

**10.99 GENERAL PENALTY**

Any person, firm, or corporation violating any of the provision of any section or subsection of this code of ordinances for which no other penalty is provided, or failing or neglecting or refusing to comply with same, shall, upon conviction, be guilty of a Class 3 misdemeanor and subject to a fine not to exceed fifty dollars (\$50) or imprisonment not to exceed thirty (30) days, and each day that any of the provisions of this code of ordinances are violated shall constitute a separate offense.

(G.S. 14-4(a))

***Statutory reference:***

*For provisions concerning enforcement of ordinances, see G.S. 160A-175.*

## CHAPTER 32: CITY POLICY

### Section

#### *Smoking in Municipal Buildings and Vehicles*

- 32.01 Definitions
- 32.02 Smoking in municipal buildings prohibited
- 32.03 Smoking in municipal vehicles prohibited
- 32.99 Penalty

#### **SMOKING IN MUNICIPAL BUILDINGS AND VEHICLES**

##### **§ 32.01 DEFINITION.**

For the purpose of this subchapter, the following definition shall apply, unless the context clearly indicates or requires a different meaning.

**SMOKING.** The inhaling, exhaling, burning or carrying of a lighted pipe, cigar, cigarette or other combustible tobacco product.  
(Ord. passed 9-21-93)

##### **§ 32.02 SMOKING IN MUNICIPAL BUILDINGS PROHIBITED.**

It shall be unlawful for any person to smoke in any building or facility or portion of a building or facility now or hereafter owned, leased, operated, occupied, managed or controlled by the Town.  
(Ord. passed 9-21-93) Penalty, see § 32.99

##### **§ 32.03 SMOKING IN MUNICIPAL VEHICLES PROHIBITED.**

It shall be unlawful for any person to smoke in any vehicle now or hereafter owned or leased by the city.

(Ord. passed 9-21-93) Penalty, see § 32.99

##### **§ 32.99 PENALTY.**

Violation of this chapter shall subject the offender to a civil penalty in the amount of twenty-five dollars (\$25) to be recovered by the Town. Violators shall be issued a written citation, which must be paid to the Town within forty-eight (48) hours. Violation of this chapter shall not constitute a misdemeanor or infraction punishable under G.S. § 14-4.  
(Ord. passed 9-21-93)

## CHAPTER 90: ANIMALS

### Section

- 90.01 Adoption of county rabies and canine disease ordinance
- 90.02 Definitions
- 90.03 Responsibility of owner
- 90.04 Impoundment of animals; redemption and fees
- 90.05 Vicious dogs
- 90.06 Rabies inoculations required
- 90.07 Interference with impoundment
- 90.08 Livestock
- 90.09 Animal Warden
- 90.10 Sanitation
- 90.11 Prohibited acts
  
- 90.99 Penalty

### § 90.01 ADOPTION OF COUNTY RABIES AND CANINE DISEASE ORDINANCE.

(A) An ordinance to control rabies and canine related diseases in Rowan County adopted by the Rowan County Commissioners on November 16, 1976, and amended on July 29, 1980, is adopted by the Town.

(B) The adoption by the Town of this ordinance is intended to be in addition to, and not in substitution of, the following provisions of this chapter.

(C) If conflict arises between any of the foregoing provisions of this chapter and any provisions of the county ordinance adopted herein by reference, the Town shall have the ultimate authority to enforce the provisions of this chapter.

(D) A copy of the county ordinance adopted herein by reference shall be maintained on file with the Town Clerk.

(Ord. passed 8-9-94)

#### *Statutory reference:*

*County to appoint animal control officers, see G.S. § 67-30.*

*Ordinances adopted by reference to be maintained on file for public inspection, see G.S. § 160A-76.*

### § 90.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ANIMAL SHELTER.** A place provided and operated by the county for the restraint, care, and disposition of animals.

**AT LARGE.** On any public street or other public place in the Town or on private property without the permission of the owner or occupant of the private property, and not under control either by leash, cord, or chain, or not under the immediate and effective control of the owner or other responsible person.

**OWNER.** Any person, firm, or corporation owning, keeping, or harboring a dog; and the head of the household shall be deemed to be the owner of any dog owned, kept, or harbored by any person residing in the household and kept on the premises.

