

### **Section 3.5 Resisting police prohibited.**

No person shall resist the police while in the discharge of their duty, by force, words or threats, or any attempt to excite others to resistance, or in any other manner obstruct them in the performance of their duty.

### **Section 4.13 Interfering with firemen or fire apparatus.**

No person shall interfere with a fireman in the discharge of his duty, or hinder him in the performance of said duty; nor shall any person other than members of the fire department loiter about any fire station, or change, handle, or meddle in any manner with any fire engine or any other fire apparatus.

### **Section 4.14 On firemen may ride on truck without permission.**

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

### **Section 4.15 Interfering with fire alarm apparatus.**

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

### **Section 4.16 Giving false alarm of fire forbidden.**

No person shall give or cause to be given any false alarm of fire by means of the fire alarm system or otherwise.

### **Section 4.17 Protection of fire hose.**

It shall be unlawful for any person, firm or corporation to drive over, or in any way damage or mutilate any fire hose while in use at a fire or otherwise.

### **Section 4.21 Encumbrances before or on fire exit.**

No person shall, at any time, place any encumbrances of any kind whatsoever before or upon any fire escape, balcony or ladder intended as a means of escape from fire. It shall be the duty of every member of the police and fire departments who shall discover any fire escape encumbered in any manner to forthwith report the same through his department channels to the Chief of the fire department who shall immediately notify the owner or owners, their agent or agents, tenant or tenants to remove such encumbrance and the encumbrance shall thereupon be immediately removed.

### **Section 5.21 Assembly on sidewalk.**

All crowds or assemblages of persons that shall congregate on the streets or sidewalks of this Town, thereby obstructing the street to the inconvenience of pedestrians shall be dispersed by the police, and any person who refuses to obey the warning of the officer shall be deemed to violate this section.

### **Section 5.23 Same; permit required.**

It shall be unlawful for any person to organize, conduct or participate in any parade, picket line or group demonstration in or upon any street, sidewalk, alley, or other public place within the Town unless a permit therefore has been issued by the Town in accordance with the provisions of this Article.

### **Section 5.26 Same; certain activities prohibited.**

The following acts or activities, when performed or undertaken in conjunction with or as a part of, any parade, picket line, or group demonstration, are hereby prohibited and declared unlawful:

(1) The carrying on or about the person any firearm, or any weapon or article, including but not limited to blackjacks, nightsticks, or flashlights which by their use might constitute a deadly weapon;

(2) The taking or keeping of any dog or other vicious animal, whether leashed or unleashed.

### **Section 5.5 Streets not to be damaged.**

It shall be unlawful for any person, firm or corporation to drag, or run, or cause to be dragged or run any harrow or other implement, engine, machine, or tool upon any asphalt, bithulitic, warrenite, or other type of permanently paved street of the Town which shall be liable, in any way to injure or cut the surface thereof. It shall also be unlawful to injure any dirt street in the same manner.

**Section 5.7 Damage to bridges and culverts.**

No person shall injure or misplace any part of any bridge, culvert, ditch and drain or other property belonging to or used by the Town, nor shall place any obstruction in any culvert, ditch or drain, to prevent the free flow of water on or over the streets of the Town.

**Section 5.8 Damage to lights and signs.**

No person shall injure, tamper with, remove or paint upon or deface any sign, sign post, street light, traffic signal or bulletin board or other municipal property upon the streets and sidewalks except employees of the Town in performance of their duties.

**Section 6.12 Tampering with or obstructing water and sewer lines prohibited.**

No person shall touch, tamper, or in any manner manipulate or turn the cut-offs on the water mains forming a part of the water system of the Town, nor shall any person tamper with or harm in any manner whatsoever any water or sewer line, main or any appurtenance thereto. No person shall throw or deposit any material or substance in any water or sewer line that will in any manner obstruct such line.

