

City of Dunn, NC - Ordinance Violation Misdemeanors		
Section/Ordinance	Web Link	Description
Sec. 11-247. - Property permitted to be sold.	Property to be sold- Municode Link	It shall be unlawful for any individual to sell or offer for sale, under authority granted by this article, property other than personal property. (Ord. No. 1992-004, 5-7-92)
Sec. 11-251. - Permit required.	Permit Require- Municode Link	No yard sale shall be conducted unless and until the individuals desiring to conduct such sale shall obtain a permit therefor from the finance department. Members of more than one (1) residence may join in obtaining a permit for a yard sale to be conducted at the residence of one of them. (Ord. No. 1992-004, 5-7-92)
Sec. 11-252. - Written statement required.	Written Statement Required- Municode Link	Prior to issuance of any yard sale permit, the individuals conducting such sale shall file a written statement with the finance department, setting forth the following information: 1-Full name and address of applicant.2-The location at which the proposed yard sale is to be held.3- The date when the sale shall be held. 4-An affirmative statement that the property to be sold was owned by the applicant as his own personal property and was neither acquired nor consigned for the purposes of resale. (Ord. No. 1992-004, 5-7-92)
Sec. 11-253. - Permit fee.	Permit Fee- Municode Link	There may be an administrative processing fee for the issuance of such permit established from time to time by the city council. (Ord. No. 1992-004, 5-7-92)
Sec. 11-254. - Permit conditions.	Permit Condition- Municode Link	The permit shall set forth and restrict the time and location of such yard sales. No more than three (3) such permits for no more than two (2) consecutive days only for each permit may be issued to one (1) residence and/or family household during any calendar year. If members of more than one (1) residence join in requesting a permit, then such permit shall be considered as having been issued for each and all of such residences. (Ord. No. 1992-004, 5-7-92)
Sec. 11-255. - Hours of operation.	Hours of Operation- Municode Link	Such yard sales shall be limited in time to no more than the daylight hours of the day for which permit is granted. (Ord. No. 1992-004, 5-7-92)
Sec. 11-256. - Exceptions.	Exceptions- Municode Link	(a) If sale not held because of inclement weather. If a yard sale is not held on the date for which the permit is issued or is terminated during the day of the sale because of inclement weather conditions, and an affidavit by the permit holder to this effect is submitted, the city finance department may issue another permit to the applicant for a yard sale to be conducted at the same location within thirty (30) days from the date when the sale was to be held. No additional permit fee is required. (b) Fourth sale permitted. A fourth yard sale shall be permitted in a calendar year if satisfactory proof of a bona fide change in ownership of the real property is first presented to the finance department or its duly authorized representative. (Ord. No. 1992-004, 5-7-92)
Sec. 11-257. - Pre-permit investigation.	Pre-Permit Investigation- Municode Link	Before issuing a permit, the finance department may conduct an investigation as may reasonably be necessary to determine if there is compliance with this section. (Ord. No. 1992-004, 5-7-92)
Sec. 11-258. - Display of permit.	Display of Permit- Municode Link	Any permit in possession of the holder or holders of a yard sale shall be posted on the premises in a conspicuous place so as to be seen by the public and the city zoning inspector or his designee. (Ord. No. 1992-004, 5-7-92)
Sec. 11-259. - Advertising; signs.	Advertising; Signs- Municode Link	Signs permitted. Only the signs permitted in chapter 22, section 22-296(1) of this Code may be displayed in relation to a pending yard sale. (Ord. No. 1992-004, 5-7-92; Ord. No. 02003-11, 11-6-03)
Sec. 11-260. - Public nuisance.	Public Nuisance- Municode Link	The individual to whom such permit is issued and the owner or tenant of the premises on which such sale or activity is conducted shall be jointly and severally responsible for the maintenance of good order and decorum on the premises during all hours of such sale or activity. No such individual shall permit any loud or boisterous conduct on said premises nor permit vehicles to impede the passage of traffic on any roads or streets in the area of such premises. All such individuals shall obey the reasonable orders of any member of the police or fire department of the city in order to maintain the public health, safety and welfare. (Ord. No. 1992-004, 5-7-92)
Sec. 11-261. - Inspection, arrest authority of inspector.	Inspection, arrest authority of inspector- Municode Link	A police officer or any other official designated by the city ordinance to make inspections under the licensing or regulating ordinance or to enforce the same, shall have the right of entry to any premises showing evidence of a yard sale for the purpose of enforcement or inspection and may close the premises from such a sale or arrest any individual who violates the provisions of this section. (Ord. No. 1992-004, 5-7-92)
Sec. 11-262. - Parking.	Parking- Municode Link	All parking of vehicles shall be conducted in compliance with all applicable laws and ordinances. Further, the police department may enforce such temporary controls to alleviate any special hazards and/or congestion created by any yard sale. (Ord. No. 1992-004, 5-7-92)

Sec. 11-263. - Revocation and refusal of permit.	Revocation and refusal of permit- Municode Link	(a) False information. Any permit issued under this article may be revoked or any application for issuance of a permit may be refused by the finance department if the application submitted by the applicant or permit holder contains any false, fraudulent or misleading statement. (b) Conviction of violation. If any individual is convicted of an offense under this article, the finance department is not to issue such individual another yard sale permit for a period of two (2) years from the time of conviction. (Ord. No. 1992-004, 5-7-92)
Sec. 11-264. - Persons exempted.	Persons exempted- Municode Link	1-Persons selling goods pursuant to an order or process of a court of competent jurisdiction. 2-Persons acting in accordance with their powers and duties as public officials 3-Any sale conducted by any merchant or mercantile or other business establishment from or at a place of business where such sale would be permitted by the zoning regulations of the city or under the protection of the nonconforming use section thereof or any other sale conducted by a manufacturer, dealer or vendor and which sale would be conducted from properly zoned premises and not otherwise prohibited in other ordinances. 4-Any bona fide charitable, eleemosynary, educational, cultural or governmental institution or organization when the proceeds from the sale are used directly for the institution or organizations's charitable purposes and the goods or articles are not sold on a consignment basis. (Ord. No. 1992-004, 5-7-92)
Sec. 11-265. - Separate violations.	Separate Violations- Municode Link	Every article sold and every day a sale is conducted in violation of this section shall constitute a separate offense. (Ord. No. 1992-004, 5-7-92)
Sec. 11-266. - Violation a misdemeanor.	Violation a misdemeanor- Municode Link	Any person who shall violate any provision of this section shall be guilty of a misdemeanor. (Ord. No. 1992-004, 5-7-92)
Sec. 11-267. - Separability.	Separability- Municode Link	If any provision of this section is found by a court of competent jurisdiction to be invalid or unconstitutional, or if the application of this section to any person or circumstances is found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this section which can be given effect without the invalid or unconstitutional provision or application. (Ord. No. 1992-004, 5-7-92)
Sec. 11-101. - Secondhand precious metal business defined.	Secondhand precious metal business defined- Municode Link	A secondhand precious metal business is hereby defined to mean any person engaged in the business of purchasing, trading for, or otherwise taking in any secondhand article made, in whole or in part, of gold, silver, or platinum. For purposes of this article, the term "secondhand article" shall mean an article which has been used or which has been previously traded or sold by a retailer. For purposes of this article, the term "secondhand article" shall not include any coin or any gold or silver ingot or bar. (Code 1974, § 13-28)
Sec. 11-102. - Registration of employees.	Registration of employees- Municode Link	Every employee of a secondhand precious metal business shall, within five (5) days of being employed, register his name and address with the city police department and have his thumbprints, fingerprints and photograph taken by the police department. The employee shall be issued by the city police department a certificate of compliance with this section upon his payment of the required fee, the amount of which may be found on file in the finance office. (Code 1974, § 13-29(b))
Sec. 11-103. - Records of transactions required.	Records of transactions required- Municode Link	(a)Every secondhand precious metal business shall keep a tightly bound book, not looseleaf, with pages numbered in sequence, in which there shall be legibly written at the time of any transaction with a nonlicensee involving the purchasing of, trading for, or taking in of any secondhand article made, in whole or in part, of gold, silver, or platinum, the following information: (1)An account and description of the item, article, or thing purchased, traded for, or taken in, including, if applicable, the manufacturer's name, the model, the model number, the serial number, and any engraved number, initial, or marking;(2)The amount of money involved in the transaction or any item offered in trade;(3)The date of the transaction;(4)The name and residence of the person involved in the transaction with the secondhand precious metal business, along with the person's date of birth and general physical description, including hair color and approximate height and weight; and (5)A notation as to whether the item, article, or thing is stored on the licensed premises or elsewhere. (b)No transaction involving purchasing, trading for, or taking in a secondhand article made, in whole or in part, of gold, silver, or platinum shall be completed by any secondhand precious metal business or an agent or employee thereof until the person involved in the transaction presents two (2) forms of positive identification containing a photographic representation imprinted thereon. This identification information shall be recorded next to the person's name and residence in the book required to be kept pursuant to subsection (a) of this section. (c)The book required by this section shall be a permanent record to be kept at all times on the premises of the secondhand precious metal business. The book shall be made available during regular business hours to any law enforcement officer. A full and accurate copy of the records required to be kept by this section shall be filed with the police department within forty-eight (48) hours of the transaction. (d)The book need not be kept longer than three (3) years by the licensee. (Code 1974, § 13-33)

Sec. 11-104. - Goods kept for seven days.	Goods kept for seven days- Municode Link	Every secondhand precious metal business must keep all secondhand articles made, in whole or in part, of gold, silver, or platinum, open to inspection by any law enforcement officer at reasonable times for a period of seven (7) days within the territorial jurisdiction of the city. During this period, the appearance of the articles shall not be altered in any way. A secondhand precious metal business is not prohibited from selling or arranging to sell or trade the articles during the seven-day period, as long as such articles remain in its possession, as required by this section. (Code 1974, § 13-34)
Sec. 11-105. - Purchases from persons under age eighteen.	Purchases from persons under age eighteen- Municode Link	No secondhand precious metal business, or employee or agent thereof, shall purchase from any juvenile under eighteen (18) years of age any secondhand article made, in whole or in part, of gold, silver, or platinum without the written consent of the juvenile's parent or guardian. (Code 1974, § 13-35)
Sec. 11-106. - Use of unlicensed premises.	Use of unlicensed premises- Municode Link	No secondhand precious metal business shall make use of any property or premises not included within the premises designated in or by the license required by this article for the display of any secondhand article made, in whole or in part, of gold, silver, or platinum, or for the conduct of a secondhand precious metal business. This section does not prohibit the storage or safekeeping of any such secondhand article off the licensed premises. (Code 1974, § 13-36)
Sec. 11-107. - Penalty for violation of article.	Penalty for violation of article- Municode Link	Violation of any of the provisions of this article by any person shall constitute a misdemeanor, and, upon conviction, a violator shall be punished in accordance with section 1-6. (Code 1974, § 13-37)
Sec. 11-121. - Required.	Required- Municode Link	No person shall operate a secondhand precious metal business unless such person shall have first applied for and received a privilege license as required in this section from the city tax collector. A separate license shall be required for each location, place, or premises used for the conduct of a secondhand precious metal business, and each license shall designate the location, place, or premises to which it applies. In addition, the business shall not be carried on or conducted in any place other than that designated in or by the privilege license. (Code 1974, § 13-29(a))
Sec. 11-122. - Investigation of license applicant.	Investigation of license applicant- Municode Link	(a)Any person applying to the tax collector for a license to conduct the business of a secondhand precious metal dealer shall pay the current investigation fee to the city to compensate the city for the cost of investigating the applicant's criminal record and character. The applicant shall report to the police department and furnish his full name, address, physical description, age, state driver's license (if applicable), and social security number. In addition, the applicant will be photographed and fingerprinted in order to facilitate the investigation. (b)If the applicant is a partnership or association, all persons owning or having an interest therein shall pay to the city the current investigation fee and comply with the provisions of subsection (a) of this section. (c)In the case of a corporate applicant, each stockholder owning ten (10) percent or more of the corporation's common stock shall pay to the city the current investigation fee and comply with the provisions of subsection (a) of this section. The amount of the investigation fee shall be set from time to time, and may be found on file in the finance office. 1974, § 13-30)
Sec. 11-123. - Bond required.	Bond required- Municode Link	Before a license shall be issued to a secondhand precious metal business, the applicant shall execute the required bond payable to the city, conditioned upon the faithful compliance with ordinances and laws, and conditioned further to indemnify and to save the city harmless from damages arising from the failure of the licensee or his servants, agents, or employees to comply faithfully with all applicable ordinances and laws. Any person who obtains a judgment against any such licensee which is subsequently not satisfied may obtain from the city an assignment of the city's rights upon the bond and may then bring an action thereof in any court having jurisdiction. (Code 1974, § 13-31)
Sec. 11-124. - Denial or revocation.	Denial or revocation- Municode Link	(a) No license shall be issued to any applicant if any of the persons required to be investigated under section 11-122 has been convicted of any felony or of a crime involving fraud, theft, or receiving or possession of stolen property in the five (5) years immediately preceding the date of the license application. (b)The conviction of any person required to be investigated under section 11-122 for any felony or for any crime involving fraud, theft, or receiving or possessing stolen property or for any violation of this article shall constitute grounds for immediate revocation by the city council of the privilege license issued to the secondhand precious metal business. (Code 1974, § 13-32)
Sec. 3-3. - Animals running at large.	Animals running at large- Municode Link	No duck, pigeon, chicken or other fowl, horse, goat, cattle, sheep or other animal, except cats, shall be permitted to run at large within the city limits. All animals caught running at large shall be impounded by the police and, unless claimed within four (4) days, shall be disposed of as the city shall deem best. (Ord. No. 02011-05, 4-12-11)