**VICIOUS DOG.** A dog that has bitten previously, one that has been trained or bred for the purpose of attacking human beings or otherwise, one

in which a propensity to attack humans without provocation exists, and that propensity is known, or ought to be known to the owner.

(Ord. passed 8-9-94)

#### **§ 90.03 RESPONSIBILITY OF OWNER.**

(A) It shall be unlawful for an owner to permit a dog to run at large. Any domestic animals running at large within the Town are also subject to this provision.

(B) Owners of dogs are responsible for the acts of their animals. The owner of any dog which commits a nuisance upon the property of another person or which damages another person's property or person is fully responsible and accountable for those acts.

(Ord. passed 8-9-94)

(C) It shall be unlawful for any person to permit any animal to disturb the peace and quiet within the Town. (Ord. passed 3-14-77)

Penalty, see § 90.99

#### **§ 90.04 IMPOUNDMENT OF ANIMALS; REDEMPTION AND FEES.**

Any dog in the Town without an owner, or any dog running at large, is subject to being picked up and to impoundment by Rowan County Animal Control or by the Animal Warden. If the Warden can determine the ownership of the animal by tag or other means, in lieu of impoundment, the animal may be taken to the owner and notice of violation shall be served, charging the owner with the violation of this chapter. Animals picked up by the County Dog Warden will be held and disposed of according to the county regulations. Any funds received from penalties pursuant to this section shall be turned over to the Town Treasurer and placed in the account of the general fund.

(Ord. passed 8-9-94) Penalty, see § 90.99

#### **§ 90.05 VICIOUS DOGS.**

It shall be unlawful for any person owning, keeping, or having charge of any vicious dog within the Town limits to allow the vicious dog to be outside the confines of the house, a fenced yard, or other restricted area except on a leash, cord, or chain, and under the control of a responsible person.

(Ord. passed 8-9-94) Penalty, see § 90.99

#### **§ 90.06 RABIES INOCULATIONS REQUIRED.**

No dog or cat shall be permitted within the Town limits unless it shall have been inoculated against rabies as required by the General Statutes of North Carolina, and proof of inoculation shall be attached to the animal.

(Ord. passed 8-9-94) Penalty, see § 90.99

#### **§ 90.07 INTERFERENCE WITH IMPOUNDMENT.**

It shall be unlawful for any person to obstruct or interfere in any way with the impoundment of any dog found in violation of the provisions of this chapter. It shall be unlawful for any person to release or attempt to release any dog which has been impounded.

(Ord. passed 8-9-94) Penalty, see § 90.99

#### **§ 90.08 LIVESTOCK.**

(A) **LIVESTOCK**, as used in this chapter, refers to any animal kept for exchange or sale for profit or for human consumption, and for recreation, including but not limited to cows, sheep, horses, goats, pot belly pigs, ostrich, and the like.

(B) It shall be unlawful for any person to locate, erect, or maintain on any property, within the corporate limits of the Town, a stable for housing livestock of any kind unless it shall be located at least twenty (20) feet from any adjoining property line and twenty (20) feet from the street. Not less than one (1)

acre of fenced land shall be necessary to maintain the animals. One (1) head of livestock per one-half ( $\frac{1}{2}$ ) acre of fenced property shall be the limit.

(C) Livestock shall be maintained in a sanitary, humane manner, that is, proper food, water and shelter and adequate land as prescribed in division (B) of this section. Livestock owners shall be responsible for the proper cleaning and disposal of livestock waste as to avoid contaminating area streams, ground water and neighboring properties. Fencing shall be of proper quality and construction as to not allow the livestock to escape, endangering the public or the livestock.

(D) Animal wardens empowered by the Town shall have the authority to inspect properties within the Town limits concerning the care and general welfare of livestock as prescribed in this section.  
(Ord. passed 8-9-94) Penalty, see § 90.99

#### § 90.09 ANIMAL WARDEN.

The Town Board is hereby authorized to appoint one (1) or more Animal Wardens. Members of the County Sheriff's Department assigned to the Town shall be empowered to perform the duties of the Animal Warden.  
(Ord. passed 8-9-94)