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## **ARTICLE 1**

### **Disorderly Conduct**

#### **Section 11.1 Drinking in public.**

No person shall consume, serve, or drink wine, beer, whiskey, or alcoholic beverages of any kind on the public streets, boulevards, alleys or in public buildings.

#### **Section 11.2 Alcoholic Beverages at Farris Memorial Park**

- (a) No person shall consume, serve, possess or drink wine, beer, whiskey, or any other alcoholic beverages within the confines of Farris Memorial Park.
- (b) Any person found in violation of this section shall, upon conviction, be guilty of a misdemeanor and shall be fined not more than \$200.00 and imprisoned for not more than 30 days.

#### **Section 11.3 Weapons Prohibited On Town Property**

- (a) Except as provided in subsection (b) below, all persons are prohibited from possessing weapons as defined in G.S. §14-289 in Town owned buildings, their appurtenant premises, and at Town parks.
- (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 arms and weapons;
  - (2) Civil officers of the United States while in the discharge of their official duties;
  - (3) Officers and soldiers of the militia and the national guard when called into actual service;
  - (4) Sworn law enforcement officers;
  - (5) Town of Mayodan Animal Control Officers.
- (c) A conspicuous notice shall be posted at each entrance to any property set forth in (a) above stating: "Possession of weapons or carrying a concealed handgun is prohibited."
- (d) Any person in violation of this ordinance shall be guilty of a misdemeanor and upon conviction shall be fined \$500.00 or imprisoned for six months or both.
- (e) Weapons possessed in violation of this ordinance are hereby declared to be contraband. The Police Chief of the Town of

Mayodan, or his designee, shall hold such weapons for disposal pursuant to Court Order, in the absence of any Court Order, the weapons shall be destroyed.

#### **Section 11.4 Sex Offenders - Public Facilities**

It shall be unlawful for any person or persons registered as a sex offender with the State of North Carolina and/or any other state or federal agency to knowingly enter into or on any Town of Mayodan Parks and Recreation facilities, public parks or "Greenways" trails that are owned, operated or maintained by the Town of Mayodan. Anyone found in violation of this ordinance shall be subject to a fine of not less than \$500.00 per offense and/or thirty (30) days in jail. Each and every entry into any Town of Mayodan Parks and Recreation facilities, public parks or "Greenways" trails, regardless of the time period involved, shall constitute a separate offense under this ordinance. The Town of Mayodan shall post a Notice of this ordinance at the main entrance of each Town of Mayodan Parks and Recreation facility, public park and at reasonable intervals along the length of any "Greenways" trails within thirty (30) days of the adoption of this ordinance. For the purpose of this ordinance, a Registered Sex Offender shall be defined as an individual who is registered by any state or federal agency as a sex offender and whose name is published on any state or federal registry listing sex offenders, including but not limited to the sex offender registry established in Chapter 14 Article 27A of the North Carolina General Statutes.

#### **Section 11.5 through 11.10 Reserved.**

## **ARTICLE 2**

### **General nuisances**

#### **Section 11.11 Unnecessary noises prohibited.**

It shall be unlawful for any person, firm or corporation to create or assist in creating, permit, continue, or permit the continuance of any unreasonably loud, disturbing and unnecessary noise in the Town. Noise of such character, intensity and duration as to be detrimental to the life or health of any individual is prohibited.

**Section 11.12****Disorderly Conduct and  
Public Nuisances****Standards**

The standards which shall be considered in determining whether a violation of this article exists shall include, but shall not be limited to the following:

1. The volume of the noise.
2. The intensity of the noise.
3. Whether the nature of the noise is usual or unusual.
4. Whether the origin of the noise is natural or unnatural.
5. The volume and intensity of the background noise, if any.
6. The proximity of the noise to residential sleeping facilities.
7. The nature and zoning of the area from which the noise emanates.
8. The density of inhabitation of the area from which the noise emanates.
9. The time of the day or night the noise occurs.
10. The duration of the noise.
11. Whether the noise is recurrent, intermittent, or constant.
12. Whether the noise is produced by a commercial or noncommercial activity.
13. Whether the noise is of impulsive character (hammering, etc.)
14. Whether the noise is of periodic character (hum, screech, etc.)