Sec. 3-4. - Keeping animals.	Keeping animals- Municode Link	<p>(a) It shall be unlawful for any person to locate, keep, tie, or stake any animal, except cats or dogs within two hundred (200) feet of any dwelling or other structure used for human habitation by any person other than the owner and immediate family of the owner of the animal, without first obtaining a permit in writing signed by the city and issued as provided in this article. (b) It is also unlawful to suffer or permit any animal at any time to be within two hundred (200) feet of a dwelling or other residential structure. (c) It shall be unlawful for any person, partnership, or corporation, etc. to suffer, shelter or maintain any animal at any time to be on property zoned for other than agriculturally or residentially inside the corporate limits without first obtaining the proper zoning permits and privilege license to do so.</p> <p style="text-align: right;">(Ord. No. 02011-05, 4-12-11)</p>
Sec. 3-5. - Same—Number permitted.	Number permitted- Municode Link	<p>(a) It shall be unlawful for any person to locate, keep, or maintain on any lot or parcel of land within the corporate limits more than two (2) animals, other than cats or dogs, or more than two (2) of any combination of such animals. (b) It shall be unlawful for any person to keep on any lot or premises within the corporate limits more than three dogs. This limitation shall not apply to dogs less than four months of age. Any person wanting to keep more than three (3) dogs will apply to the City of Dunn for zoning approval and a privilege license to operate a dog kennel. Prior to the issuing of such license, it shall be determined that the kennel would be in compliance with all city and state regulations. (c) It shall be unlawful for any person to keep on any lot or premises within the corporate limits more than three (3) cats. This limitation shall not apply to cats less than four (4) months of age.</p> <p style="text-align: right;">(Ord. No. 02011-05, 4-12-11)</p>
Sec. 3-6. - Application.	Application- Municode Link	<p>Any person desiring to obtain a permit required by this section shall apply for such permit in writing to the city. Such application shall state the type and number of animals to be stabled, pastured, tied or otherwise kept; the places such animals will be stabled, pastured, tied or otherwise kept; the name of one (1) adult occupant, if any, of each dwelling house, apartment or residence within two hundred (200) feet of such place, and the distance of each dwelling house, apartment or other residence from such place shown on a plot plan.</p> <p style="text-align: right;">(Ord. No. 02011-05, 4-12-11)</p>
Sec. 3-7. - Fee.	Fee- Municode Link	<p>Each applicant for a permit required by this division shall pay to the city currently required fee for each separate application, which fee shall be paid into the general fund of the city.</p> <p style="text-align: right;">(Ord. No. 02011-05, 4-12-11)</p>
Sec. 3-8. - Approval	Approval- Municode Link	<p>Upon determining that a proper application has been filed and that the fee has been paid, and upon finding that the stabling, pasturing, tying or otherwise keeping of such animals in the place stated in the application will not endanger the health of any person occupying a dwelling house, apartment or residence within two hundred (200) feet of such place, or any other citizen or inhabitant of the city, the city shall issue a permit specifying the number and type of animals to be securely stabled, pastured, tied or kept; provided the city may accept as proof the such stabling, pasturing, tying or otherwise keeping of such animals in such places will not endanger the health of any person occupying a dwelling house, apartment or residence within two hundred (200) feet of such place, the written assent to the issuance of such permit signed by one (1) adult occupant of each such dwelling, apartment, or other residence then occupied by human beings within two hundred (200) feet of the place such animals are to be stabled, pastured, tied, or otherwise kept within an enclosed area by a means of sufficient strength to contain said animal.</p> <p style="text-align: right;">(Ord. No. 02011-05, 4-12-11)</p>
Sec. 3-9. - Period; revocation.	Period; revocation- Municode Link	<p>(a) Each permit issued by the city as provided in this division shall be and remain valid until July 1 next following the issuance of the permit, or until revoked as provided in this section. At any time within thirty (30) days before the expiration of any permit, the permit holder may apply for renewal of such permit, which renewal shall be issued upon the same conditions as provided for the issuance of the original permit. Such renewal shall be valid for one (1) year from the expiration of the former permit. (b) Such permit shall be revoked upon finding by the city that the stabling, pasturing, tying or otherwise keeping of any animal described in the permit application at the places described in the permit application endangers the health or safety of any person occupying a dwelling house, apartment or residence within two hundred (200) feet of such place, or any other citizen or inhabitants of the city. Such revocation shall be effective ten (10) days after the mailing by registered or certified mail of a notice thereof to the last known address of the holder of the permit.</p> <p style="text-align: right;">(Ord. No. 02011-05, 4-12-11)</p>
Sec. 3-10. - Vicious animals.	Vicious animals- Municode Link	<p>It shall be unlawful for any person to own, keep, have charge of, shelter, feed, harbor, or take care of any vicious animal within the city limits.</p> <p style="text-align: right;">(Ord. No. 02011-05, 4-12-11)</p>
Sec. 3-11. - Same—Cleanliness of enclosure.	Cleanliness of enclosure- Municode Link	<p>All animal enclosures or yards shall be kept in a clean condition at all times by taking action as is deemed necessary by the state board of health to prevent conditions detrimental to the public health of the city.</p> <p style="text-align: right;">(Ord. No. 02011-05, 4-12-11)</p>

Sec. 3-12. - Same—Keeping hogs.	Same- Keeping hogs- Municode Link	(a) No person shall be permitted to keep or maintain any hog pen or swine within the city. (b) This section shall not be deemed to prohibit the assembling of swine for shipment or the unloading from shipment of swine intended for slaughter, provided that the swine are not kept within the corporate limits for more than twelve (12) hours. (Ord. No. 02011-05, 4-12-11)
Sec. 3-13. - Same—Rabbits.	Same- Rabbits- Municode Link	Notwithstanding section 3-5, it shall be lawful to maintain and keep not more than two (2) adult rabbits at a distance of not less than fifty (50) feet from any dwelling or structure used for human habitation by any person other than the owner of such rabbits and his immediate family. (Ord. No. 02011-05, 4-12-11)
Sec. 3-14. - Urban beekeeping.	Urban beekeeping- Municode Link	It shall be unlawful for any person to maintain within the city or to allow to be maintained upon any lot owned by him any hive of bees, except for bona fide farms or under the following conditions: (a) No more than five (5) hives permitted per parcel within the city limits and planning jurisdiction. (b) Such bee hive shall be at ground level or securely attached to an anchor or stand. (c) No hive shall be located in the front yard. (d) Hive(s) shall be at least ten (10) feet from any property line. (e) The area wherein the hive(s) are located shall be enclosed by a blind fence or wall of not less than six (6) feet in height. (f) Each hive shall have an adequate water supply at the hive. The water supply must be unobstructed that allows for easy access to bees. (g) All beekeeping equipment and hives must be maintained in good order and condition. If the owner of the hive(s) no longer maintains it, the hive(s) shall be removed from the property. (h) If it is necessary to protect the health, safety, and welfare of the public, the property owner shall remove the hive and if the property owner fails to do so after written notice from the city, the city may remove the hive and assess all costs against the property owner. (i) Warning signs shall be placed on the property denoting the presence of beehives. (j) The city manager or his designee shall be notified of any beehive located within the city. Such beehives shall be inspected annually by an apiary inspector certifying the health of the bees and hives. A certificate of inspection shall be submitted to the city manager or his designee upon completion of the inspection. (Ord. No. 02017-09, 4-11-17)
Sec. 3-15. - Exotic or wild animals.	Exotic or wild animals- Municode Link	(a) Exotic or wild animal means any living animal which is not usually and customarily kept as a pet or a domesticated animal. (b) Exotic or wild animals include, but are not limited to, any animal for which a federal or state permit or license is required such as lions, tigers, wildcats, wolves, bears, apes, monkeys, and raccoons and also include dangerous reptiles such as alligators and poisonous reptiles, which are those reptiles that have the capability of injecting humans or other animals with venom which may cause death or physical injury. A hybrid of any animal as defined in this section, regardless of genetic percentages, shall be deemed exotic. (c) It shall be unlawful for any owner of any exotic or wild animal to keep or maintain any such animal within the city unless any required federal and/or state permits have been obtained and are currently valid for the time period and circumstances under which the exotic or wild animal will be maintained within the city, and the animal is: (1) Confined within a humane and secure enclosure, as approved by the animal control officer, in accordance with humane practices; or (2) Securely muzzled, if required, and under restraint by a competent person who, by means of a leash chain, rope or other device suitable to adequately restrain the particular exotic or wild animal, has such animal firmly under control at all times. (d) Any exotic or wild animal which is not properly restrained or secured as required by this section or which has injured or endangered any person or property, or which does not have currently valid federal or state permits, may be confiscated by any animal control officer or law enforcement officer and kept and harbored at the expense of the owner determined to be in violation of this section. (e) Any exotic or wild animal which has escaped, is running at large, or is otherwise deemed to be a continuing threat to the public safety may be slain by any animal control officer or law enforcement officer if attempts to capture the animal are unsuccessful or if immediate capture is not practical or reasonably possible. (f) Notwithstanding any other provision of chapter 3 to the contrary, and in addition to confiscation of the animal as set forth above, violation of this section shall constitute a misdemeanor, punishable for each day the violation continues by a fine of up to five hundred dollars (\$500.00) or imprisonment of not more than thirty (30) days. A animal control officer or law enforcement officer may initiate the criminal process. (Ord. No. 02011-05, 4-12-11)
Sec. 3-16. - Bird sanctuary.	Bird sanctuary- Municode Link	(a) The entire area embraced within the corporate limits and all land owned or leased by the city outside the corporate limits of the city is hereby designated as a bird sanctuary. (b) It shall be unlawful to trap, hunt, shoot, or attempt to shoot or molest in any manner any bird or wild fowl, or to rob bird nests or wild fowl nests, provided that if starlings, pigeons, or similar birds are found to be congregating in such numbers in a particular locality that they constitute a nuisance or menace to health or property, in the opinion of the authorities of the city, the birds may be destroyed by or under the supervision of the chief of police. (Ord. No. 02011-05, 4-12-11)

Sec. 3-17. - Chickens, ducklings, rabbits banned from sale.	Chickens, ducklings, rabbits banned from sale- Municode Link	(a) Chickens, ducklings, and rabbits banned from sale. It shall be unlawful for any person to sell or offer for sale, or permit to be sold or offered for sale, within the corporate limits of the city, baby chickens, baby ducklings, or baby rabbits less than six (6) weeks of age; provided, this section shall not apply to properly zoned hatcheries raising chickens or ducks expressly for the broiler market or for sale to farms or properly zoned retail pet shops. (Ord. No. 02011-05, 4-12-11)
Sec. 3-18. - Disposition of nuisance animals.	Disposition of nuisance animals- Municode Link	(a) A reasonable attempt shall be made to notify the owner of any animal suspected of constituting a public nuisance. (b) Every public nuisance animal shall upon demand be delivered to the animal control warden. It shall be unlawful for the owner of a public nuisance animal to refuse to surrender such animal to the animal control officer. (c) A public nuisance animal which has been impounded by the animal control officer may be redeemed by the owner only upon the conditions established in this chapter. Any animal found unredeemable shall be disposed of in a humane manner. (Ord. No. 02011-05, 4-12-11)
Sec. 3-19. - Enforcement officers right of entry.	Enforcement officers right of entry- Municode Link	(a) The provisions of this chapter shall be enforced by the animal control officers and those officers designated in this chapter, under the operational supervision of the chief of police and under policies established by the city manager. (b) The animal control officer shall have the right to enter upon any premises at all reasonable times for the purpose of discharging the duties imposed upon them by this chapter where there is a reasonable belief that a violation of this chapter has been committed. (Ord. No. 02011-05, 4-12-11)
Sec. 3-20. - Disposal of dead animals.	Disposal of dead animals- Municode Link	It shall be unlawful for any person to bury or permit any dead animal to remain on any property within the city. (Ord. No. 02011-05, 4-12-11)
Sec. 3-21. - Slaughtering within city prohibited.	Slaughtering within city prohibited- Municode Link	No slaughterhouse shall be conducted in the city, and no beef, hogs, or other stock shall be slaughtered within the city limits except as allowed under the provisions of the city's zoning regulations. (Ord. No. 02011-05, 4-12-11)
Sec. 3-40. - Restraint.	Restraint- Municode Link	(a) No owner shall fail to exercise proper care and control of his animals to prevent them from becoming a public nuisance. (b) Every female animal in heat shall be confined in a building or secure enclosure in such a manner that such female animal cannot come into contact with another animal except for planned breeding. (c) Every vicious animal shall be confined by the owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of the owner. (Ord. No. 02011-05, 4-12-11)
Sec. 3-41. - Vicious dogs.	Vicious dogs- Municode Link	It shall be unlawful for any person to own, keep, have charge of, shelter, feed, harbor, or take care of any vicious dog within the city limits. (Ord. No. 02011-05, 4-12-11)
Sec. 3-42. - Barking, howling, whining dogs.	Barking, howling, whining dogs- Municode Link	It shall be unlawful for any owner to keep or have within the city a dog that habitually or repeatedly barks in such a manner or to such an extent that it is a public nuisance. (Ord. No. 02011-05, 4-12-11)
Sec. 3-43. - Teasing, molesting.	Teasing, molesting- Municode Link	It shall be unlawful for any person to tease, molest, bait, or in any way bother any dog not belonging to him or legally under his control. (Ord. No. 02011-05, 4-12-11)
Sec. 3-44. - Notice of injuring.	Notice of injury- Municode Link	It shall be unlawful for any person injuring a dog by running over or into such dog or by coming into contact with such dog with an automobile, motorcycle, bicycle, or other vehicle to fail to notify immediately the owner of such dog or the police department of the city. (Ord. No. 02011-05, 4-12-11)
Sec. 3-45. - Responsibility of owners.	Responsibility of owners- Municode Link	Owners of dogs are responsible for the acts of their dogs. The owner of any dog who commits a nuisance upon the property of another person or who damages another person's property or person is fully responsible and accountable for these acts. The owners of dogs shall provide humane and sanitary shelter from heat, cold, rain, wind, and snow and shall provide food and water adequate to keep the animals in good health and comfort. (Ord. No. 02011-05, 4-12-11)
Sec. 3-46. - Poisoning, maiming, abandoning.	Poisoning, maiming, abandoning- Municode Link	No person shall poison or maim a dog, nor may a dog be abandoned. (Ord. No. 02011-05, 4-12-11)
Sec. 3-48. - Disposition of unwanted animals.	Disposition of unwanted animals- Municode Link	Unwanted animals may be given to the animal control officer to be sold by the city or destroyed in a humane manner. (Ord. No. 02011-05, 4-12-11)
Sec. 3-49. - Defecation on streets and private property.	Defecation on streets and private property- Municode Link	(a) Public property. It shall be unlawful for the owner of any animal to fail or refuse to remove feces deposited by the animal on any street, sidewalk, park or other publicly-owned area. (b) Private property. It shall be unlawful for the owner of any animal to fail or refuse to remove feces deposited by the animal on any private property. (Ord. No. 02011-05, 4-12-11)

