salesman of any description in any recreation area; and it shall be unlawful for any person to sell, hock or vend fruits, candies, popcorn, peanuts, ice cream, soft drinks, and similar merchandise within the recreation area, unless written authority is given by the recreation department or its designated official.

Chapter 20 - STREETS AND SIDEWALKS

- **Sec. 20-1. - Littering.**

It shall be unlawful for any person to throw, sweep or leave any trash, paper, refuse or other like substance upon any street, sidewalk or other public place in the city.

- **Sec. 20-2. - Planting elm, mulberry or chinaberry trees near streets.**

It shall be unlawful to plant any elm, mulberry or chinaberry tree within fifty (50) feet of any street.

- **Sec. 20-3. - Posting advertisements or signs on utility poles.**

It shall be unlawful to place, tack or nail any sign or advertising matter on any telegraph, telephone or light pole.

- **Sec. 20-4. - Fishing or hunting from dam at south end of fox lake.**

It shall be unlawful for any person to fish or hunt, by any means or device, from the dam at the southern extremity of Fox Lake, all of which dam is in the street right-of-way maintained and owned by the city.

ARTICLE IV. - SIDEWALKS

- **Sec. 20-46. - Overhanging shrubbery and hedges.**

No hedge or shrubbery shall be permitted to overhang any sidewalk.

- **Sec. 20-47. - Displaying merchandise.**

It shall be unlawful for any merchant or salesman to occupy any of the sidewalks or to place goods, wares and merchandise thereon for the purpose of display or sale. Provided, however, that goods, wares and merchandise may be displayed on the city sidewalk in front of any mercantile store so long as four (4) feet of sidewalk space be unobstructed.

- **Sec. 20-48. - Use by wheeled devices.**

It shall be unlawful to ride, pull or propel any bicycle, motorcycle, handcart, push cart, skateboard, or any other wheeled contrivance, other than baby carriages or invalid chairs prescribed by a physician or health officer, upon the city sidewalks; and it shall be unlawful to ride, pull, or propel upon the municipal parking lots any skate boards or other wheeled contrivances, other than a bicycle, moped, or motor vehicle as defined by Chapter 20 of the North Carolina General Statutes.

- **Sec. 20-49. - Removal of obstructions.**

The owner or occupant of any dwelling or premises shall keep the sidewalks adjacent to the premises clear of rubbish, dirt, weeds, trash or other obstructions.