**Section 11.12 Same; noises expressly prohibited.**

The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this Section, but said enumeration shall not be deemed to be exclusive, namely:

- (a) The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle while not in motion, except as a danger signal if another vehicle is approaching apparently out of control, or if in motion only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for an unnecessary and unreasonably period of time.
- (b) The use of any gong or siren upon any vehicle, other than police, fire or other emergency vehicle.
- (c) The use or operation of any piano, manual or automatic, phonograph, radio, loud speaker, or any other instrument, or sound amplifying devices so loudly as to disturb persons in the vicinity thereof, or in such a manner as renders the same a public nuisance; provided, however, that upon application to the Mayor,

permits may be granted to responsible organizations to produce programs in music, speeches or general entertainment.

(d) The keeping of any animal or bird which by causing frequent or loud continued noises (more than 30 minutes) between the hours of 9:00 p.m. and 7:00 a.m. that shall disturb the comfort and repose of any person in the vicinity.

(e) The use of any automobile, motorcycle or other vehicle so out of repair, so loaded or in such manner as to create loud or unnecessary grating, grinding, rattling, or other noise.

(f) The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of danger.

(g) The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(h) The use of any mechanical device operated by compressed air unless the noise created thereby is effectively muffled and reduced.

(i) The erection (including excavation), demolition, alteration or repair of any building in a residential or business district other than between the hours of 7 a.m. and 6 p.m. on weekdays except in the case of urgent necessity in the interest of public safety and then only with a permit from the Town Clerk, which permit may be renewed for a period of three days or less while the emergency continues.

(j) The creation of any excessive noise on any street adjacent to any school, institution of learning, or court while the same is in session, or within one hundred and fifty (150) feet of any hospital, which unreasonably interferes with the working of such institution, provided conspicuous signs are displayed in such streets indicating that the same is a school, court or hospital street.

(k) The creation of any excessive noise on Sundays on any street adjacent to any church, provided, conspicuous signs are displayed in such streets adjacent to churches indicating that the same is a church street.

(l) The creation of loud and excessive noise in connection with loading or unloading any vehicle, of the opening and destruction of bales, boxes, crates and containers.

(m) The sounding of any bell or gong, attached to any building or premises which disturbs the quiet or repose of persons in the vicinity thereof.

(n) The shouting and crying of peddlers, barkers, hawkers and vendors which disturbs the quiet and peace of the neighborhood.

(o) The use of any drum, loud speaker or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale or display of merchandise.



**Section 11.12****Disorderly Conduct and Public Nuisances**

(p) the use of any mechanical loud speakers or amplifiers on trucks or other moving vehicles for advertising purposes except where specific license is received from the Council.

(q) The conducting, operating or maintaining of any garage or filling station in any residential district so as to cause loud or offensive noises to be emitted therefrom between the hours of 11 p.m. and 7 a.m.

(r) The firing or discharging of squibs, crackers, gunpowder or other combustible substance in the streets or elsewhere for the purpose of making noise or disturbance except by permit from the Council.

(s) The operation on any tax parcel of any recreational vehicles, including, but not limited to, dirt bikes, motor-cross bikes, motorcycles, all terrain vehicles, and modified lawnmowers shall be limited to no more than one (1) hour per day between the hours of 9:00 a.m. and 7:00 p.m. The operation of said above vehicles shall be prohibited at other times of day except for the loading or unloading of the said vehicles. Any operator of such vehicle outside of the scope allowed by this ordinance shall be subject to punishment under this section.

**Section 11.13 Firearms regulated.**

It shall be unlawful for any person to discharge any gun, pistol, or other firearm within the corporate limits except a peace officer in the performance of his duty.