#### § 90.10 SANITATION.

Every person who owns or maintains a penned lot, shelter, or other place where animals are kept shall maintain the same in a sanitary and humane manner. If the conditions of the shelter shall be found not to be healthy or humane, then this condition shall be reported to the Animal Warden, and it shall be the duty of the Animal Warden to report the condition to the Health Department. The pen, lot or building constructed for housing dogs, cats or fowl cannot be within twenty (20) feet of any adjoining property line nor within twenty (20) feet of the street.  
(Ord. passed 8-9-94) Penalty, see § 90.99

#### § 90.11 PROHIBITED ACTS.

(A) *Dog or chicken fights.* It shall be unlawful for any person to promote, sponsor, or attend dog fights or chicken fights within the Town. (G.S. § 14-362)

(B) *Raising of hogs/pigs.* It shall be unlawful for any person to have, keep, or maintain a hog/pig lot or keep or raise hogs or swine within the Town, excluding pot bellied pigs.

(C) *Maintenance of chicken coops.* It shall be unlawful for any person to have, keep, or maintain a chicken coop or pen or keep or raise chickens within the Town.

(D) *Bird sanctuary created.* It shall be unlawful for any person to hunt, kill, or trap any birds within the Town. (G.S. §§ 67-1 *et seq.*)  
(Ord. passed 8-9-94) Penalty, see § 90.99

#### § 90.99 PENALTY.

(A) Anyone who shall violate any provision of this chapter for which no penalty is specified shall be subject to the terms of § 10.99

(B) For any animal impounded by the Animal Warden pursuant to § 90.04, the penalty for notice shall be five dollars (\$5) for the first time the animal is found to be running at large. A second violation subjects the owner to a ten-dollar (\$10) fine. A third violation and all subsequent violations shall have a penalty of twenty-five dollars (\$25).

(C) Any person who violates § 90.05 or 90.07 shall be guilty of a misdemeanor punishable by not more than thirty (30) days in prison or a fine of not greater than fifty dollars (\$50).

(D) Violations of § 90.08 shall be reported to the property owner and the livestock owner (if they are not the same person) by registered or certified mail.

**TOWN OF FAITH**  
**P. O. Box 37**  
**Faith, N.C. 28049**

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**Faith - General Regulations**

The Rowan County Health Department and the Rowan County Humane Society will receive copies of the mailing. Livestock owners shall have sixty (60) days in which to correct any violations of this section. If after sixty (60) days, provisions have not been made to correct the violations, a fine of fifty dollars (\$50) per day, thereafter, shall be incurred by the livestock owner.

(Ord. passed 8-9-94)

CHAPTER 110: GENERAL BUSINESS REGULATIONS

Section

*Alcoholic Beverages*

- 110.01 On-premises consumption of alcohol prohibited
- 110.02 Sale of beer and wine prohibited during certain hours

control of, or being operated by that licensee, during the seven-hour (7) period from 12:00 midnight until 7:00 a.m.

*Commercial Enterprises*

- 110.15 Commercial enterprises near residences

(C) The sale of beer or wine shall be allowed within the corporate limits of the Town of Faith on Sunday beginning at 10:00 A.M. pursuant to the licensed premises' permit issued under G.S. 18B-1001.

(Amendment 05/08/

(D) Any person, firm, or corporation violating the provisions of this section shall be guilty of a misdemeanor.

(Ord. passed 1-10-66) Penalty, see § 10.99

**ALCOHOLIC BEVERAGES**

**§ 110.01 ON-PREMISES CONSUMPTION OF ALCOHOL PROHIBITED.**

It shall be unlawful for any person, firm or corporation to sell beer or any other alcoholic beverage for consumption on the premises where sold. (Ord. eff. 3-9-76) Penalty, see § 10.99

**§ 110.02 SALE OF BEER AND WINE PROHIBITED DURING CERTAIN HOURS.**

(A) It shall be unlawful for any person, firm, or corporation, licensed to sell beer or wine in North Carolina, to sell or offer for sale any beer or wine in the Town during the period between 11:45 p.m. and 7:00 a.m. the next day.

