

**CITY OF ROCKY MOUNT  
LIST OF ORDINANCES PUNISHABLE BY G.S. 14-4(a)**

<b>Ordinance Punishable by G.S. 14-4(a)</b>	<b>Description of Conduct Subject to Criminal Punishment under the Ordinance</b>	<b>Other Notes</b>
	<b>CHAPTER 4: ANIMALS ARTICLE II - VIOLATIONS</b>	
Sec. 4-13. - Abandoned animals.	(a) It shall be unlawful for any person owning, possessing or harboring an animal to abandon that animal.	
Sec. 4-14. - Abuse of or cruelty to animals.	<p>(a) Prohibited. It shall be unlawful to:</p> <p>(1) Fail to provide adequate food and/or adequate drinking water for any animal.</p> <p>(2) Fail to provide adequate shelter for an animal wherein the animal can be protected from extremes of weather (heat, cold, rain, etc.); or</p> <p>(3) Overwork, overload, or overdrive any animal causing physical pain, suffering or death; or</p> <p>(4) Beat, torture, injure, torment, poison or mutilate an animal causing physical pain, suffering or death; or</p> <p>(5) Fail to provide adequate medical attention for any sick, diseases or injured animal; or</p> <p>(6) Keep any animal under unsanitary or inhumane conditions which are detrimental to the animal's health and general welfare or fail to maintain a condition of good order and cleanliness which reduces the probability of transmission of disease; or</p> <p>(7) Tease, tantalize, provoke, molest, bait or in any way bother or harass any animal which causes the animal to bark excessively or attempt to escape from its enclosure or property, or act in an aggressive manner; or</p> <p>(8) Set a rabbit, hare, raccoon or other such animal loose for the purpose of chasing, hunting or having a race thereafter; or</p> <p>(9) Promote, stage, hold, manage, conduct, carry on or attend any game, exhibition, contest, fight or combat between one (1) or more animals or between animals and humans; or</p> <p>(10) Convey any type of animal in a motor vehicle or in a wagon or trailer pulled by a motor vehicle or in a truck or the back of a truck in such a way as to cause pain, suffering, discomfort or death to the animal; or</p> <p>(11) Place or confine an animal or allow an animal to be placed or confined in a motor vehicle under such conditions or for such a period of time as to endanger the health or well-being of such animal due to temperature, lack of food or water, or such other conditions as may reasonably be expected to cause suffering, disability or death.</p> <p>(12) Fail to provide sufficient shade, when sunlight is likely to cause overheating and discomfort; or</p>	

	<p>(13) Keep animals outdoors without access to shelter to allow them to remain dry and comfortable during inclement weather; or</p> <p>(14) Fail to provide a suitable method to rapidly eliminate excess water.</p> <p>(15) Tie or otherwise physically fasten an animal to any object on a public right-of-way or near to a public right-of-way so that the animal may go upon the public right-of-way and leave the animal unattended.</p>	
Sec. 4-15. - Animal bite.	<p>(a) It shall be unlawful for an animal to bite a human being, who does not ordinarily reside on the premises, unless the animal has been subject to provocation, or unless the victim has been trespassing, as defined in section 4-2 "Definitions."</p> <p>(d) It shall be unlawful for an animal which has bitten, attacked or threatened a human or animal to remain at large. Animal control officers shall have the authority to enter upon private property, including entry into a dwelling unit or other similar building, when the animal control officer has observed an animal which has committed the biting, attacking or threatening in violation of this section; and such entry upon private property shall not be deemed a trespass.</p> <p>(e) It shall be unlawful for any person to interfere, to threaten or otherwise prevent an animal control officer from carrying out or performing their lawful duties, as described above, under this section.</p>	
Sec. 4-16. - Animals or fowl banned from sale.	<p>(a) It shall be unlawful for any person, partnership or corporation to sell or offer for sale, or permit to be sold or offered for sale, barter or give away, baby chickens, baby ducklings or other fowl or baby rabbits less than six (6) weeks of age as pets, toys, premiums or novelties; provided, this section shall not apply to breeders, hatcheries or stores engaged in the business of selling for purposes of commercial breeding and raising, nor shall it prohibit nature museums or raptor centers from placing such animals and fowl in foster homes registered with the department for the same.</p> <p>(b) It shall be unlawful to color, dye, stain or otherwise change the natural color of baby chick, all other fowl, rabbits or any animal.</p>	
Sec. 4-17. - Animal fights.	<p>No person shall cause, instigate or encourage any animal to fight or to enter into combat in any manner. No person shall train or keep any animal for the purpose of fighting. No person shall maintain any place where animals are permitted or encouraged to fight for exhibition, wager or sport. No person shall surgically alter the vocal cords of any animal, known as debarking, for the purposes of masking the noise of any illegal dog fighting activity. It shall be unlawful for any person to own an animal that has had its vocal cords removed for the purposes of any animal fighting activity.</p>	

	Any fees associated with the boarding, feeding, cleaning, and medical care of animals that are subject to the seizure of animals for animal fighting and animal cruelty cases and are required to be held for court purposes, will be assessed to animal owner pending the outcome of the court case.	