**Section 11.13.1 Exceptions.**

(a) ~~Commercial Facilities. No provision in this article shall interfere with the operation of recognized or approved rifle or pistol ranges, or skeet or trapshooting facilities when operated, authorized, and conducted in compliance with the zoning laws of the Town of Mayodan.~~

(b) ~~Miscellaneous Exceptions. None of the provisions of this article shall apply to law enforcement officers or members of the armed forces acting in the line of duty; to the shooting or killing of any dangerous or destructive animal or reptile when necessary to protect life or property; to the otherwise lawful use of firearms for defense of person or property; or to the use of firearms pursuant to lawful directions of law enforcement officers.~~

(c) ~~Industrial Facilities. No provision in this article shall interfere with the manufacture and testing of firearms within an enclosed facility controlled by the manufacturer and not open to the general public as a shooting range.~~

(By Ord. 07/06/2013)

**Section 11.14 Posting bills other advertising.**

~~No person shall stick, paint, brand, stamp, write or put upon any house, fence, wall, pavement, post or upon any property, owned by any person, firm, or corporation, or owned by the town, any printed, written, painted or other advertisement, bill, notice, sign or poster, without first having obtained the written permission of the owner of such property and having received a permit from the Town Clerk.~~

**Section 11.15 Fire bombs prohibited.**

(a) For the purpose of this section, the following terms shall have the meanings herein ascribed:

(1) "Molotov cocktail" is defined as any breakable container or any container which is designed in such a manner that upon being propelled it will at impact empty its contents which is filled with an inflammable fluid or substance, and which is fitted with a fuse or wick.

(2) "Firebomb" is defined as any type of objected designed or constructed so that upon being propelled it will explode or ignite its area of impact.

(b) It shall be unlawful for any person or persons to manufacture, possess, transport or use any Molotov cocktail or other firebomb.

(c) it shall be unlawful for any person or group of persons to possess all the items or materials needed to manufacture Molotov cocktails or other firebombs, other than on his or her premises. The provisions of this section shall be cumulative and in addition to any other ordinance or General Statute of North Carolina on this subject.

**Section 11.16 Same; enforcement.**

~~The Mayor of the Town, and in his absence, the Mayor Pro Tempore, and in the absence of both officials, the Chief of Police of the Town, shall be and they are hereby authorized to enforce the preceding section for such periods of time as they shall deem necessary.~~

**Section 11.17 Hotrods regulated.**

It shall be unlawful for any person, firm, or corporation to operate, or cause to be

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operated, a garage devoted in full or in part to the repair and maintenance of "hot rods" and racing automobiles within the corporate limits of Mayodan, North Carolina, except during the hours of 6:00 a.m. to 6:00 p.m. during the week, and it further is declared unlawful for any such person, firm or corporation, to operate, or cause to be operated such garage at any hours on Sundays. (Ord. of 6/3/57)

**Section 11.18 Abandoned refrigerators.**

It shall be unlawful for any person, firm, or corporation to leave outside of any building or dwelling or any place accessible to children any unattended, abandoned or discarded ice box, refrigerator, or any other container of any kind, which has an air-tight door, which when closed, may not be released for opening from the inside of the said ice box, refrigerator, or other container.

It shall be unlawful for any person, firm or corporation to leave outside any building or dwelling or any place accessible to children any unattended, abandoned or discarded ice box, refrigerator, or any other container of any kind which as a snap lock or other locking device thereon, which may not be released from the inside without first removing said snap lock or other locking device or the doors from said ice box, refrigerator or container. (Ord. 1/19/54)

**Section 11.19 Loitering.**

It shall be unlawful for any person to loiter in the Police Office, mayor's Office, or Clerk's Office of the Town. Persons having business with the Town officials and transacting said business, or persons expressly given permission to be in the offices by Town officials, are expressly excluded from the effect of this ordinance. (Ord. Of 03/04/69)

**Section 11.20 Vagrancy.**

If any person shall come within the following classes he shall be deemed a vagrant;

(a) Persons wandering or strolling about in idleness, who are able to work, and who have no property or no other legitimate means of support.