(B) It shall be unlawful for any person, firm or corporation, licensed to sell beer or wine in North Carolina, to permit or allow the consumption of any beer or wine in any place in the Town under the

**CHAPTER 130: GENERAL OFFENSES**

**Section**

- 130.01 Disorderly conduct
- 130.02 Junkyards prohibited
- 130.03 Skateboarding prohibited
- 130.04 Bawdy houses prohibited
- 130.05 Weapons prohibited on Town property
- 130.06 Drug paraphernalia
  
- 130.99 Penalty

**§ 130.01 DISORDERLY CONDUCT.**

It shall be unlawful and a public nuisance for any person to do the following:

- (A) To engage in any disorderly conduct.
  - (B) To consume any alcoholic beverage in any street, alley or public place, as defined in G.S. § 14-443(3).
  - (C) To be drunk in any street, alley, or public place.
  - (D) To use language calculated to bring on a breach of the peace or to annoy the public.
  - (E) To unduly loiter or congregate on the streets or sidewalks.
  - (F) To loiter around any church or school house, or on the sidewalks near any church or school house, or make annoying and insulting remarks to any person or persons going to and from any church or school house.
- (Ord. eff. 6-13-83) Penalty, see § 130.99

**§ 130.02 JUNKYARDS PROHIBITED.**

It shall be unlawful for any person, firm or corporation to keep, maintain or operate inside the corporate limits of the Town any junkyard or other such place or establishment where worn-out or discarded equipment, machinery, automobiles or automotive parts or other such materials which may or may not be returned to use are stored, stacked, parked or kept. It is the purpose of this section to prohibit the unsightly and offensive appearance of an accumulation in public view of inoperable automobiles and discarded automotive parts, old iron and chains, discarded items of brass, copper and lead, tin pieces and used parts of other base metals, old rope, worn out bags, dirty rags, waste paper of all sorts, scraps of woolens and other cloths or fabrics, discarded and virtually useless textile wastes, bagging of all types, old rubber parts, tires and pieces, secondhand plumbing and gas fixtures, used doors, mantels and window structures and all other worn-out and discarded items, parts, machinery, equipment and automobiles which may or may not be returned to use. Any person violating this section shall be guilty of a misdemeanor.

(Ord. passed 4-12-66) Penalty, see § 130.99

**§ 130.03 SKATEBOARDING PROHIBITED.**

No person shall at any time operate a skateboard on any of the Town's streets, sidewalks, Town property or other public property.

(Ord. passed 2-11-97) Penalty, see § 130.99

**§ 130.04 BAWDY HOUSES PROHIBITED.**

It shall be unlawful for any person, firm or corporation to own, to lease as lessor or lessee, to maintain or to promote any brothel, bawdy house or massage parlor anywhere within the corporate limits of the Town.

(Ord. eff. 3-9-76) Penalty, see § 130.99

**§ 130.05 WEAPONS PROHIBITED ON TOWN PROPERTY.**

(A) Except as provided in division (B) below, all persons are prohibited from possessing weapons as defined in G.S. § 14-269 upon any building or property owned, occupied or controlled by the Town.

(B) This prohibition shall not apply to the following persons:

(1) Officers and enlisted personnel of the armed forces of the United States when in discharge of their official duties as such and acting under orders requiring them to carry weapons.

(2) Civil officers of the United States while in the discharge of their official duties.

(3) Officers and soldiers of the militia and national guard when called into actual service.

(4) Sworn law enforcement officers.

(5) Animal control officers when in discharge of their official duties as such and acting under governmental policies or regulation authorizing them to carry weapons.

(C) A conspicuous notice shall be posted at each entrance to any property set forth in division (A) above stating:

**POSSESSION OF WEAPON OR  
CARRYING A CONCEALED HANDGUN  
IS PROHIBITED.**

(Ord. passed 11-14-95) Penalty, see § 130.99

**§ 130.06 DRUG PARAPHERNALIA.**

(A) *Definition.* The term **DRUG PARAPHERNALIA** means all equipment, products and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance, the possession of which would constitute a violation of the laws of North Carolina. It includes, but is not limited to the following:

(1) Kits used, intended for use, or designed for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substances or from which a controlled substance can be derived.

(2) Kits used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances.

(3) Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant which is a controlled substance.

(4) Testing equipment used, intended for use, or designed for use in identifying, or in analyzing the strength, effectiveness or purity of controlled substances.

(5) Scales and balances used, intended for use, or designed for use in weighing or measuring controlled substances.

(6) Dilutents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, used, intended for use, or designed for use in cutting controlled substances.

(7) Separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana.