<p>Sec. 3-50. - Animal abuse prohibited.</p>	<p>Animal abuse prohibited- Municode Link</p>	<p>(a) Prohibited acts. All animals shall be kept and treated under sanitary and humane conditions and it shall be unlawful for any person to engage in one (1) or more of the following acts: (1) Failing to provide adequate feed, water and shelter or failing to maintain the animal in a clean and healthy environment. All animals, unless otherwise indicated in this chapter, shall be given adequate feed, adequate water and adequate shelter. Examples of shelter that is not adequate include, but are not limited to the following: a. Underneath houses, outdoor steps, decks or stoops, or underneath motor vehicles; b. Inside metal barrels or cardboard boxes; c. Shelters prone to flood; d. Shelters surrounded by debris, obstructions or impediments that may endanger an animal; e. Confinement of the animal in storage rooms, sheds or other buildings without windows and proper ventilation. (2) Failing to keep an animal under sanitary and humane conditions which are not detrimental to the animal's health and general welfare and which maintain a condition of good order and cleanliness and reduce the possibility of transmission of disease. (3) Failing or refusing to provide adequate medical attention for any sick, diseased or injured animal. (4) Engaging in animal cruelty; animal cruelty means every act, omission, or act of neglect whereby unjustifiable pain, suffering or death is caused or permitted, or attempted to be caused or permitted against animals, and includes acts or attempted acts of beating, torturing, injuring, tormenting, mutilating, teasing, molesting, baiting, or harassing animals, the trapping of animals unlawfully, and overworking or overdriving animals. This shall not include the lawful taking of animals under the jurisdiction and regulation of the wildlife resources commission, lawful activities of organizations or agencies conducting or sponsoring biomedical research or training, lawful activities for sport, the production of livestock or poultry, or the lawful destruction of any animal. (5) Promoting, staging, holding, managing, conducting, carrying on or attending any fame, exhibition, contest, fight or combat between one (1) or more animals or between animals and humans, or intentionally allowing animals to engage in a fight.</p>
<p>Sec 3-50 Continued (1 of 2)</p>		<p>(6) Permitting any exhibit, function or activity where animals are being cruelly treated or animals run the risk of causing injury to the public or themselves. Animal control shall have authority to inspect and to close down public exhibits of animals including those which are part of fairs, carnivals, festivals, fundraising events, petting zoos and any other activity or function carried out in the city if it is determined that animals are being cruelly treated or run the risk of causing injury to the public or themselves. (7) Poisoning, or exposing a domestic animal to any known poisonous substance or mixing a poisonous substance with food, so that it will likely be eaten by an animal. This does not include attempts or acts of persons to lawfully rid their own property of mice or rats or other vermin, nor does it include other acts permitted by the North Carolina Wildlife Department. (8) Allowing a collar, rope or chain to become embedded in or cause injury to an animal's neck, or allowing a choke or pinch collar to be used as a primary collar on an unsupervised animal, or chaining or tethering an animal to a stationary object for a period of time or under conditions that an animal control officer deems harmful or potentially harmful to the animal. Examples of harmful or potentially harmful chaining or tethering include, but are not limited to the following: a. Using a length or weight of a chain or tether that is not appropriate for the size, weight and age of the animal. A chain or ether should not be less than ten (10) feet long. Using a chain or tether that exceeds ten (10) percent of the animal's body weight shall be deemed not appropriate and potentially harmful. b. Allowing an animal to be chained or tethered such that the animal is not confined to the owner's property or such that the chain or tether can become entangled and prevent the animal from moving about freely, lying down comfortable or having access to adequate food, water and shelter. (9) Carrying or causing to be carried in or upon the open area of a truck or other motor vehicle any animal that is not secured, in an animal carrier or by a harness or other device, such that the animal cannot fall, jump, or be thrown from the vehicle.</p>
<p>Sec 3-50 Continued (2 of 2)</p>		<p>(10) Unless otherwise permitted by law, giving away or offering any animal as a prize premium or advertising device for or as an inducement to enter any contest, game or other competition involving skill or chance. (11) Exceptions. Nothing in this section shall be deemed to prohibit the humane transportation of horses, cattle, sheep, poultry or other livestock in trailers or other vehicles designed, constructed, and adequate for the size and number of animals being transported. Nothing in this section shall be construed to prohibit the animal control unit or veterinarians from euthanizing dangerous, unwanted, injured or diseased animals in a humane and lawful carrying out of their activities or duties. (12) Inspections. Animal control officers shall have the authority to conduct inspections of pet shops, kennels, dealers, or breeders, to the extent not preempted by state law, in order to determine if there is any abuse of animals. Pet shops, kennels, dealers, and breeders are subject to the state laws concerning rabies control abuse of animals shall include any act described in this section or any other act which is detrimental to the well-being of the animal. It shall be unlawful for any owner or employee of any pet shop or kennel or any dealers or breeders to violate this section.</p> <p>(Ord. No. 02011-05, 4-12-11)</p>

Sec. 3-51. - Notification of injury to animal.	Notification of injury to animal- Municode Link	<p>All persons who injure or kill a domestic animal by running over, into or otherwise coming into contact with such animal with an automobile, motorcycle bicycle or other vehicle shall notify the owner of the animal immediately. If the owner is unknown or cannot be located, the person who injured or killed the animal shall immediately notify animal control or the police department by giving their name and address, a description of the animal and the location of the incident.</p> <p style="text-align: right;">(Ord. No. 02011-05, 4-12-11)</p>
Sec. 3-52. - Animal bite; notification.	Animal bite; notification- Municode Link	<p>(a) Bites unlawful. It shall be unlawful for an animal to bite a human being who does not ordinarily reside on the premises of the animal unless the animal has been subject to provocation, or unless the victim has been trespassing. (b) Reporting bite. It shall be unlawful for a person to fail to report to animal control as soon as possible that an animal has bitten a person. It shall be unlawful for any person to fail to inform the animal control unit the location to which an animal that has bitten a human being has been taken if the owner has given the animal away, or caused in any way the animal to be taken from the owner's premises. (c) Confinement. Any dog or cat that bites a person or that shows symptoms of rabies shall be confined immediately and quarantined, at the direction of the animal control unit, for a period of ten (10) days, and shall not be released from such quarantine except by written permission from the animal control unit. Dogs and cats quarantined under this section shall be confined in a veterinary hospital, licensed boarding kennel or city animal shelter, at the expense of the owner, provided, however, that if an animal control officer determines that the owner of an animal which must be quarantined has adequate confinement facilities upon his own premises, the animal control officer may authorize the animal to be confined on such premises. In order to qualify for this "own premises: quarantine, the animal must be constantly confined in a secure enclosure and the animal must be currently vaccinated against rabies. If the animal is confined on the owner's premises, the animal control officer shall visit the premises for inspection purposes at times determined by the officer, but no less than once in the middle of the confinement and once at the end of the confinement. (d) Failure to confine. If the owner fails or refuses to confine the animal as required by this section the chief of police may order the seizure of the animal and its confinement for ten (10) at the expense of the owner. If the animal is unclaimed after the ten-day confinement, the chief of police may authorize disposal of the animal. (e) Release of quarantine. If rabies does not develop within ten (10) days after the commencement of quarantine under this section, the animal may be released from quarantine, with the written permission of animal control. (f) Strays. In the case of stray dogs or cats whose ownership is not known, the dog or cat may be euthanized and the head examined for rabies or kept for the supervised quarantine period required by this section at the animal control shelter.</p> <p style="text-align: right;">(Ord. No. 02011-05, 4-12-11)</p>
Sec. 3-55. - Dangerous animals.	Dangerous animals- Municode Link	<p>(a) Determination of dangerousness. The chief of police shall determine whether a dog shall be declared dangerous or potentially dangerous pursuant to G.S. 67-4.1. The chief of police shall issue a written declaration of dangerous within ten (10) working days of the incident necessitating a determination of whether the dog is dangerous or potentially dangerous. (b) Confinement and restraint. In addition to the provisions of G.S. 67-4.2, the owner of a dog that has been declared dangerous or potentially dangerous pursuant to G.S. 67-4.1 shall comply with the following provisions: (1) The dog shall be confined according to the specific written instructions, if any, of the chief of police to the extent that these do not conflict with the confinement requirements of G.S. 67-4.2. (2) When a dog that has been declared dangerous or potentially dangerous is off the property of the owner it must be muzzled and under restraint by a competent person who by means of a leash, chain or rope has the dog firmly under control at all times. Voice command is not recognized as adequate restraint. (3) The owner shall notify the animal control unit immediately if the dog escapes or is otherwise freed from the secure enclosure or other restraint. (c) Transfer of ownership. The owner of a dog that has been declared dangerous or potentially dangerous shall comply with the requirements of G. S. 67-4.2 concerning transfer of ownership. (d) Sanctions, fines, penalties, and remedies. In addition to criminal penalties provided by state law and civil penalties set forth in subsection 3-62, any person who violates this section shall be subject to the following sanctions, and remedies: (1) If a dog which has been declared dangerous or potentially dangerous is found at large it shall be seized and impounded. Animal control is authorized to go upon private property to seize the dangerous dog. If attempts to seize the dangerous or potentially dangerous dog are unsuccessful, animal control may tranquilize or humanely destroy the animal, without prior notice to the owner, upon authorization of the chief of police. The animal control officer shall thereafter make a good faith attempt to notify the owner of the incident.</p>

Sec.3-55 Continued		<p>(2) If the dog has caused injury to a person or another animal while at large and not confined within a secure enclosure, the chief of police, in addition to seizing the dog, shall issue to the owner a notice of intent to destroy the dog. The owner may appeal this intended action by filing a written request for appeal with the city manager. (3) If an inspection of the premises where a dog which has been declared dangerous or potentially dangerous is not confined animal control shall issue a two hundred fifty dollar (\$250.00) civil penalty to the owner and shall impound the dog at an animal shelter. (4) If the dog is not redeemed within five (5) working days, or if the owner does not request an appeal within the time limit provided, the dog shall be deemed abandoned and shall be disposed of in accordance with this chapter. (5) Nothing in this article shall prevent a private citizen from bringing an action against the owner of an animal which has caused injury to the private citizen or his property for damages or any other loss resulting from the animal being dangerous or potentially dangerous. (e) The provisions of this section do not apply to: (1) A dog being used by a law enforcement officer to carry out the law enforcement officer's official duties; (2) A dog being used in a lawful hunt; (3) A dog where the injury or damage inflicted by the dog was sustained by a domestic animal while the dog was working as a hunting dog, herding dog, or predator-control dog on the property of, or under the control of, its owner or keeper, and the damage or injury was to a species or type of domestic animal appropriate to the work of the dog; or (4) A dog where the injury inflicted by the dog was sustained by a person who, at the time of the injury, was committing a willful trespass or other tort, wastormenting, abusing, or assaulting the dog, had tormented, abused, or assaulted the dog, or was committing or attempting to commit a crime.</p> <p>(Ord. No. 02011-05, 4-12-11)</p>
Sec. 3-56 - Nuisance animals.	Nuisance animals- Municode Link	<p>(a) Prohibited generally; exceptions. It shall be unlawful for any person to own, keep, possess, harbor or maintain an animal in such a manner as to annoy or disturb rights and privileges common to the public or to annoy or disturb persons in the enjoyment of private property. By way of example and not of limitation, the following are hereby declared to be a public nuisance and are, therefore, unlawful: (1) Getting into or turning over waste or garbage containers. (2) Walking on or sleeping on automobiles or another. (3) Damaging the real or personal property of anyone other than its owner. (4) Repeatedly being or running at large. (5) Being maintained in an unsanitary condition so as to be offensive to sight or smell. (b) Complaint and notice. Upon their own initiative or upon receipt of a detailed written and signed complaint being made to the animal control unit by any of the city residents that any person is maintaining a nuisance animal, the animal control unit may cause the owner of the animal or animals in question to be notified that a complaint has been received and may cause the situation complained of to be investigated and a report and findings thereon to be reduced to writing by the investigating animal control officer. (c) Abatement. If the written findings of the investigating animal control officer indicate that the complaint is justified, then the chief of police shall cause the owner or keeper of the animal or animals in question to be so notified in writing, served by personal delivery or by certified mail, return receipt requested, and ordered to abate such nuisance within a reasonable time not to exceed seven (7) days after notification, and may issue a citation for the violation. The chief of police may specify the particular abatement measures that must be taken, which measures may include, but are not limited to, a requirement that the animal be penned, or that a secure enclosure be erected or improved. In the event the owner of the animal is unknown and cannot be ascertained, the notice and order, along with a general description of the animal, shall be published in a local newspaper.</p>
Sec.3-56 Continued		<p>(d) Impoundment upon failure to abate. If any person actually or constructively receiving notice in the manner herein described shall fail or refuse to abate the nuisance upon order of the chief of police within the specified time, the chief of police may cause the animal or animals in question to be seized and impounded in accordance with the provisions of section 3-61. (e) Redemption; destruction. If the owner shall so request in writing within five (5) days of the impoundment, an animal that has been impounded may be redeemed upon the owner's execution of a written agreement to comply with the abatement order and payment of all sums due hereunder. If no such written request is made, or if such a request is made, but a written agreement to comply with the abatement order is not delivered to the chief of police within five (5) days of the impoundment, then the animal(s) shall be deemed abandoned and disposed of in accordance with the provisions of section 3-63. (f) Annoying sounds. A person annoyed by sounds shall follow the procedures specified below: (1) Upon receipt of a detailed written and signed complaint by a person annoyed by sounds, the animal control unit shall provide written notice to the owner or possessor of such animal and allow reasonable time to abate the problem. In no case more than twenty-four (24) hours.</p> <p>(Ord. No. 02011-05, 4-12-11)</p>