(b) Persons leading an idle, immoral or profligate life, and who have no property to support them, and who are able to work, and do not work.

(c) All persons able to work having no property to support them, and who have no visible and known means of a fair, honest and reputable livelihood.

(d) Reserved.

(e) Professional gamblers living in idleness.

(f) All able-bodied men having no other visible means of support who live in idleness upon the wages or earnings of their mother, wife or minor children.

(g) Keepers and inmates of bawdy houses, assignation houses, lewd and disorderly houses and other places where illegal sexual intercourse is habitually carried on: Provided, that nothing herein contained is intended or shall be construed as abolishing the crime of keeping a bawdy house or lessening the punishment thereof. (Ord. of 07/26/43)

**Section 11.21 through 11.30 reserved.****ARTICLE 3  
Animals****Section 11.31 Animals at large.**

No horse, goat, cattle, or other animals shall be permitted to run at large within the Town Limits. All animals caught running at large shall be impounded by the police and unless claimed within four days shall be disposed of as the Town shall deem best.

**Section 11.32 Dogs and Cats****~~Section 11.32 A Definitions.~~**

~~For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:~~

~~(a) Animal Control Shelter - A place provided and operated by or under contract for the Town of Mayodan, whether or not jointly with another governmental unit or with a private individual or concern, for the restraint, care, placement and/or disposal of animals.~~

~~(b) At Large - Any dog or cat shall be deemed to be at large when it is off the property of its owner and not under restraint.~~

~~(c) Dog - a dog of either sex if over the age of four (4) months.~~

~~(d) Cat - any male or female cat.~~

~~(e) Exposed to rabies - introduction of the saliva or nervous tissue of a proven rabid animal or an animal reasonably suspected of having rabies into a person or~~

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shall include a notice of violation of this ordinance.

3). Any owner redeeming a dog or cat from impoundment shall, before release, pay an impoundment fee based on the schedule on file in the town clerk's office, plus a boarding charge equal to the cost of caring for the dog or cat for each day for said impoundment.

4) In the event a dog or cat is not redeemed by the owner within five (5) business days after impoundment, the dog or cat may be disposed of in one of the following manners:

(a) Euthanasia, using a method approved by the Humane Society of the United States.

(b) Released for adoption by a new owner who shows evidence of ability and intention to provide the dog or cat with an appropriate home and humane care; provided that no unclaimed dog or cat may be released for adoption without being sterilized or without a written agreement from the adopter guaranteeing that such animal will be sterilized within fourteen (14) days of adoption.

**Section 11-32. E Proper Care.**

Owners and keepers of dogs or cats shall provide humane shelter from heat, cold, rain, wind, and snow, and shall provide food and water adequate to keep the animal in good health and comfort. Dog houses and kennels must be soundly constructed, dry, and provided in cold weather with clean bedding. All dogs and cats must have proper immunization records with said records being kept with the owner of the dog or cat and available for inspection by the Town of Mayodan Police Department upon request.

**Section 11-32.F Nuisances.**

It shall be unlawful for an owner or keeper to permit a dog(s) or cat(s) to create a nuisance, or maintain a nuisance created by a dog(s) or cat(s).

A nuisance under this section shall be defined as follows: any dog or cat or group of dogs shall be considered a nuisance if it:

- 1) Damages, soils or defiles private or public property;
- 2) Interferes with, molests, or attacks persons or other animals;

- 3) Causes unsanitary, dangerous or offensive conditions including fouling of the air, by odors;
- 4) Is repeatedly at large;
- 5) Chases, snaps at, harasses, impedes pedestrians, joggers, bicyclist or vehicles;
- 6) By virtue of number or type is offensive to the public health, safety or welfare;
- 7) Is diseased or dangerous to the public health;
- 8) By prolonged habitual barking, howling, or whining causing interference with the reasonable use and enjoyment to neighboring residents.