Sec. 4-18. - Dangerous animals.	<p>(b) Unlawful to fail to surrender animal. The owner shall turn the animal over to the animal control unit immediately upon receiving a probable cause notice.</p> <p>(c) Unlawful to keep an animal subject to a notice of probable cause for declaring an animal dangerous. It shall be unlawful for any person to keep or harbor any animal cited and identified in a notice of probable cause declaring the animal dangerous as defined in section 4-2, Definitions, of this chapter, unless authorized to keep the animal is granted as provided in subsection (b) of this section.</p>	
Sec. 4-19. - Dead animals.	<p>(a) It shall be unlawful for any person to leave or place the carcass of any animal which he owns upon any street, alley or lot or to allow the animal to remain unburied on his property. This shall not be construed to prohibit the placing of a carcass of a small animal on the right-of-way or within three (3) feet thereof for pickup by the environmental services unit or in a manner approved by the superintendent of the environmental services of the city or for pickup on state roads by the N.C. Department of Transportation.</p> <p>(b) The owner of any small animal (less than one hundred (100) pounds) which dies shall, within twenty-four (24) hours after he has learned of its death, bury it at least three (3) feet beneath the surface of the ground and not closer than three hundred (300) feet to any flowing stream or public body of water, or otherwise have it removed as described in subsection 4-19(a).</p> <p>(c) The owner of any large animal (greater than one hundred (100) pounds) which dies shall, within twenty-four (24) after he has learned of its death, bury it at least four (4) feet beneath the surface of the ground and not closer than three hundred (300) feet to any flowing stream or public body of water, or otherwise have it removed from his property.</p> <p>(d) The superintendent of environmental services and/or his representative, upon request of any person or otherwise, may pick up and dispose of any animal carcass within the city.</p>	
Sec. 4-20. - Designated special events, animals prohibited.	<p>(b) <i>Unlawful to have animal at festival.</i> It shall be unlawful for any person owning or having possession, charge, custody, or control of any animal, whether or not under restraint, to allow the animal to enter the boundaries of any festival or event to which this section applies. The boundaries and the interior of any festival or event to which this section applies, shall consist of any area that is part of the festival and shall include any public street, sidewalk or other publicly owned area.</p> <p>(c) <i>Failure to remove animal.</i> It shall be unlawful for any person having an animal, regardless of how restrained, within the boundaries of any festival or</p>	

	event specified to fail to obey the command of a law enforcement officer to remove such animal from the festival or event.	