Sec. 3-57 - Special events; where, when animals, especially dogs are prohibited.	Special events; where, when animals, especially dogs are prohibited Municode Link	<p>(a) Applicability. Special events, attracting large numbers of spectators or events which are open to the public. The presence of animals at such events may pose some concerns for both spectators and the animals. In addition to such special events, the presence of animals at other gatherings may pose similar concerns. Sponsors/organizers of the special events may request, from the city manager or his authorized designee in writing, to apply the provisions of this section to such events. The written request shall be received by the city manager ten (10) days prior to the event. The city manager, or his designee is authorized to approve such requests if he or she determines that the number of spectators, the size of the area on which the event takes place, or the threat to the public safety or health would warrant the application of this section. (b) Unlawful to have animals. It shall be unlawful for any person owning or having possession, charge, custody, or control of any animal as defined in section 3-36 to take animals whether or not under restraints into, or allow the animal to enter the boundaries of the designated event to which these provisions have been made to apply which shall consist of any property that is part of the event and shall include any public street, sidewalk, or other publicly owned area that is within or constitutes the boundary of the event. (c) Failure to remove animal. It shall be unlawful for any person with an animal on or within the boundaries of any special event to which these provisions have been made to apply to fail to obey the command of a law enforcement officer or animal control officer to remove such animal from on or within the boundary, or any other special designated events area. (d) Exceptions. This section shall not apply to those animals that are part of an authorized exhibit. The city's animal control officer and law enforcement officers shall have the authority to specify the conditions for having such animals for the protection of the public and for the well-being of the animals. This section shall not apply to guide dogs or hearing-aid dogs in the company of blind or deaf persons.</p> <p>(Ord. No. 02011-05, 4-12-11)</p>
Sec. 3-61. - Authorized.	Authorized- Municode Link	<p>(a) No dog of fierce, dangerous, or vicious propensities and no female dog in heat, shall be allowed to run at large or upon the premises of one other than the owner. If any such dog is found running at large in violation of this article, it shall be taken up and impounded and shall not be released except upon approval of the poundmaster of the pound after payment of the fees provided in section 3-62; provided that if any dangerous, fierce, or vicious dog so found at large cannot be safely taken up and impounded, the dog may be slain by any animal control officer or law enforcement officer. (b) It shall be the duty of the animal control officer to apprehend any dog found running at large contrary to the provisions of section 3-40, and to impound the dog in the pound or other suitable place. The animal control officer or other impounding official impounding any dog shall make a complete registry, entering the breed, color, and sex of the dog and whether licensed. If licensed, he shall enter the name and address of the owner and the number of the license tag.</p> <p>(Ord. No. 02011-05, 4-12-11)</p>
Sec. 3-62. - Notice to owner; redemption.	Notice to owner; redemption- Municode Link	<p>Not later than three (3) days after the impounding of any dog, the owner shall be notified, or, if the owner of the dog is unknown, written notice shall be posted for four (4) days on the bulletin board in the police department describing the dog and the place and time of taking. The owner of any dog so impounded may redeem the dog by:</p> <p>(1) Having the dog duly vaccinated for rabies if it has not been currently vaccinated before the redemption date; and (2) Paying a capture and notice fee and paying the current daily maintenance fee for each day the dog has been impounded.</p> <p>(Ord. No. 02011-05, 4-12-11)</p>
Sec. 3-63. - Disposition of unclaimed or infected dogs.	Disposition of unclaimed or infected dogs- Municode Link	<p>It shall be the duty of the poundmaster to keep all impounded dogs for a period of seven (7) days. If, at the expiration of the four (4) days from the date of the notice to the owner or the posting of the notice, the dog has not been redeemed, it may be disposed of by the poundmaster.</p> <p>(Ord. No. 02011-05, 4-12-11)</p>
Sec. 3-76. - Proclaimed emergencies.	Proclaimed emergencies- Municode Link	<p>Whenever it becomes necessary to safeguard the public from the dangers of rabies the following may be imposed. The mayor, if he deems it necessary, shall issue a proclamation ordering every person owning or keeping a dog to confine it securely on his premises, unless the dog shall have a muzzle of sufficient strength to prevent it from biting any person. Any unmuzzled dog running at large during the time of the proclamation shall be seized and impounded, unless noticeably infected with rabies. All dogs noticeably infected with rabies and displaying vicious propensities shall be killed by the animal control officer or any law enforcement officer without notice to the owner. Dogs impounded during the first two (2) days of such proclamation shall, if claimed within five (5) days, be released to the owner unless infected with rabies, upon payment of the impounding charges provided for in section 3-62. If unclaimed after that period, the dog may be summarily destroyed.</p> <p>(Ord. No. 02011-05, 4-12-11)</p>

Sec. 3-77. - Confinement; notice.	Confinement; notice- Municode Link	(a) If a dog is believed to have rabies or has been bitten by a dog suspected of having rabies, the dog shall be confined in the pound and shall be placed under the observation of a veterinarian at the expense of the owner for a period of ten (10) days. The owner shall notify the animal control officer of the fact that his dog has been exposed to rabies. (b) It shall be unlawful for any person knowing or suspecting that a dog has rabies to allow the dog to be taken off his premises or beyond the limits of the city without the written permission of the animal control officer or the poundmaster. Every owner or other person, upon ascertaining that a dog is rabid, shall immediately notify the animal control officer or a policeman who shall remove the dog to the pound. (Ord. No. 02011-05, 4-12-11)
Sec. 3-78. - Vaccination.	Vaccination- Municode Link	It shall be unlawful for the owner of any dog to keep or maintain a dog unless it shall have been vaccinated by a licensed veterinary surgeon with anti-rabies vaccine, as required by the General Statutes. Proof of such inoculation shall be attached to such dog. (1) Exceptions. This section shall not apply to those animals that are part of an authorized exhibit. Animal control officers and law enforcement officers shall have the authority to specify the conditions for having such animals for the protection of the public and for the well-being of the animals. This section shall not apply to guide dogs or hearing-aid dogs in the company of blind or deaf persons. (2) Rabies inoculation tags for dogs and cats. Cats are not required to wear the metallic inoculation tag, but the owner of a cat shall maintain the tag or the rabies vaccination certificates as written evidence to provide the cat has a current rabies inoculation and shall produce such tag or certificate as requested by animal control and as otherwise required by law. (Ord. No. 02011-05, 4-12-11)
Sec. 11-74. - Penalty for false statement in application.	Penalty for false statement in application- Municode Link	Any person who shall willfully and knowingly make any false statement or provide any false information to the city tax collector in applying for the licenses required by this article shall be guilty of a misdemeanor and upon conviction, shall be punished in accordance with section I-6. (Ord. No. 02011-04, 3-8-11)
Sec. 4-185. - Procedure for enforcement.	Procedure for enforcement- Municode Link	Action by city council upon failure to comply with order. (1) If the owner fails to comply with an order to repair, alter, or improve or to vacate and close the nonresidential building or structure, the city council may adopt an ordinance ordering the code enforcement official to cause such building or structure to be repaired, altered or improved in order to bring it into compliance with the minimum standards established by this article or to be vacated and closed for any use. The property or properties shall be described in the ordinance. The ordinance shall be recorded in the office of the register of deeds and shall be indexed in the name of the property owner or owners in the grantor index. Following adoption of an ordinance, the code enforcement official may cause the building or structure to be repaired, altered, or improved or to be vacated and closed. The code enforcement official may cause to be posted on the main entrance of any nonresidential building or structure so closed a placard with the following words: "This building is unfit for any use; the use or occupation of this building for any purpose is prohibited and unlawful." Any person who occupies or knowingly allows the occupancy of a building or structure so posted shall be guilty of a class 3 misdemeanor. (Ord. No. 02017-33, 11-14-17)
Sec. 4-31. - Minimum housing code.	Minimum housing code- Municode Link	Placarding. After there has been a failure of the owner to comply with an order of the chief building inspector to repair, alter and improve, or to vacate, close and remove or demolish the unsafe building, then the chief building inspector shall cause to be posted on the main entrance of any such unsafe building a placard with the following words: this building is unfit for human habitation; the use or occupation of this building for habitation is prohibited and unlawful." Occupation or use of a building so posted is a violation of this code and shall constitute a misdemeanor pursuant to G.S. 14-4. (Code 1974, § 4-6; Ord. No. 02002-01, 1-10-02; Ord. No. 02003-04, 5-6-03; Ord. No. 02009-15-A, 11-10-09)
Sec. 21-39. - Inspection and approval.	Inspection and approval- Municode Link	Every connection shall be examined, inspected, and approved in writing by the inspector before any part of the sewer or other connection is covered or hidden from view. Anyone found guilty of covering or hiding from view any part of the connection before it is inspected and approved, as provided in this section, shall be deemed guilty of a misdemeanor and upon conviction shall be punished in accordance with section I-6. (Code 1974, § 24-12)
Sec. 11-55. - Enforcement of article.	Enforcement of article- Municode Link	(a) Criminal remedies. Conducting business within this city without a valid registration issued in accordance with this article, or without posting a registration in compliance with section 11-53 is a misdemeanor, punishable as provided in G.S. 14-4. Each day that a person conducts business in violation of this article is a separate offense. (b) Equitable remedies. In addition to the criminal remedies set forth subsection (a) of this section and in compliance with G.S. 160A-175(d), the city may seek an injunction against any person who conducts a business in violation of this article. (Ord. No. 02017-27, 8-15-17)

Sec. 9-2. - Findings of fact.	Findings of fact- Municode Link	<p>(a) The flood prone areas within the jurisdiction of the city are subject to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures of flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare. (b) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities and by the occupancy in flood prone areas of uses vulnerable to floods or other hazards.</p> <p>(Ord. No. O2006-06, Art. 1, § B, 9-7-06)</p>
Sec. 9-28. - Establishment of floodplain development permit.	Establishment of floodplain development permit- Municode Link	<p>A floodplain development permit shall be required in conformance with the provisions of this chapter prior to the commencement of any development activities within special flood hazard areas determined in accordance with section 9-27.</p> <p>(Ord. No. O2006-06, Art. 3, § C, 9-7-06)</p>
Sec. 9-29. - Compliance.	Compliance- Municode Link	<p>No structure or land shall hereafter be located, extended, converted, altered, or developed in any way without full compliance with the terms of this chapter and other applicable regulations.</p> <p>(Ord. No. O2006-06, Art. 3, § D, 9-7-06)</p>
Sec. 9-30. - Abrogation and greater restrictions.	Abrogation and greater restrictions- Municode Link	<p>This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.</p> <p>(Ord. No. O2006-06, Art. 3, § E, 9-7-06)</p>
Sec. 9-31. - Interpretation.	Interpretation- Municode Link	<p>In the interpretation and application of this chapter, all provisions shall be:</p> <p>(1) Considered as minimum requirements; (2) Liberally construed in favor of the governing body; and (3) Deemed neither to limit nor repeal any other powers granted under state statutes.</p> <p>(Ord. No. O2006-06, Art. 3, § F, 9-7-06)</p>
Sec. 9-32. - Warning and disclaimer of liability.	Warning and disclaimer of liability- Municode Link	<p>The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur. Actual flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the special flood hazard areas or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the city or by any officer or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder.</p> <p>(Ord. No. O2006-06, Art. 3, § G, 9-7-06)</p>
Sec. 9-48. - Duties and responsibilities of the floodplain administrator.	Duties and responsibilities of the floodplain administrator- Municode Link	<p>Issue stop-work orders as required. Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this chapter, the floodplain administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing the work. The stop-work order shall state the specific work to be stopped, the specific reason(s) for the stoppage, and the condition(s) under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.</p> <p>(Ord. No. O2006-06, Art. 4, § C, 9-7-06)</p>
Sec. 9-49. - Corrective procedures.	Corrective Procedures- Municode Link	<p>(a) Violations to be corrected. When the floodplain administrator finds violations of applicable state and local laws, it shall be his or her duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law cited in such notification. (b) Actions in event of failure to take corrective action. If the owner of a building or property shall fail to take prompt corrective action, the floodplain administrator shall give the owner written notice, by certified or registered mail to the owner's last known address or by personal service, stating: (1) That the building or property is in violation of this chapter; (2) That a hearing will be held before the floodplain administrator at a designated place and time, not later than ten (10) days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and (3) That following the hearing, the floodplain administrator may issue an order to alter, vacate, or demolish the building; or to remove fill as appears appropriate. (c) Order to take corrective action. If, upon a hearing held pursuant to the notice prescribed above, the floodplain administrator shall find that the building or development is in violation of this chapter, they shall issue an order in writing to the owner, requiring the owner to remedy the violation within a specified time period, not less than sixty (60) calendar days, nor more than (180) calendar days. Where the floodplain administrator finds that there is imminent danger to life or other property, they may order that corrective action be taken in such lesser period as may be feasible. (d) Appeal. Any owner who has received an order to take corrective action may appeal the order to the local elected governing body by giving notice of appeal in writing to the floodplain administrator and the clerk within ten (10) days following issuance of the final order. In the absence of an appeal, the order of the floodplain administrator shall be final. The local governing body shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order. (e) Failure to comply with order. If the owner of a building or property fails to comply with an order to take corrective action for which no appeal has been made or fails to comply with an order of the governing body following an appeal, the owner shall be guilty of a misdemeanor and shall be punished at the discretion of the court.</p> <p>(Ord. No. O2006-06, Art. 4, § D, 9-7-06)</p>