Any person complaining of a nuisance under this section shall file a written and signed complaint with the Mayodan Police Department. It shall be the duty of the Police Department and/or a designated animal control officer to investigate the complaint. If the Police Department finds reasonable grounds for the complaint, the Mayodan Police Department shall notify the owner of the animal and the property owner in writing to abate such nuisance within twenty four (24) hours. Failure to abate within twenty four (24) hours after notification, shall subject the owner of the animal and the property owner to a civil fine of \$500.00 for each occurrence and/or criminal punishment under the laws of the State of North Carolina for an ordinance violation. The criminal punishment shall include a criminal penalty of \$500.00. Each day's violation after the initial notification shall constitute a separate offense.

**Section 11-32.G Confinement of Females  
in Heat and Nursing Females.**

The owner shall confine any female dog or cat in heat within a building, in such manner that the dog or cat will not be accessible to

other dogs or cats except for planned breeding, and will not attract male dogs or cats. Any female dog or cat nursing or caring for a puppy or puppies, kitten or kittens shall be physically confined in an enclosed structure.

**Section 11-32. H Exemptions.**

The provisions of this article do not apply to the following:

- (a) Any dog used by law enforcement to carry out the officer's official duties;
- (b) 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, was tormenting, abusing, or



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assaulting the dog, had tormented, abused, or assaulted the dog, or was committing or attempting to commit a crime;

(c) Hospitals, clinics and other facilities operated by licensed veterinarians for care and treatment of animals.

**Section 11-32.I Compliance with Rabies  
Laws and License Tax Ordinance.**

The failure of an owner to comply with any law of the State of North Carolina relating to the control of rabies shall constitute a violation of this Ordinance. Specifically, (but not to be construed as a limitation hereof), it shall be unlawful for an owner to fail to have each animal owned by him vaccinated against rabies as required by said State Law and to procure the tag issued upon such vaccination. (Such tag shall hereinafter be referred to as "the rabies tag.")

It shall be unlawful for any owner to fail to provide each animal owned by him or her, which is required by State Law to be vaccinated against rabies, with a collar or harness to which a currently valid rabies tag is securely attached.

It shall be unlawful for any person to place or cause or allow to be placed on any animal a rabies tag other than each tag duly issued with respect to such animal.

**Section 11-32.J Dangerous Dogs**

The Town Council designates any Mayodan Police Officer to be responsible to notify the owner and property owner when a dog is considered a "dangerous dog" as defined in this Article. The process for any appeal shall be the same as set forth for appeals of a determination of potentially dangerous dogs.

**Section 11-32.K Potentially Dangerous  
Dogs.**

The Town Council designates any Mayodan Police Officer to be responsible for determining when a dog is "potentially dangerous". The Town Manager shall hear any appeals from such determination. In determining a dog to be potentially dangerous the Officer shall follow those procedures set forth in Section 67-4.1 of the North Carolina

General Statutes. The process for such determination is set forth in Section 67-4.1(C).

The owner or property owner shall enter a notice of appeal, in writing, within three (3) business days of said determination. The written appeal must be received by the Town Manager, or the Manager's office, within the appeal period. A hearing shall be set to hear the appeal within five (5) business days.

The decision of the Town Manager may be appealed to the Town Council. The process for entering a notice of appeal from the Town Manager's decision shall be the same as stated above. The appeal shall be filed with the Town Manager, or the Manager's office.

Any appeal from a determination by the Town Manager that a dog is "potentially dangerous" shall be set for hearing at the next regularly scheduled Town Council Meeting. In the event a Town Council Meeting is scheduled less than ten (10) days from the date of the initial determination, excluding the date of determination, then in such event, the appeal shall be held at the following meeting of the Town Council.