Sec. 4-21. - Exhibiting animals.	<p>(a) <i>Unlawful display.</i> It shall be unlawful for any person to exhibit, keep, or display pets, animals, birds, or fowl of any kind in any manner without shading said animals from the sun, and providing adequate food, water, and ventilation for their use and comfort.</p> <p>(b) <i>Flea markets—Sell [sale] prohibited.</i> It shall be unlawful for any person to exhibit, keep, display, or sell pets, animals, birds, or fowl at any flea market. However, this shall not prohibit the sale of personally owned animals upon the property of the seller.</p> <p>(d) <i>Safety and proper care of animal.</i> It shall be unlawful for any person to exhibit or to display pets, animals, birds, or fowl in any manner which endangers the animal's safety or which causes the animal to act in a manner unnatural for the particular species, after being instructed by an animal control officer about what needs to be done for the safety of the animal or what constitutes actions for an animal unnatural for the particular species.</p>	
Sec. 4-22. - Nuisance.	<p>(a) It shall be unlawful for any person to own, keep, possess or maintain an animal in such a manner as to constitute a public nuisance or nuisance to neighbors. By way of example and not of limitation, the following acts or actions of any owner, harbinger or possessor of an animal are hereby declared to be a public nuisance in addition to elaboration upon "public nuisance animal" as defined in section 4-2:</p>	
Sec. 4-23. - Resolution of public nuisance animals.	<p>(a) <i>Public nuisances prohibited.</i> Public nuisance animals as defined in section 4-2, "Definitions," and/or section 4-22, "Nuisance," are hereby declared to be public health nuisances. It shall be unlawful to own, keep or harbor a public nuisance animal within the city.</p> <p>(b) <i>Exceptions.</i> It shall not be unlawful to own or keep a dog of dangerous tendencies for the protection of persons or property if such a dog is securely confined in a manner not to expose it to the general public. It shall not be unlawful to own or keep a dangerous dog if such dog is controlled or restrained as provided in section 4-38, "Preventive measures/confinement requirements." The exception for dogs of dangerous tendencies and dogs deemed dangerous does not include dogs which are otherwise public nuisance animals.</p>	
Sec. 4-24. - Reckless riding or driving of animals.	<p>(a) It shall be unlawful for any person to run, drive or ride any animal in a reckless, disorderly or careless manner through any street, alley or highway or public property within the city.</p> <p>(b) It shall be unlawful for any person to drive or cause to be driven through any street or highway any loose or unhaltered horses, mule, cow or other livestock; nor shall the keeper of any such animal knowingly permit any loose horse, mule or cow to be driven from his property onto the streets, alleys, highways or public property within the city.</p>	

<p>Sec. 4-25. - Run or running at large/restraint of animals.</p>	<p>(a) It shall be unlawful for the owner, keeper, possessor or any person in charge or having custody of any domesticated animal to allow such animal to be at large within the corporate limits of the city or on any city property. Any animal found running at large may be impounded by animal control officers until the owner has been ascertained and given opportunity to take possession of such animal. Any costs associated with the impoundment and maintenance of such animal shall be assessed to the owners thereof and shall be in addition to any other penalties imposed for violations of this section.</p> <p>(1) <i>Physical run at large/restrain of animal.</i> It shall be unlawful for any person owning or having possession, charge, custody or control of any animal to keep such on his own premises or off the premises, unless such animal is under sufficient physical restraint, such as a leash, lead, cage, bridle or similar effective device, or is adequately contained by a fence on the premises or other secure enclosure which restrains and controls the animal.</p> <p>(3) <i>Adult with animal on premises.</i> If a responsible adult is physically present with the animal on the land where the owner of the animal resides, and the animal is under the person's direct control and is obedient to that person's commands, then this section shall not apply during the duration of the time the animal is in the company and the control of that adult and the animal is on the premises. An adult is defined as a person eighteen (18) years of age or older.</p> <p>(4) <i>Public parks.</i> It shall be unlawful for any person owning or having possession, charge, custody, or control of any dog or other animal to take such animal into or allow the animal to enter any public park without being at all times under the restraint of a lead or leash.</p> <p>a. <i>Exemptions.