<p>Sec. 13-1. - Collections of water likely to breed mosquitoes.</p>	<p>Collections of water likely to breed mosquitoes- Municode Link</p>	<p>(a) It shall be unlawful to have, keep, maintain, cause, or permit within the city any collection of standing or flowing water in which mosquitoes breed or are likely to breed, unless the collection of water is so treated as to effectually prevent breeding. (b) Any collections of water mentioned in subsection (a) of this section shall be held to be those contained in ditches, ponds, pools, excavations, holes, depressions, open cesspools, privy vaults, fountains, cisterns, tanks, shallow wells, tubs, troughs except horse troughs in frequent use, urns, cans, boxes, bottles, buckets, defective house roof gutters, tanks, or flush closets or other similar containers.</p> <p>(Code 1974, §§ 11-2, 11-3)</p>
<p>Sec. 13-2. - Disorderly conduct.</p>	<p>Disorderly conduct- Municode Link</p>	<p>(a) Any person who shall do or engage in any of the following shall be guilty of disorderly conduct: (1) Act in a violent or tumultuous manner toward another, whereby the life, limb, or health of any person is placed in danger; (2) Act in a violent or tumultuous manner toward another, whereby public property or property of any other person is placed in danger of being destroyed or damaged; (3) Endanger lawful pursuits of another by acts of violence or threats of bodily harm; (4) Cause, provoke, or engage in any fight, brawl, or riotous conduct so as to endanger the life, limb, health, or property of another or public property; (5) Assemble or congregate with another or others and cause, provoke, or engage in any fight or brawl; (6) Collect in bodies or in crowds and engage in unlawful activities; (7) Assemble or congregate with another or others and engage or attempt to engage in gaming; (8) Frequent any public place and obtain money from another by an illegal and fraudulent scheme, trick, artifice, or device or attempt to do so; (9) Assemble with another or others and engage in any fraudulent scheme, device, or trick to obtain any valuable thing in any place or from any person or attempts to do so; (10) Frequent any place where gaming or the illegal sale or possession of alcoholic beverages, narcotics, or dangerous drugs is practiced, allowed, or tolerated; (11) Use "fighting words" directed towards any person who becomes outraged and thus creates turmoil; (12) Assemble or congregate with another or others and do bodily harm to another; (13) By acts of violence, interfere with another's pursuit of a lawful occupation; (14) Congregate with another or others in or on any public way so as to halt the flow of vehicular or pedestrian traffic and refuse to clear such public way when ordered to do so by a police officer or other person having authority; (15) Damage, defoul, or disturb public property or the property of another so as to create a hazardous, unhealthy, or physically offensive condition. (b) Any person convicted of disorderly conduct, as defined in this section, shall be punished as provided in section 1-6.</p> <p>(Code 1974, § 15-3)</p>
<p>Sec. 13-3. - Loitering for the purpose of engaging in drug-related activity.</p>	<p>Loitering for the purpose of engaging in drug-related activity- Municode Link</p>	<p>(a) For the purposes of this section, public place means any street, sidewalk, bridge, alley, alleyway, plaza, park, driveway, parking lot, or transportation facility; the doorways and entranceways to any building which fronts on any of those places; a motor vehicle in or on any of those places; or any property owned by the city. (b) For the purposes of this section, a known unlawful drug user, possessor, or seller is a person who has, within the knowledge of the arresting officer, been convicted in any court within this state of any violation involving the use, possession, or sale of any unlawful drug; any violation of any substantially similar laws of any political subdivision of this state; or of any other state or federal law. (c) It shall be unlawful for a person to remain or wander about in a public place in a manner and under circumstances manifesting the purpose of engaging in a violation of any subdivision of the North Carolina Controlled Substances Act, G.S. 90-86 et seq. Such circumstances shall include: (1) Repeatedly beckoning to, stopping, or attempting to stop passersby, or repeatedly attempting to engage passersby in conversation; (2) Repeatedly stopping or attempting to stop motor vehicles; (3) Repeatedly interfering with the free passage of other persons; (4) The person is a known unlawful drug user, possessor, or seller; (5) The person behaves in such a manner as to raise a reasonable suspicion that he is about to engage in or is engaged in an unlawful drug-related activity; (6) The person repeatedly passes to or receives from passersby, whether on foot or in a vehicle, money or objects; (7) The person takes flight upon the approach or appearance of a police officer; (8) The person is at a location frequented by persons who use, possess, or sell drugs; or (9) Any vehicle involved is registered to a known unlawful drug user, possessor or seller or is known to be or has been involved in drug-related activities. (d) A violation of any provisions of this section shall subject the offender to the penalties set forth in section 1-6.</p> <p>(Code 1974, § 15-4)</p>

Sec. 13-4. - Consumption of intoxicating liquors.	Consumption of intoxicating liquors- Municode Link	<p>(a) It shall be unlawful to consume intoxicating liquors (beer, fortified or unfortified wine, or liquor) in any public place or upon or in any public street, sidewalk, alley, or parking lot owned, leased, or maintained by the city or state and within the city limits or on any such place owned, leased, or maintained by the city and outside the corporate limits. (b) It shall be unlawful to consume any intoxicating liquors upon the private property or private business premises of another, without permission of the owner or person entitled to possession of such premises, unless such beverages can be consumed as provided by law. (c) It shall be unlawful to drop, throw, cast, or deposit any intoxicating liquor beverage container in any public place other than a bona fide trash disposal site or utensil; 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. (d) It shall be unlawful for any person to consume any intoxicating liquors in or upon a motor vehicle or motorized bicycle which is in or upon any public place; in or upon any 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.</p> <p>(Code 1974, § 15-4)</p>
Sec. 13-5. - Explosives.	Explosives- Municode Link	<p>It shall be unlawful for any person to store or to keep on his premises for the purpose of sale within the city any dynamite, dynamite caps, or other explosives used for blasting purposes.</p> <p>(Code 1974, § 15-5)</p>
Sec. 13-6. - Firearms, pellet guns and dangerous projectiles.	Firearms, pellet guns and dangerous projectiles- Municode Link	<p>(a) It shall be unlawful for any person to discharge any gun, pistol, rifle or firearm of any type, air rifle, air pistol, or other pellet gun within the city, except a police officer or other law enforcement officer in the performance of his duty, when used in the defense of person or property or pursuant to lawful directions of law enforcement officers. (b) Upon violation of the provisions of subsection (a) of this section, the gun, pistol, rifle or other firearm, air rifle, air pistol, or other pellet gun, with reference to which the defendant shall have been convicted, shall be confiscated and shall be ordered disposed of by the presiding judge at the trial, as provided by the General Statutes of North Carolina. (c) It shall be unlawful for any person to shoot or project any arrow, missile, stone, rock, shot or other hard substance by means of a sling shot, bean shooter, shot shooter, bow or crossbow or other similar device within the city, except a police officer or other law enforcement officer in the performance of his duty, when used in the defense of person or property or pursuant to lawful directions of law enforcement officers. (d) Archery shooting may be engaged in on such grounds set aside and approved therefore by the city council.</p> <p>(Code 1974, § 15-6; Ord. No. O2016-09, 9-I-16)</p>
Sec. 13-7. - Discarding appliances.	Discarding appliances- Municode Link	<p>(a) It shall be unlawful for any person to leave outside of any building, dwelling, or any place accessible to children any unattended, abandoned, or discarded icebox, refrigerator, or any other appliance of any kind. (b) It shall be unlawful for any person to leave outside any building, dwelling, or any place accessible to children any unattended, abandoned, or discarded appliance of any kind which has a snap lock or other locking device thereon, which may not be released from the inside, without first removing such snap lock or other locking device or the doors from the appliance.</p> <p>(Code 1974, § 15-7)</p>
Sec. 13-8. - Trains blocking street crossings.	Trains blocking street crossings- Municode Link	<p>It is unlawful for any person in immediate control of any locomotive engine or train or operating freight and passenger trains in and through the corporate limits to block any street crossing in the city for more than ten (10) minutes, except those crossings necessarily blocked for loading and unloading mail and express. Another exception shall be in cases where crossings are blocked as the result of some emergency or mechanical failure beyond the control of the train crew. These exceptions shall not apply to Broad Street, Cumberland Street, or Edgerton Street, which shall not be blocked for more than five (5) minutes at any one (1) time.</p> <p>(Code 1974, § 15-12)</p>
Sec. 13-9. - Posting advertisements or notices.	Posting advertisements or notices- Municode Link	<p>(a) It shall be unlawful for any person to post or fasten any commercial or noncommercial handbills, posters, or signs of any kind on buildings, overpasses, walls, barricades, poles, trees, posts, or fences within the city. The posters, signs, and handbills shall not be posted on the outside of buildings or premises or on other property, whether or not permission is obtained from the owner or occupant. (b) It shall be unlawful for any person to paint, stamp, write, or put upon any house, fence, wall, pavement, or other private property or property owned by the city any painted or other advertisement or notice.</p> <p>(Code 1974, § 15-13)</p>
Sec. 13-36. - Purpose of noise regulation.	Purpose of noise regulation- Municode Link	<p>(a) It is recognized that excessive and unnecessary noise endangers the physical and emotional health and welfare of the people, interferes with legitimate business and recreational activity, increases construction costs, depresses property values, offends the senses, creates public nuisances, and in other respects reduces the quality of life. (b) Because the regulation of excessive and unnecessary noise that may jeopardize human health or welfare or substantially degrade the quality of life is well within the purview of the city council's police powers, it is declared to be the purpose of this section to prevent, prohibit, and provide for the regulation and abatement of excessive and unnecessary noise which may injure the physical and emotional health or welfare of its citizens or degrade the quality of life.</p> <p>(Ord. No. 02008-II, 7-8-08)</p>

<p>Sec. 13-37. - Noises prohibited.</p>	<p>Noises prohibited- Municode Link</p>	<p>(a) General prohibitions. It shall be a public nuisance and therefore unlawful to create, cause, or allow the continuance of any unreasonably loud and disturbing noise which interferes seriously with neighboring residents' reasonable use of their properties or of persons within the general vicinity of such noise. Such noise may include but is not limited to the following: (1) Yelling, shouting, whistling, singing, Yelling, shouting, whistling, or singing on the public streets or private property so as to disturb the quiet, comfort or repose of person in any office, or in any dwelling, hotel or other type of residence, restaurant, any public area or of any persons in the vicinity; (2) Noisy parties. Congregating because of or participating in any party or gathering of people; (3) Loading operations. Loading, unloading, opening, or otherwise handling boxes, crates, containers, garbage cans, or other similar objects during nighttime (being from 9:00 p.m. to 7:00 a.m.); (4) Repair of motor vehicles. The repair, rebuilding, or testing of any motor vehicle during nighttime (being from 9:00 p.m. to 7:00 a.m.); (5) Radio, phonograph, television, musical instrument. The using, operating or permitting to be played, used or operated, any radio, phonograph, television, musical instrument or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such radio, phonograph, television, musical instrument or other machine or device for the producing or reproducing of sound in such manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.</p>
<p>Sec. 13-37 Continued (1of2)</p>		<p>(b) Specific prohibitions. The following acts are prohibited and shall be considered nuisance acts: (1) Horns and signaling devices. The intentional sounding of any horn or signaling device of a motor vehicle on any street or public place continuously or intermittently, except as a danger or emergency warning; (2) Motor vehicles. Operating or permitting the operation of any motor vehicle or motorcycle not equipped with a muffler or other device in good working order so as to effectively prevent loud or explosive noises therefrom. The use, playing, or operation of any radio, tape player, compact disc player, tape recorder, machine or other audio device that produces sound if it is located in or on any motor vehicle on a public street or highway, in a public space, in a public park or in a public vehicular area (parking lot) and at the same time the sound generated from said device is audible at a distance of fifty (50) feet or more from the motor vehicle in or on which the audio device is located. It shall be prima facie evidence that the person that owns a motor vehicle or the person that is operating a motor vehicle, from which sound is generated from an audio device and said sound is audible at a distance of fifty (50) feet or more, is the person playing, using or operating the radio, tape player, compact disc player, tape recorder, machine or other audio device; (3) Exterior loudspeakers. Operating or permitting the operation of any mechanical device or loudspeaker, without a permit to do so, in a fixed or movable position exterior to any building, or mounted on any aircraft or motor vehicle in such a manner that the sound therefrom is audible at a distance of fifty (50) feet or more; (4) Power equipment.</p>
<p>Sec. 13-37 Continued (2-2)</p>		<p>Operating or permitting the operation of any power saw, sander, drill, grinder, leaf blower, lawn mower, or other garden equipment or tools of a similar nature outdoors during nighttime (being from 9:00 p.m. to 7:00 a.m.); (5) Explosives. The use or firing of explosives, firearms, fireworks, or similar devices which create impulsive sound. (6) Excessive noise near schools, courts, churches, hospitals. The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while it is in use, or adjacent to any hospital, which unreasonably interferes with the workings of such institution, or which disturbs or unduly annoys patients in the hospital; provided, that conspicuous signs are displayed in the area indicating that located in the area is a school, church, hospital or court. (7) Animals. The keeping of any animal or bird which by causing frequent or long continued noise shall disturb the comport or repose of any person in the vicinity. (8) Loudspeakers, amplifiers, machines used for advertising. The using, operating or permitting to be played, used or operated of any radio or television, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building, structure or vehicle where such sound is audible for a distance of more than fifty (50) feet from the building, structure or vehicle in which it is located.</p> <p>(Ord. No. 02008-II, 7-8-08)</p>