The Mayodan Police Department shall provide notice of dangerous or potentially dangerous dog determination to the owner and property owner by first class certified letter.

Once a dog is designated dangerous or potentially dangerous the owner shall not have said animal off of or away from the owner's property or residence unless leashed and muzzled. The owner and/or the property owner shall comply with all other provisions of this Ordinance within thirty (30) days of such designation.

**Section 11-32.L Violation.**

(a) It shall be unlawful for an owner or keeper to:

1) Fail to keep a dangerous or potentially dangerous dog under restraint as defined in Section 11.32.A (n); or

2) Permit a dangerous or potentially dangerous dog to go beyond the owner's real property unless the dog is leashed and muzzled or is otherwise securely restrained and muzzled.

(b) It shall be unlawful for a property owner to:



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1) Permit an owner or keeper of a dangerous or potentially dangerous dog, as defined in this Ordinance, to keep or harbor such animal in violation of any portion of this Ordinance.

**Section 11-32.M Notification**

If the owner of a dangerous or potentially dangerous dog transfers ownership or possession of the dog to another person, the owner shall provide written notice to the Town of Mayodan Police Department stating the name, address and all contact information of the new owner or possessor of the dog; and the person taking ownership or possession of the dog shall be notified in writing of the Town's determination that such animal is a dangerous or potentially dangerous dog.

**Section 11-32.N Penalties for Dangerous and Potentially Dangerous Dogs.**

A violation of any portion of Section 11-32L, unless otherwise provided herein, shall result in a civil penalty against the offender in an amount of \$500.00 and/or shall result in criminal punishment of a class three misdemeanor to include a fine of \$500.00. Each day of such violation is a separate offense.

A violation of subsection B of Section 11-32L shall result in a civil penalty against the property owner in an amount of \$500.00. Each day of such violation is a separate offense.

A violation of any other section of this ordinance shall subject the owner and/or property owner to that punishment as defined in Division II, Code of General Ordinances Chapter 1, Section 1.5 Criminal penalty; not exclusive remedy; continuing violations.

**Section 11-32.O Penalty for Attacks by Dangerous Dogs.**

The penalty for attacks by dangerous dogs is set forth in 67-4.3 of the North Carolina General Statutes.

**Section 11-32.P Strict Liability.**

The owner of a dangerous dog and property owner shall be strictly liable in civil

damages for any injuries or property damage the dog inflicts upon a person, property, or other animal.

**Section 11-32.Q Severability.**

If any part of this Ordinance shall be held to be void, such part shall be deemed severable, and the invalidating thereof shall not affect the remaining part. (Ord. on 08/14/06)

**Section 11.33 Hogs, etc.**

It shall be unlawful on and after the 31<sup>st</sup> day of March, 1953 for any person, firm or corporation to keep or maintain a hog or hogs on his or her premises within the corporate limits of the Town of Mayodan. Any person, firm or corporation violating the provisions of this ordinance shall pay a fine of \$5.00, and each and every day such hog or hogs are kept and maintained on said premises shall be and constitute a new offense. (Ord. of 08/19/52)

**Section 11.34 Fowl.**

It shall be unlawful on or after the 1<sup>st</sup> day of January, 2006 for any person, firm or corporation to keep or maintain chickens, turkeys, or other fowl on his or her premises within the corporate limits of the Town of Mayodan. Any person, firm or corporation violating the provisions of this ordinance shall pay a fine of \$10.00, and each and every day such chicken, turkey, or other fowl is kept and maintained on said premises shall be and constitute a new offense.

**Section 11.35 Bird Sanctuary.**

The entire area embraced within the corporate limits of the Town of Mayodan be, and the same is hereby designated, as a Bird Sanctuary.