</i> This section shall not apply to dogs which are being allowed to free rein in any city park area designated as a "dog park" or approved dog recreation area in which off lead/leash activity is allowed.</p> <p>(5) <i>Park areas.</i> It shall be unlawful for any person owning or having possession, charge, custody, or control of a dog or other animal to take such animal into picnic areas, pond areas and children's play areas of any public park. This shall not apply to guide dogs or hearing-aid dogs in the company of blind or deaf persons.</p> <p>(6) <i>Vehicles.</i> It shall be unlawful for any person owning or having possession of a dog in a vehicle to allow such animal the ability to have contact with persons by leaving the windows open in a manner that the dog can protrude its head from the opening and have contact with an unwilling person. It shall likewise be unlawful to allow an animal in any open area of any vehicle unless</p>	
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	<p>such animal is under sufficient physical restraint, such as a leash, lead, cage, bridle or similar effective device. If a responsible adult is physically present with the animal in the vehicle where the animal is present, and the animal is under the person's direct control and is obedient to that person's commands, then this section shall not apply during the duration of the time the animal is in the company and the control of that adult and the animal is in or upon the vehicle. An adult is defined as a person eighteen (18) years of age or older.</p>	
Sec. 4-26. - Stray animals.	<p>(a) It shall be unlawful for any person, without the actual consent of the owner, to harbor, feed, keep in possession by confinement or otherwise have any animal which does not belong to him, unless he has, within twenty-four (24) hours of the time the animal came into his possession, notified the unit. Upon receiving such notice, the unit may take the animal and deal with it as provided in section 4-61, "Authorization for capture and impoundment."</p> <p>(b) It shall be unlawful for any person to refuse to surrender such an animal to an employee of the unit upon demand.</p>	
	<p><b>CHAPTER 4: ANIMAL SERVICES DIVISION ARTICLE III. – CATS AND DOGS</b></p>	
Sec. 4-36. - Aggression-trained dogs.	<p>(a) <i>Registration of aggression-trained dogs.</i> The chief of police shall have the authority to determine whether any individual or business entity is engaged in the aggression-training of dogs. If the chief of police makes such a determination, the individual or business entity must comply with the following requirements:</p> <ol style="list-style-type: none"> <li>(1) The individual or business entity has a duty to provide registration information as required by the police department as it pertains to aggression-training of any kind of dog.</li> <li>(2) The individual or business entity has the duty to maintain a current registration of all dogs thus trained, including the current location or address of the dog; and that information shall be provided to the police department upon the training of any such dog.</li> <li>(3) The police department shall have the authority to inspect the premises engaged in aggression-training and to observe training methods and the safety of facilities during the operating hours of such facilities.</li> <li>(4) The aggression-trained dogs must be maintained by adequate confinement. The police department and inspection services shall have the authority to require all aggression-trained dogs to be confined in a strong fence at least six (6) feet high and, at the discretion of the police department, topped by an anti-climb enclosure.</li> <li>(5) The owner, keeper or business entity shall meet and comply with all requirements of sections 4-50</li> </ol>	

	<p>through 4-54 regarding the keeping and permitting of animals.</p> <p>(6) It shall be unlawful for any aggression-trained facility to cause, allow, use, or train animals that have undergone the medical surgical procedure of "debarking." Such animals are a public safety issue for law enforcement personnel and the general public at large.</p> <p>(b) <i>Unlawful acts.</i> It shall be unlawful for any individual or business entity to fail to comply with any of the requirements stated in this section. It shall be unlawful for an individual or business entity to fail to inform the police department of any animal in the city that has been subject to some training or conditioning at an aggression-training facility and fail to carry out the duty to provide registration information as required by the police department.</p>	