Sec. 13-38. - Exceptions to this article.	Exceptions to this article- Municode Link	<p>The following are exempt from the provisions of this article: (1) Any bell or chime from any building clock, school, or church; (2) Any siren, whistle, or bell lawfully used by emergency vehicles or any other alarm systems used in an emergency situation, provided that burglar alarms not terminating within thirty (30) minutes after the responsible person has been notified shall be unlawful; (3) Noise created as a result of or relating to an emergency; (4) Warning devices required by OSHA or any local, county, state, or federal safety regulations; (5) Noise created by any aircraft flight operations which are specifically preempted by the Federal Aviation Administration; (6) Noises resulting from the provision of sanitation services, other than at night (being from 9:00 p.m. to 7:00 a.m.); (7) Construction operations from 7:00 a.m. to 9:00 p.m. on weekdays and 8:00 a.m. to 9:00 p.m. on weekends for which building permits have been issued or for which permits are not required due to ownership of the project by an agency of government, providing all equipment is operated in accordance with the manufacturer's specifications and with all the manufacturer's standard mufflers and noise-reducing equipment in use and operating properly; (8) Noise from lawful fireworks and noisemakers on holidays; (9) Lawn mowers and agricultural equipment used between the daylight hours of 7:00 a.m. and 9:00 p.m. when operated with all the manufacturer's standard mufflers and noise-reducing equipment in use and operating properly; (10) Sound amplification equipment used in conjunction with a telecommunications system on business properties to notify employees of that business of incoming phone calls, providing that this system be used only between the hours of 7:00 a.m. and 10:00 p.m. and that any speakers attached to the system be oriented toward the interior of the property; (11) Sound emanating from regularly scheduled, outdoor athletic events held by the recreation department for the city; (12) Any other noise resulting from activities of a temporary duration permitted by law and for which a license or permit has been granted by the city in accordance with the exceptions enumerated in this section; (13) Warning devices used by trains travelling through the city for safety precautions; (14) Noises resulting from the provision of government services; (15) Emergency work necessary to restore property to a safe condition following a fire, accident, or natural disaster; to restore public utilities; or to protect persons or property from an imminent danger.</p> <p>(Ord. No. 02008-II, 7-8-08)</p>
Sec. 13-39. - Owner's responsibility.	Owner's responsibility- Municode Link	<p>The owner of every premises shall be responsible and liable for the actions of his tenants and their guests when such actions violate this article. This shall in no way relieve the tenants or their guests from liability for any violations of this article.</p> <p>(Ord. No. 02008-II, 7-8-08)</p>
Sec. 13-40. - Permit to exceed limits.	Permit to exceed limits- Municode Link	<p>(1) Action by city manager. The city manager shall act upon all applications for permits to be exempt from this article. In considering and acting upon the application, the city manager shall consider but shall not be limited to the following: a. The nature of the requested activity; b. The previous experience with the applicant; c. The time of the event; d. Other activities in the vicinity of the proposed location; e. The cultural or social benefits of the proposed activity; f. The effect of the activity on any adjacent residential property. (2) Application and permit fee. An application for a permit must be submitted to the city at least forty-eight (48) hours prior to the event for which such permit is needed. A fee in the amount of fifteen dollars (\$15.00) must be paid at the time the application is submitted. (3) Security deposit. A deposit in the amount of one hundred dollars (\$100.00) must be paid at the time an application for a permit is submitted. The purpose of this deposit is to secure the performance of the party requesting the permit. Upon the satisfaction of all of the conditions of the permit, the security deposit shall be immediately refunded to the applicant. (4) Conditions of permits. A permit shall specify the date, time period, and location to which it applies. The permit shall also prescribe the conditions necessary to minimize the adverse effects the event may have upon the community or surrounding neighborhoods. The city manager may require but shall not be limited to the following conditions:</p>
Sec. 13-40 Continued		<p>a. No sound speakers shall be set up more than ten (10) feet off the ground. b. Permit holders shall change the arrangement of the amplifying equipment or sound instruments upon the request of the police department so as to minimize the disturbance to others resulting from the position or orientation of the amplifying equipment. c. Adequate provisions shall be made to ensure the proper cleanup of any litter resulting from the event for which the permit to exceed was obtained. d. If over fifty (50) people attend the event for which the permit was obtained, adequate private security shall be provided for the purpose of crowd and traffic control. The adequacy of such private security shall be determined by the police department. (5) Limits of permits. Permits to exceed shall be subject to the following limitations: a. Permits will only be granted for temporary purposes not to exceed eight (8) continuous hours in any one time period. b. No more than two (2) permits shall be allowed per address (person or group of persons) during any six-month period. January 1 through June 30 shall constitute one six-month period. July 1 through December 31 shall constitute the second six-month period. (6) Cooperation. The permit holder shall agree to cooperate with the police department in enforcing the noise ordinance by having the signers of the permit available at the site of the event during the entire time period for which a permit has been issued and capable of assisting the police in enforcing this article. (7) Limitation. The provisions of this section apply only when a person or group of persons has obtained a permit and only on the date and during the time period set forth in the permit.</p> <p>(Ord. No. 02008-II, 7-8-08)</p>

Sec. 13-41. - Enforcement and penalties for violation of article.	Enforcement and penalties for violation of article- Municode Link	<p>(1) A police officer may issue a citation subjecting the violator to a civil penalty of fifty dollars (\$50.00) for the first offense, one hundred dollars (\$100.00) for a second offense within a 12-month period and two hundred fifty dollars (\$250.00) for a third offense within a 12-month period. Any civil penalty must be paid within seventy-two (72) hours of receipt of the civil penalty citation or there shall be a delinquency charge upon nonpayment of twenty-five dollars (\$25.00), and which penalty and delinquency charge may be recovered by the city in a civil action. (2) A misdemeanor warrant may be issued as provided for pursuant to G.S. 14-4, either immediately or upon the issuance of a citation and the violator's failure to pay the citation. Misdemeanors shall be punishable by a fine of up to five hundred dollars (\$500.00) and/or imprisonment for up to thirty (30) days. (3) A civil action seeking a penalty of five hundred dollars (\$500.00) per day of violation plus injunction and order of abatement may be directed toward any person creating or allowing the creation of any unlawful noise, including the owner or person otherwise having legal or actual control of the premises from which it emanates. (4) In the event that the city should have to initiate legal proceedings to collect the civil penalties provided for in this section, or to prevent, restrain, correct or abate a violation of this article, in addition to the recovery of any other expenses allowed by law, the city shall be entitled to recover all of its expenses associated with such legal action, including, but not limited to reasonable attorneys fees.</p> <p>(Ord. No. 02008-II, 7-8-08)</p>
Sec. 13-51. - Responsibility of user; connection; deactivation; installation; compliance.	Responsibility of user; connection; deactivation; installation; compliance- Municode Link	<p>(a) The alarm user shall be responsible for knowing the contents of this article. (b) Alarm systems shall be connected directly to a private alarm control center. No alarm system shall be connected directly to the city communication center after December 31, 1996. (c) Local alarms shall be of a type that sounds for no more than fifteen (15) minutes. (d) Any alarm existing as of July 1, 1996, shall also be governed by the regulations of this article. (e) Each alarm user shall furnish to the city communication center in writing the name(s) and telephone number(s) of at least one (1), but no more than three (3), persons authorized and able to deactivate the alarm system. (f) After July 1, 1996, it shall be unlawful to connect a local alarm without first notifying the city communication center in writing of the name(s) and telephone number(s) of person(s) authorized and able to deactivate the alarm system. Any changes in the name(s) or telephone number(s) authorized and able to deactivate the alarm system must be communicated to the city communication center in writing immediately. (g) Alarm systems installed after July 1, 1996, will be required to reset within fifteen (15) minutes. An alarm system cutoff shall be installed to override all malfunctioning alarms. Users whose alarm systems were installed prior to July 1, 1996, shall have one (1) year from July 1, 1996, to convert their systems to comply with the provisions herein.</p> <p>(Ord. No. 1996.001, 7-1-96)</p>
Sec. 13-52. - False alarm responses.	False alarm responses- Municode Link	<p>(a) It is hereby found and determined that five (5) or more police false alarms and three (3) or more fire false alarms within any twelve-month period is excessive and constitutes a public nuisance. (b) The city will provide a maximum of five (5) police and three (3) fire false alarm responses to any alarm user within any calendar year without penalty. Thereafter, and not withstanding the provisions of section 1-6 of the City Code, a civil penalty shall be issued for any excess false alarm responses as follows:</p> <p>Police responses:</p> <p>Sixth false alarm \$ 50.00 Seventh false alarm 100.00 Eighth false alarm 150.00 Ninth false alarm 200.00 Ten (10) or more false alarms 250.00</p> <p>Fire department responses:</p> <p>Fourth false alarm \$ 50.00 Fifth false alarm 100.00 Sixth false alarm 150.00 Seventh false alarm 200.00 Eighth false alarm 250.00 Ninth false alarm 275.00 Ten (10) or more false alarms 300.00</p> <p>(c) The alarm user or his representative shall reset an alarm system when notified by an officer or by the city communication center that the alarm has activated.</p> <p>(Ord. No. 1996.001, 7-1-96)</p>

Sec. 13-53. - Exclusions.	Exclusions- Municode Link	<p>(a) For the purpose of computing the number of alarm responses in section 13-52, an alarm shall not include an alarm which is: (1) Determined to be activated by adverse weather conditions as reported by the city police or fire department to the city communication center. (2) Activated by an electrical power outage to the electric meter on the commercial or residential building housing the activated alarm system, provided that the alarm user shall provide proof in writing of the electrical outage within five (5) business days of the alarm response. (3) An alarm where there is physical evidence of a fire or either an attempted or actual unauthorized entry at the location where the alarm was activated.</p> <p>Any determination that an alarm activation was not one of the exclusions herein may be appealed in writing to the fire chief or the police chief, as the case may be, within seventy-two (72) hours of the alarm activation. The decision of the fire chief or police chief shall be final.</p> <p>(b) An alarm system activated during alarm system testing shall not be considered an alarm for the purpose of computing alarm responses if the user first notifies the city communication center.</p> <p>(Ord. No. 1996.001, 7-1-96)</p>
Sec. 13-54. - Alarm activation prohibited under certain circumstances.	Alarm activation prohibited under certain circumstances- Municode Link	<p>Except for alarm testing as provided in section 13-53(b), it shall be unlawful for any person to knowingly activate an alarm when no fire exists or no burglary, robbery or other criminal activity is being committed or attempted on the commercial or residential building, structure or premises housing the alarm system.</p> <p>(Ord. No. 1996.001, 7-1-96)</p>
Sec. 13-55. - Violation; penalties.	Violations; penalties- Municode Link	<p>(a) Violations of section 13-54 shall be a misdemeanor, punishable by a fine of not more than fifty dollars (\$50.00) or imprisonment for not more than thirty (30) days. (b) Civil penalties under section 13-52, if not paid within fifteen (15) days of the issuance of the citation, may be recovered by the city in a civil action in the nature of a debt. (c) Notwithstanding the provisions of section 1-6 of the City Code, all other violations of this article shall subject the offender to a civil penalty in the amount of fifty dollars (\$50.00), which, if not paid within fifteen (15) days of the issuance of the citation, may be recovered by the city in a civil action in the nature of a debt. (d) As of July 1, 1996, alarm users shall be deemed to have zero (0) alarm responses for purposes of section 13-52.</p> <p>(Ord. No. 1996.001, 7-1-96)</p>
Sec. 13-61. - Graffiti prohibited.	Graffiti prohibited- Municode Link	<p>(a) It shall be unlawful for any person to write, paint, inscribe, scratch, scrawl, spray, place or draw graffiti of any type on any public or private building or personal property. (b) Subsection (a) of this section shall not be construed to prohibit temporary, easily removable chalk or other water-soluble markings on public or private sidewalks, streets or other paved surfaces which are used in connection with traditional children's activities, such as drawings of bases for stickball, kickball, handball, hopscotch or similar activities, nor shall it be construed to prohibit temporary, easily removable chalk or other water soluble markings used in connection with any lawful business or public purpose or activity.</p> <p>(Ord. No. 02005-07, 4-7-05)</p>
Sec. 13-62. - Graffiti declared public nuisance.	Graffiti declared public nuisance- Municode Link	<p>Graffiti on public or private property creates a condition tending to reduce the value of such property, to promote blight and deterioration, to reflect poorly on the community, and may be injurious to the general welfare. Furthermore, graffiti has been used as a forum for gang related activities and can lead to an increase in crime in the city, which is detrimental to the health and safety of the citizens of the city. Therefore, the presence of graffiti constitutes a public nuisance which may be summarily abated as such in accordance with the provisions of this article.</p> <p>(Ord. No. 02005-07, 4-7-05)</p>
Sec. 13-63. - Removal of graffiti.	Removal of graffiti- Municode Link	<p>It shall be unlawful for any person owning property, acting as manager or agent for the owner of property, or in possession or control of property to fail to remove or effectively obscure any graffiti upon such property.</p> <p>(Ord. No. 02005-07, 4-7-05)</p>