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, however, if starlings 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 proper health authorities of the Town of Mayodan, then in such event said health authorities shall meet with the representatives of the Audubon Society, Bird Club, Garden Club or Humane Society, or as many of said clubs as are found

**Section 11.36      Hunting of wild life prohibited.**

to exist in the Town of Mayodan, after having given at least three days actual notice of the time and place of said meeting to the representatives of said clubs.

If as a result of said meeting no satisfactory alternative is found to abate such nuisance, then said birds may be destroyed in such numbers and in such manner as is deemed advisable by said health authorities under the supervision of the Chief of Police of the Town of Mayodan. (Ord. of 3/5/53)

**Section 11.36      Hunting of wild life prohibited.**

No person or persons may hunt wildlife, with or without a gun, within the corporate limits of the Town of Mayodan. (Ord. of 08/10/70)

**Section 11.37      Maintaining stock prohibited.**

It shall be unlawful to maintain any stock of any kind, including but not limited to cows, cattle, bulls, horses, ponies, within the corporate limits of the Town of Mayodan unless said stock shall be maintained at least one hundred fifty (150) feet from any residence or street and the manure or refuse from said stock shall be cleaned out and removed at least once per week. (Ord. of 08/10/70)

**Section 11.38 through 11.40 reserved.**

**ARTICLE 4**

**Section 11.41      Administration.**

The Police Department and Town Code Enforcement Officer (or another Town employee designated by the Town Manager) of the Town shall be responsible for the administration and enforcement of this Chapter. The Police Department shall be responsible for administering the removal and disposition of vehicles determined to be "abandoned" on the public streets and highways within the Town, and on property owned by the Town. The Town Code Enforcement Officer (or another Town employee designated by the Town Manager) shall be responsible for administering and disposition of "abandoned", "nuisance" or "junked motor vehicles" located on private property. The Town may, on an annual basis, contract with private

tow truck operators or towing businesses to remove, store, and dispose of abandoned vehicles, nuisance vehicles, and junked motor vehicles in compliance with this chapter and applicable state laws. Nothing in this chapter shall be construed to limit the legal authority or powers of Officers of the Town Police Department and Fire Department in enforcing other laws or in otherwise carrying out their duties.

11-11 Amended 09/13/04 #2004-05

**Section 11.42.      Definitions**

For the purpose of this chapter, certain words and terms are defined as herein indicated:

(a)      Abandoned vehicle. As authorized and defined in G.S. 160A-303, an abandoned motor vehicle is one that:

1) Is left upon a public street or highway in violation of a law or ordinance prohibiting parking; or

2) Is left on a public street or highway for longer than seven (7) days; or

3) Is left on property owned or operated by the Town for longer than twenty-four (24) hours; or

4) Is left on private property without the consent of the owner, occupant or lessee thereof, for longer than two (2) hours; or

5) Is left upon a street or highway in violation of the following Town Ordinances prohibiting parking:

Section 7.151 (a) (3);

Section 7.151 (a) (4);

Section 7.151 (a) (10);

Section 7.151 (a) (11);

Section 7.152.

(b)      Authorizing official. The supervisory employee of the police department or the Town Code Enforcement Officer (or another Town Employee designated by the Town Manager), respectively, designated to authorize the removal of vehicles under the provisions of this chapter.

(c)      Motor vehicle or vehicle. All machines designed or intended to travel over land by self-propulsion or while attached to any self-propelled vehicle.

(d)      Junked Motor Vehicle. Any vehicle or motor vehicle, whether automobile, bus, trailer, truck, tractor, mobile home, motorcycle, or water-borne craft, or any other contraption which is deposited, stored, left, or located by its owner or any other person, or is permitted or condoned to be deposited, stored, left, or located by its owner or any person, on public or private premises or property in the Town which

1) Is not registered by the State of North Carolina or any other State for operation on public highways or waterways, and has not been so registered during the preceding twelve (12) months; or

2) Does not bear a state issued motor vehicle inspection sticker, or bears such sticker but which