(8) Blenders, bowls, containers, spoons and mixing devices used, intended for use, or designed for use in compounding controlled substances.

(9) Capsules, balloons, envelopes and other containers used, intended for use, or designed for use in packaging small quantities of controlled substances.

(10) Containers and other objects used, intended for use, or designed for use in storing or concealing controlled substances.

(11) Hypodermic syringes, needles and other objects used, intended for use, or designed for use in parenterally injecting controlled substances into the human body.

(12) Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as the following:

(a) Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls.

(b) Water pipes.

(c) Carburetion tubes and devices.

(d) Smoking and carburetion masks.

(e) **ROACH CLIPS**, meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand.

(f) Miniature cocaine spoons, and cocaine vials.

(g) Chamber pipes.

(h) Carburetor pipes.

(i) Electric pipes.

(j) Air-driven pipes.

(k) Chillums.

(l) Bongs.

(m) Ice pipes or chillers.

(B) *Determination of drug paraphernalia.* In determining whether an object is drug paraphernalia, a court or other authority should consider, in addition to all other logically relevant factors, the following:

(1) Statements by an owner or by anyone in control of the object concerning its use.

(2) Prior convictions, if any, of an owner, or of anyone in control of the object, under any state or federal law relating to any controlled substance.

(3) The proximity of the object, in time and space, to a direct violation of this section.

(4) The proximity of the object to controlled substances.

(5) The existence of any residue of controlled substances on the object.

(6) Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom he knows, or should reasonably know, intend to use the object to facilitate a violation of this section; the innocence of an owner, or of anyone in control of the object, as to a direct violation of this section, shall not prevent a finding that the object is intended for use or designed for use as drug paraphernalia.

(7) Instructions, oral or written, provided with the object concerning its use.

(8) Descriptive materials accompanying the object which explain or depict its use.

(9) National and local advertising concerning its use.

(10) The manner in which the object is displayed for sale.

(11) Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as licensed distributor or dealer of tobacco products.

(12) Direct or circumstantial evidence of the ratio of sales of the object(s) to the total sales of the business enterprise.

(13) The existence and scope of legitimate uses for the object in the community.

(14) Expert testimony concerning its use.

(C) *Possession of drug paraphernalia.* It is unlawful for any person to use, or to possess with intent to use drug paraphernalia, to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance (the possession of which is in violation of the laws of North Carolina) in violation of this section. Each separate item of drug paraphernalia unlawfully possessed shall constitute a separate violation.

(D) *Manufacture or delivery of drug paraphernalia.* It is unlawful for any person to deliver, possess with intent to deliver, or manufacture with intent to deliver, drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound,

convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance, the possession of which would violate the laws of North Carolina, in violation of this section. Each separate item of drug paraphernalia unlawfully delivered or possessed with intent to deliver shall constitute a separate violation.

(E) *Delivery of drug paraphernalia to a minor.* Any person eighteen (18) years of age or over who violates division (D) of this section by delivering drug paraphernalia to a person under eighteen (18) years of age, who is at least three (3) years his junior, is guilty of a special offense, and subject to the terms of § 130.99.

(F) *Advertisement of drug paraphernalia.* It is unlawful for any person to place in any newspaper, magazine, handbill, or other publication any advertisement, knowing or under circumstances where one reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as drug paraphernalia.

(Ord. passed 11-10-80) Penalty, see § 130.99

#### § 130.99 PENALTY.

(A) Anyone who shall violate any of the provisions of this chapter for which no penalty is specified shall be subject to the terms of § 10.99.

(B) Any person violating the provisions of § 130.03 shall pay a civil penalty in the amount of twenty-five dollars (\$25) to the Town Clerk within seven (7) days after receiving a citation for violation. (Ord. passed 2-11-97)

(C) (1) Any person in violation of § 130.05 shall be guilty of a misdemeanor and upon conviction shall be fined five hundred dollars (\$500) or imprisoned for six (6) months or both.

**TOWN OF FAITH**  
**P. O. Box 37**  
**Faith, N.C. 28049**

**General Offenses**

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(2) Weapons possessed in violation of § 130.05 are declared to be contraband. The Sheriff or his designee shall hold the weapon for disposal pursuant to court order. In the absence of any court order, the weapon shall be destroyed.

(Ord. passed 11-14-95)