<p>Sec. 13-64. - Removal of graffiti by city.</p>	<p>Removal of graffiti by city- Municode Link</p>	<p>(a) Whenever the city becomes aware of the existence of graffiti on any property, the city is authorized to remove the graffiti as set forth in this article after giving, or causing to be given, written notice to remove or effectively obscure such graffiti to the property owner, such property owner's agent or manager, or any other person in possession or control of the property. If the city intends to place a lien on the property, as provided in subsection (b) below, it must also notify all other persons whose names appear on the tax rolls of the city as having an interest in the property. Notice shall be given by personal service or certified mail, except that notice may be given by first class mail to those persons, other than the property owner, whose names appear on the tax rolls of the city as having an interest in the property. All notices shall state the procedure for appeals under this section. (b) If the person owning the property, acting as manager or agent for the owner of the property, or in possession or control of the property fails to remove or effectively obscure the graffiti within seven (7) days from receipt of notice described in subsection (a) above, the city may cause the graffiti to be removed or effectively obscured and charge the property owner, or the property owner's manager or agent, or the person in possession or control of the property, for the expenses incurred by the city in removing the graffiti. The city may sue in a court of competent jurisdiction to recover all such expenses, which shall include, but not be limited to, all administrative personnel costs, attorney's fees and costs related to enforcing this section; and/or the city may record a lien in the Public Records of Harnett County, which lien shall be for all such expenses, and the amount of the lien shall bear interest from the date of recording at the legal rate proscribed by law. (c) Appeals may be taken to the city council or its designee by the person owning the property, acting as manager or agent for the property, or in possession or control of the property to prevent removal of any graffiti, within seven (7) days of having received notice from the city that graffiti must be removed. Appeals shall be in writing and shall state the reasons for the appeal. If the party filing the appeal requests a hearing, such hearing shall be held at the next scheduled business meeting of the city council. If, on appeal, the city council or its designee determines that the graffiti must be removed, the council or its designee may set a new deadline date for compliance or authorize the city to proceed to remove or obscure the graffiti. The city shall not remove or obscure any graffiti during the pendency of an appeal.</p>
<p>Sec, 13-64 Continued</p>		<p>(d) If the city determines that any graffiti is a danger to the health, safety, or welfare of the public and is unable to provide notice by personal service after at least two (2) attempts to do so, then forty-eight (48) hours after either (i) the mailing of the notice described in subsection (a) above by certified and first class mail to the person owning the property, acting as agent or manager for the owner of such property, or in possession or control of such property, or (ii) the posting of the notice in a conspicuous place on the property, the city may remove or cause the graffiti to be removed at its expense. (e) In no case shall the city paint or repair any area obscured by graffiti more extensively than where the graffiti itself is located. The city shall not be required to restore the obscured area to its original condition (i.e., color, texture, etc.). (Ord. No. 02005-07, 4-7-05)</p>
<p>Sec. 13-65. - Enforcement and penalties for violation of this article.</p>	<p>Enforcement and penalties for violation of this article- Municode Link</p>	<p>(a) Where there is a violation of section 13-61 of this article, the city, at its discretion, may take one (1) or more of the following enforcement actions: (1) A police officer may issue a citation subjecting the violator to a civil penalty of two hundred fifty dollars (\$250.00) for a first offense and five hundred dollars (\$500.00) for a second offense, which penalties may provide for a delinquency charge upon nonpayment of twenty-five dollars (\$25.00), and which penalties and delinquency charge may be recovered by the civil in a city action. (2) A misdemeanor warrant may be issued either immediately or upon the issuance of a citation and the violator's failure to pay the citation. Misdemeanors shall be punishable by a fine of up to one thousand dollars (\$1,000.00), and/or imprisonment for up to thirty (30) days and the violator shall be required to make restitution to the victim for the damage or loss suffered by the victim as a result of the offense, as determined by a court of competent jurisdiction. (3) Any other remedy provided for in this article or otherwise allowed by law. (b) Where there is a violation of section 13-63 of this article, the city, at its discretion, may take one (1) or more of the following enforcement actions: (1) A police officer may issue a citation subjecting the violator to a civil penalty of not more than two hundred fifty dollars (\$250.00) for a first offense and five hundred dollars (\$500.00) for a second offense, which penalties may provide for a delinquency charge upon nonpayment of twenty-five dollars (\$25.00), and which penalties and delinquency charge may be recovered by the city in a civil action. In determining the fine to be imposed, the city may consider the efforts, if any, taken by the violator to remove or effectively obscure the graffiti. (2) A civil action seeking a penalty of five hundred dollars (\$500.00) per day of violation plus injunction and order of abatement may be directed toward any person owning the property, acting as manager or agent for the owner of the property, or in possession or control of the property. (3) Any other remedy provided for in this article or otherwise allowed by law. (Ord. No. 02005-07, 4-7-05)</p>

<p>Sec. 13-70. - Restrictions upon juveniles during specified hours.</p>	<p>Restrictions upon juveniles during specified hours- Municode Link</p>	<p>(a) Purpose. The purpose of this section is to protect juveniles from victimization and exposure to criminal activity by establishing a curfew for persons under the age of eighteen (18) years in the city. The youth protection ordinance is intended to promote the health, safety and welfare of both juveniles and adults by creating an environment providing better protection and security for all concerned. The purpose is also to define the duties of parents or guardians and operators of business establishments and protect minors from improper influences and criminal activity that occurs after the curfew hour. (b) Definitions. For the purposes of this section, the following words and phrases shall have the following meanings:</p> <p>Authorized adult means a parent, guardian or someone over eighteen (18) years of age authorized to accompany the juvenile for a designated period of time.</p> <p>Establishment means any privately owned place of business operated to which the public has access or is invited including but not limited to any place of amusement or entertainment.</p> <p>Juvenile means Any person under the age of eighteen (18) years who is not married or been emancipated.</p> <p>Owner/operator means any individual, firm, association, partnership or corporation, operating, managing or conducting any establishment, including the employees, members or partners of an association or partnership and the officers of a corporation.</p> <p>Public place means any place that is generally open to and used by the public or a substantial group of the public, whether it be publicly or privately owned, including but not limited to, streets, highways, alleys, rights-of-way, public vehicular areas and parking lots, shops, restaurants, convenience stores, schools and school grounds, places of business and amusement, playgrounds, parks church grounds, similar areas that are open to the public, and other common areas open to or accessible to the public.</p>
<p>Sec, 13-70 Continued (1 of 5)</p>		<p>Remain means to stay behind, to tarry and to stay unnecessarily in a public place including the congregating of groups (or of interacting minors) totaling four (4) persons in which any juvenile involved would not be using the streets for ordinary or serious purposes such as mere passage or going home, or to fail to leave the premises of an Establishment when requested to do so by a police officer or the operator of an establishment. To implement this provision with additional precision and precaution, numerous exceptions are expressly defined in the ordinance.</p> <p>Restricted hours means the time of night referred to herein is based upon the prevailing standard of time, whether Eastern Standard Time or Eastern Daylight Savings Time, generally observed at that hour by the public in the city. Restricted Hours will mean 11:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, until 7:00 a.m. of the following day.</p> <p>School day means any day in any calendar year designated by the Harnett County School Board as a regular school day for the public schools of Harnett County, North Carolina in which students are scheduled to attend school, unless such attendance has been suspended, delayed or canceled by the Harnett County school board due to a natural disaster, inclement weather or other emergency.</p> <p>(c) Offenses. Except as provided by subsection (d), the following offenses constitute a violation of this section: (1) A person under the age of eighteen (18) years shall be in violation of this section if he or she shall remain at any time in a group of four (4) or more individuals in or upon any public place or establishment within the city. (2) It shall be a violation of this section for any person under the age of eighteen (18) to be or remain in or upon any public place or establishment within the city during the restricted hours. (3) 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 subsection (c)(1).</p>

<p>Sec, I3-70 Continued (2 of 5)</p>		<p>(4) 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. The term "knowingly" includes knowledge that a parent should reasonably be expected to have concerning the whereabouts of a juvenile in that parent's legal custody. This requirement is intended to hold a neglectful or careless parent up to a reasonable community standard of parental responsibility through an objective test. It shall, therefore, be no defense that a parent was completely indifferent to the activities or conduct or whereabouts of such juvenile. (5) It shall be a violation of this section for a parent or guardian of a juvenile to refuse to take custody of the juvenile during the restricted hours. (6) The owners, operator, or any employee of an establishment shall be in violation to this section if he knowingly allows a juvenile to remain upon the premises of the establishment during the restricted hours. The term "knowingly" includes knowledge that an operator or employer should reasonably be expected to have concerning the patrons of an establishment. (7) It is unlawful for any juvenile who has been suspended from school or has failed to attend school for any reason during regular school hours, who is not in the company of a parent or guardian, to be or remain upon any establishment or public place in the city between the hours of 7:30 a.m. and 3:30 p.m. on any school day. (d) Exceptions. [A] juvenile shall not be in violation of this section if the juvenile is: (1) Accompanied by a parent, guardian or adult eighteen (18) years of age, or older, authorized by the parent or guardian to supervise such juvenile. (2) Using a direct route to or from a place of employment. (3) In a motor vehicle with parental consent.</p>
<p>Sec, I3-70 Continued (3 of 5)</p>		<p>(4) Reacting or responding to an emergency. (5) Attending or traveling to or from, by direct route, any school, religious or recreational activity or other organized activity which is supervised by adults that accept responsibility for the juvenile. If during restricted hours, the parent or guardian must have knowledge of the organized activity in which the juvenile is involved and the juvenile shall carry a written communication, signed by the juvenile and countersigned, if practicable, by a parent of the juvenile with their home address and telephone number and specifying when, where and in what manner the juvenile will be in a public place. (6) Any juvenile that attends a private school, a public school other than the public schools of Harnett County, or any other school other than the public schools of Harnett County, shall not be in violation of subsection (c)(7), if the school which said juvenile attends is not scheduled for student attendance on that date, as confirmed by a representative of such juvenile's school or by the parent of such juvenile. (7) Any juvenile that is home schooled shall not be in violation of subsection (c)(7) if such juvenile possesses a note from their parent or guardian allowing such juvenile to be at an establishment or public place during the applicable time period or if the parent or guardian of such juvenile confirms their permission for such Juvenile being at such establishment or public place. (e) Other exceptions. If the owner, operator or employee of an establishment notifies the police department that a juvenile was present on the premises of the establishment during restricted hours and refused to leave. (f) Enforcement procedures. (1) If a police officer reasonably believes that a juvenile is in a public place in violation of the ordinance the officer shall notify the juvenile that he or she is in violation of the ordinance and shall require the juvenile to provide his or her name, address and telephone number and how to contact his or her parent or guardian. In determining the age of the juvenile and in the absence of convincing evidence such as a birth certificate, a police officer shall, in the first instance of violation of the ordinance, use his or her best judgment in determining age.</p>

<p>Sec, I3-70 Continued (4 of 5)</p>		<p>(2) The police officer shall issue the juvenile a written warning that the juvenile is in violation of the ordinance and order the juvenile to go promptly home. The chief of police shall send the parent or guardian of the juvenile written notice of the violation by certified mail with a warning that any subsequent violation will result in full enforcement of the ordinance, including enforcement or parental responsibility and of applicable penalties. (3) Police procedures shall constantly be refined in the light of experience and may provide that the police officer may deliver to a parent or guardian thereof a juvenile under appropriate circumstances; for example, a juvenile of tender age, near home, whose identity and address may readily be ascertained or are known. (4) Notwithstanding the foregoing, when: (i) a juvenile has received one previous written warning for violation of this section; or (ii) a police officer has reasonable grounds to believe that the juvenile has engaged in delinquent conduct, the procedure shall then be to take the juvenile to the police station where a parent or guardian shall immediately be notified to come for the juvenile whereupon the parent or guardian and the juvenile shall be questioned. This is intended to permit ascertainment, under constitutional safeguards, of relevant facts, and to centralize responsibility in the person designated there and then on duty for an accurate, effective, fair, impartial and uniform enforcement, and recording, thus, making available experienced personnel and access to information and records. (5) When a parent or guardian, immediately called, has come to take charge of the juvenile, and the appropriate information has been recorded, the juvenile shall be released to the custody of such parent. If the parent cannot be located or fails to take charge of the juvenile, then the juvenile shall be released to the juvenile authorities, except to the extent that in accordance with police regulations, approved in advance by juvenile authorities, the juvenile may temporarily be entrusted to an adult, neighbor or other person who will on behalf of a parent or guardian assume the responsibility of caring for a juvenile pending the availability or arrival of a parent or guardian. (6) For the first violation of the article by an operator of an establishment who permits a juvenile to remain on the premises, a police officer shall issue a written notice of the violation with a warning that any subsequent violation will result in full enforcement of the ordinance, including enforcement of operator responsibility and of applicable penalties.</p>
<p>Sec, I3-70 Continued (5 of 5)</p>		<p>(g) Penalties. (1) A juvenile who violates any provision of this section is subject to being adjudicated delinquent. The court may, in its discretion, impose any dispositional alternative(s) that are provided in the state juvenile code for any juvenile who is delinquent. (2) Any person other than a juvenile who violates any provision of this section may be guilty of a misdemeanor and may be subject to a fine not to exceed one hundred dollars (\$100.00) for the first offense, and for each subsequent offense the fine shall be increased by an additional one hundred fifty dollars. For example, for the second offense the fine shall be two hundred fifty dollars (\$250.00), for the third offense, four hundred dollars (\$400.00), and imprisonment in the discretion of the court in accordance with G.S. 14-4. (h) Severability. If any section, subsection, sentence, term or exception of this section, or any application thereof to any person or circumstance, is adjudged to be unconstitutional or invalid, such adjudication shall not be deemed applicable to any other person or circumstances. Furthermore, the city council declares its intent to adopt and enforce each and every subsection of this section separate and independent from one another. (Ord. No. 02008-12, 7-8-08; Ord. No. 02008-16, 11-17-08; Ord. No. 02008-17, 11-17-08)</p>
<p>Sec. I3-65. - Enforcement and penalties for violation of this article.</p>	<p>Enforcement and penalties for violation of this article- Municode Link</p>	<p>(a) Where there is a violation of section I3-61 of this article, the city, at its discretion, may take one (1) or more of the following enforcement actions: (1) A police officer may issue a citation subjecting the violator to a civil penalty of two hundred fifty dollars (\$250.00) for a first offense and five hundred dollars (\$500.00) for a second offense, which penalties may provide for a delinquency charge upon nonpayment of twenty-five dollars (\$25.00), and which penalties and delinquency charge may be recovered by the civil in a city action. (2) A misdemeanor warrant may be issued either immediately or upon the issuance of a citation and the violator's failure to pay the citation. Misdemeanors shall be punishable by a fine of up to one thousand dollars (\$1,000.00), and/or imprisonment for up to thirty (30) days and the violator shall be required to make restitution to the victim for the damage or loss suffered by the victim as a result of the offense, as determined by a court of competent jurisdiction. (3) Any other remedy provided for in this article or otherwise allowed by law. (b) Where there is a violation of section I3-63 of this article, the city, at its discretion, may take one (1) or more of the following enforcement actions: (1) A police officer may issue a citation subjecting the violator to a civil penalty of not more than two hundred fifty dollars (\$250.00) for a first offense and five hundred dollars (\$500.00) for a second offense, which penalties may provide for a delinquency charge upon nonpayment of twenty-five dollars (\$25.00), and which penalties and delinquency charge may be recovered by the city in a civil action. In determining the fine to be imposed, the city may consider the efforts, if any, taken by the violator to remove or effectively obscure the graffiti. (2) A civil action seeking a penalty of five hundred dollars (\$500.00) per day of violation plus injunction and order of abatement may be directed toward any person owning the property, acting as manager or agent for the owner of the property, or in possession or control of the property. (3) Any other remedy provided for in this article or otherwise allowed by law. (Ord. No. 02005-07, 4-7-05)</p>

<p>Sec. 13-70. - Restrictions upon juveniles during specified hours.</p>	<p>Restrictions upon juveniles during specified hours- Municode Link</p>	<p>(c) Offenses. Except as provided by subsection (d), the following offenses constitute a violation of this section: (1) A person under the age of eighteen (18) years shall be in violation of this section if he or she shall remain at any time in a group of four (4) or more individuals in or upon any public place or establishment within the city. (2) It shall be a violation of this section for any person under the age of eighteen (18) to be or remain in or upon any public place or establishment within the city during the restricted hours. (3) 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 subsection (c)(1). (4) 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. The term "knowingly" includes knowledge that a parent should reasonably be expected to have concerning the whereabouts of a juvenile in that parent's legal custody. This requirement is intended to hold a neglectful or careless parent up to a reasonable community standard of parental responsibility through an objective test. It shall, therefore, be no defense that a parent was completely indifferent to the activities or conduct or whereabouts of such juvenile. (5) It shall be a violation of this section for a parent or guardian of a juvenile to refuse to take custody of the juvenile during the restricted hours. (6) The owners, operator, or any employee of an establishment shall be in violation to this section if he knowingly allows a juvenile to remain upon the premises of the establishment during the restricted hours. The term "knowingly" includes knowledge that an operator or employer should reasonably be expected to have concerning the patrons of an establishment. (7) It is unlawful for any juvenile who has been suspended from school or has failed to attend school for any reason during regular school hours, who is not in the company of a parent or guardian, to be or remain upon any establishment or public place in the city between the hours of 7:30 a.m. and 3:30 p.m. on any school day.</p>
<p>Sec. 13-70. Continued (1-3)</p>		<p>(d) Exceptions. [A] juvenile shall not be in violation of this section if the juvenile is: (1) Accompanied by a parent, guardian or adult eighteen (18) years of age, or older, authorized by the parent or guardian to supervise such juvenile. (2) Using a direct route to or from a place of employment. (3) In a motor vehicle with parental consent. (4) Reacting or responding to an emergency. (5) Attending or traveling to or from, by direct route, any school, religious or recreational activity or other organized activity which is supervised by adults that accept responsibility for the juvenile. If during restricted hours, the parent or guardian must have knowledge of the organized activity in which the juvenile is involved and the juvenile shall carry a written communication, signed by the juvenile and countersigned, if practicable, by a parent of the juvenile with their home address and telephone number and specifying when, where and in what manner the juvenile will be in a public place. (6) Any juvenile that attends a private school, a public school other than the public schools of Harnett County, or any other school other than the public schools of Harnett County, shall not be in violation of subsection (c)(7), if the school which said juvenile attends is not scheduled for student attendance on that date, as confirmed by a representative of such juvenile's school or by the parent of such juvenile. (7) Any juvenile that is home schooled shall not be in violation of subsection (c)(7) if such juvenile possesses a note from their parent or guardian allowing such juvenile to be at an establishment or public place during the applicable time period or if the parent or guardian of such juvenile confirms their permission for such Juvenile being at such establishment or public place. (e) Other exceptions. If the owner, operator or employee of an establishment notifies the police department that a juvenile was present on the premises of the establishment during restricted hours and refused to leave.</p>
<p>Sec. 13-70. Continued (2-3)</p>		<p>(f) Enforcement procedures. (1) If a police officer reasonably believes that a juvenile is in a public place in violation of the ordinance the officer shall notify the juvenile that he or she is in violation of the ordinance and shall require the juvenile to provide his or her name, address and telephone number and how to contact his or her parent or guardian. In determining the age of the juvenile and in the absence of convincing evidence such as a birth certificate, a police officer shall, in the first instance of violation of the ordinance, use his or her best judgment in determining age. (2) The police officer shall issue the juvenile a written warning that the juvenile is in violation of the ordinance and order the juvenile to go promptly home. The chief of police shall send the parent or guardian of the juvenile written notice of the violation by certified mail with a warning that any subsequent violation will result in full enforcement of the ordinance, including enforcement or parental responsibility and of applicable penalties. (3) Police procedures shall constantly be refined in the light of experience and may provide that the police officer may deliver to a parent or guardian thereof a juvenile under appropriate circumstances; for example, a juvenile of tender age, near home, whose identity and address may readily be ascertained or are known. (4) Notwithstanding the foregoing, when: (i) a juvenile has received one previous written warning for violation of this section; or (ii) a police officer has reasonable grounds to believe that the juvenile has engaged in delinquent conduct, the procedure shall then be to take the juvenile to the police station where a parent or guardian shall immediately be notified to come for the juvenile whereupon the parent or guardian and the juvenile shall be questioned. This is intended to permit ascertainment, under constitutional safeguards, of relevant facts, and to centralize responsibility in the person designated there and then on duty for an accurate, effective, fair, impartial and uniform enforcement, and recording, thus, making available experienced personnel and access to information and records.</p>

<p>Sec. 13-70. Continued (3-3)</p>		<p>(5) When a parent or guardian, immediately called, has come to take charge of the juvenile, and the appropriate information has been recorded, the juvenile shall be released to the custody of such parent. If the parent cannot be located or fails to take charge of the juvenile, then the juvenile shall be released to the juvenile authorities, except to the extent that in accordance with police regulations, approved in advance by juvenile authorities, the juvenile may temporarily be entrusted to an adult, neighbor or other person who will on behalf of a parent or guardian assume the responsibility of caring for a juvenile pending the availability or arrival of a parent or guardian. (6) For the first violation of the article by an operator of an establishment who permits a juvenile to remain on the premises, a police officer shall issue a written notice of the violation with a warning that any subsequent violation will result in full enforcement of the ordinance, including enforcement of operator responsibility and of applicable penalties. (g) Penalties. (1) A juvenile who violates any provision of this section is subject to being adjudicated delinquent. The court may, in its discretion, impose any dispositional alternative(s) that are provided in the state juvenile code for any juvenile who is delinquent. (2) Any person other than a juvenile who violates any provision of this section may be guilty of a misdemeanor and may be subject to a fine not to exceed one hundred dollars (\$100.00) for the first offense, and for each subsequent offense the fine shall be increased by an additional one hundred fifty dollars. For example, for the second offense the fine shall be two hundred fifty dollars (\$250.00), for the third offense, four hundred dollars (\$400.00), and imprisonment in the discretion of the court in accordance with G.S. 14-4. (h) Severability. If any section, subsection, sentence, term or exception of this section, or any application thereof to any person or circumstance, is adjudged to be unconstitutional or invalid, such adjudication shall not be deemed applicable to any other person or circumstances. Furthermore, the city council declares its intent to adopt and enforce each and every subsection of this section separate and independent from one another. (Ord. No. 02008-12, 7-8-08; Ord. No. 02008-16, 11-17-08; Ord. No. 02008-17, 11-17-08)</p>
<p>Sec. 20-12. - Penalty for violation of this chapter.</p>	<p>Penalty for violation of this chapter- Municode Link</p>	<p>After July 6, 1995, any person who, being the owner or agent of the owner of any land located within the jurisdiction of the city, thereafter subdivides the land in violation of this chapter or transfers or sells land by reference to, exhibition of, or any other use of a plat showing a subdivision of the land, before the plat has been properly approved under this chapter and recorded in the office of the county register of deeds, shall be guilty of a misdemeanor. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from this penalty. The city, through its attorney or other official designated by the council, may enjoin illegal subdivision, transfer or sale of land by action for injunction. Further violations of this chapter shall be subject, upon conviction, to fine and/or imprisonment as provided by G.S. 14-4. (Code 1974, § 21-12; Amend. of 7-6-95)</p>
<p>Sec. 11-195. - Liability insurance.</p>	<p>Liability insurance- Municode Link</p>	<p>(a) The operator of every taxicab engaged in the business of transporting passengers for hire over the public streets of the city shall furnish and keep in effect for each taxicab a policy of insurance which shall conform to the minimum requirements set by the city council, on file in the finance office. The policy of insurance shall set forth a description of each taxicab operating under the terms of such policy, including the year, make, model, vehicle identification number and state license number for each taxicab. The minimum insurance requirements, set by the city council on December 12, 2002, are as follows: Business automobile - one hundred thousand dollars (\$100,000.00) bodily injury per person, three hundred thousand dollars (\$300,000.00) bodily injury per accident, fifty thousand dollars (\$50,000.00) property damage. (b) Any person failing to comply with this section and failing to furnish the policy of insurance as provided in this section shall be guilty of a misdemeanor, and each day's violation shall constitute a separate offense. (Code 1974, § 23-14; Ord. No. 02002-08, 12-12-02)</p>

Sec. 22-530. - Civil remedies and equitable relief.	Civil remedies and equitable relief- Municode Link	<p>(a) Civil remedies. (1) Injunction and order of abatement. If a building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is occupied or used in violation of the state statutes, this section, or other regulation made under authority conferred thereby, the city (or any adjacent, nearby, or neighboring property owners who would be affected by such violations), in addition to other remedies, may apply to the district court, superior court civil division, or any other court of competent jurisdiction, at the discretion of the city for a mandatory or prohibitory injunction and order of abatement commanding the defendant to correct the unlawful condition upon or cease the unlawful use of the property.</p> <p>In addition to an injunction, the court may enter an order of abatement as a part of the judgment in the case. An order of abatement may direct that buildings or other on the property to be closed, demolished, or removed; that fixtures, furniture, or other movable property be removed from buildings on the property; that grass and weeds be cut; that improvements or repairs be made; or that any other action be taken that is necessary to bring the property into compliance with this section. If the defendant fails or refuses to comply with an injunction or with an order of abatement within the time allowed by the court, he may be cited for contempt and the city may execute the order of abatement. The city shall have a lien on the property for the cost of executing an order of abatement.</p> <p>(2) Civil citation. Pursuant to G.S. 160A-175, the regulations and standards of this section may be enforced through the issuance of civil citation penalties by the zoning enforcement officer if it is determined that a person has failed to comply with the provisions of this section. Violations shall be corrected within ten (10) days of the issuance of a warning citation. If the violation is not corrected within the specified time period, a citation subject to a civil penalty shall be issued. The city may recover this penalty in a civil action in the nature of a debt if the offender does not pay the penalty within seventy-two (72) hours after being cited for a violation. In addition, failure to pay the civil penalty within seventy-two (72) hours shall subject the violator to a twenty-five dollar (\$25.00) per day late charge.</p>
Sec,22-530 Continued (1 of 2)		<p>Subsequent citations for the same violation may be issued by the zoning enforcement officer once the initial warning citation has expired. Each day which the violation continues upon the issuance of the fourth citation may subject the violator to additional citations. The violator may seek an appeal to the actions of the zoning enforcement officer through the board of adjustment within thirty (30) days of the initial notice of violation, which shall be the warning citation.</p> <p>If the zoning enforcement officer notifies a party of a violation and that violation is remedied but subsequently reestablished within a period of one hundred eighty (180) days thereafter, a warning citation shall not be reissued. Rather, this shall be considered a continuation of the violation and the zoning administrator shall have the ability to immediately issue citations with monetary penalties as if the cessation had never occurred.</p> <p>(b) Equitable relief. The city may apply to the district court or superior court, civil division or other court of competent jurisdiction at the discretion of the city for an appropriate equitable remedy. It shall not be a defense to the city's application for equitable relief that there is an adequate remedy at law. (c) Criminal penalties. Any person violating any provisions of this section, or who shall violate or fail to comply with any order made thereunder; or who shall continue to work upon any structure after having received written notice from the zoning enforcement officer to cease work, shall be guilty of a misdemeanor and punishable by a fine not to exceed fifty dollars (\$50.00). Each day such violation shall be permitted to exist shall constitute a separate offense. Notice of violation shall be sufficient if directed to such owner, the agent of the owner, or the contractor and left at his known place of residence or place of business.</p>
Sec,22-530 Continued (2 of 2)		<p>(d) Enforcement. (1) Enforcement authority. This section shall be enforceable in accordance with provisions available in G.S. 160A-175, which are incorporated herein by reference. (2) Combination of remedies. The city may choose to enforce this section by any one, all, or combination of the above procedures. (3) Costs. All costs and expenses incurred by the city in enforcing this section, including but not limited to reasonable attorney's fees shall be assessed to the party to whom the civil citation is issued.</p> <p>(Ord. No. O2007-13, 9-6-07)</p>
Sec. 1-6. - General penalty; enforcement of ordinances; continuing violations.	General penalty; enforcement of ordinances; continuing violations- Municode Link	<p>Violations of any provision of the following chapters and sections of this Code shall be a misdemeanor and punishable as provided by G.S. 14-4:</p> <p>Chapter 3. Animals and Fowl Chapter 13. Offenses and Miscellaneous Provisions</p> <p>(Code 1974, § 1-6)</p>