Sec. 4-37. - Guard dogs.	<p>(1) It shall be unlawful for any person, business or entity to cause, allow, use, or train animals that have undergone the medical surgical procedure of "debarking." Such animals are a public safety issue for law enforcement personnel and the general public at large.</p> <p>(b) <i>Regulations.</i> The owner of a guard dog shall comply with the following requirements:</p> <p>(1) <i>Identification.</i> It shall be unlawful for a guard dog in the city not to have an identification microchip implanted on the animal in accordance with current veterinary practices. Any identification microchip for compliance with this section of this City Code must be readable by a microchip reader.</p>	
Sec. 4-38. - Preventive measures/confinement requirements.	<p>(e) Failure to comply with written order. It shall be unlawful for an owner to fail to comply with a written order within the designated time for compliance. A civil citation may be issued. The chief of police shall have the authority to issue additional citations for each twenty-four-hour period with the continuing failure to comply with a written order.</p>	
Sec. 4-39. - Rabies inoculation.	<p>(a) It shall be unlawful for any owner to fail to provide current inoculation against rabies (hydrophobia) for any cat, ferret, or dog and all other animals recommended for inoculation by the American Veterinary Medical Association, four (4) months of age or older. A rabies inoculation shall be deemed current for a cat or dog if two (2) inoculations have been given one (1) year apart and booster doses of rabies vaccine administered every three (3) years thereafter.</p> <p>(d) Proof of inoculation.</p> <p>(1) Any person inoculating an animal against rabies shall issue to the owner of the animal inoculated a numbered metal tag, stamped with the number and the year for which it was issued, and indicating that the animal has been inoculated against rabies.</p> <p>a. <i>Dogs.</i> The metal inoculation tag shall be securely fastened to the dog's collar, choke chain, or harness and it</p>	

	shall be unlawful for the owner of a dog to allow such dog to be within the city without wearing the inoculation tag.	
	<b>CHAPTER 4: ANIMAL SERVICES DIVISION</b> <b>ARTICLE IV. - LICENSING</b>	
Sec. 4-49. - Pet shops license; required.	It shall be unlawful for any person to operate a pet shop in the city without possessing a valid pet shop license. An application for a pet shop license shall be on a form provided by the city and shall state the name and address of the pet shop, its owner and operator. License fees shall be established by the city council for business privilege licenses. Licenses shall be available for inspection by the animal control unit.	
Sec. 4-50. - Kennel license; required; exceptions.	(a) It shall be unlawful for any person to operate a kennel in the city without possessing a valid kennel license. An application for a kennel license shall be on a form provided by the city and shall state the name and address of the kennel, its owner and operator.	
	<b>CHAPTER 4: ANIMAL SERVICES DIVISION</b> <b>ARTICLE V. KEEPING OF ANIMALS IN GENERAL</b>	
Sec. 4-51. - Keeping of animals.	<p>(a) It shall be unlawful for any person to own, keep, have, permit anyone to keep or maintain within the corporate city limits any hooved or cloven-hoofed animals or other livestock as defined in section 4-2. "Definitions", or any chickens, turkeys, ducks, guineas, geese, pigeons, ostrich, emu or any other domestic fowl, or similar animal, without first receiving from the animal control unit a permit to do so unless such animal is located in an area that is zoned for the keeping of such animal, or to continue to have any of the same stated above after a permit has been denied.</p> <p>(b) Cats and dogs. It shall be unlawful to own, keep, or maintain, or cause or permit anyone to keep or maintain within the corporate limits of the city more than two (2) cats or two (2) dogs, or one (1) cat and one (1) dog without first receiving from the animal control unit a permit to do so, or to continue to have any of the same stated above after a permit has been denied.</p> <p>(c) Bees and venomous insects. It shall be unlawful to keep or maintain bees or other insects of the apoidea family including, but not limited to wasp, hornets, or yellow jackets.</p> <p>(h) It shall be unlawful for any permit holder as provided for in this section to violate any provision of this chapter. All permit holders shall be subject to any provision in this chapter and it shall be the responsibility of said permit holders to comply with any directives from the animal control supervisor regarding these provisions. Failure for a permit holder to comply with the provisions of this chapter shall subject the permit holder to any citation and/or criminal prosecution as deemed necessary.</p>	
Sec. 4-52. - Provisions for enclosures and appurtenances.	(d) Keeping of swine prohibited. It shall be unlawful for any person to keep or maintain any hogs, pigs, or any member of the Suidae family within the corporate limits of the city on any residential or business zoned property.	
Sec. 4-53. - Wild or exotic animals.	(a) Unlawful act. It shall be unlawful for any person, firm or corporation to keep, maintain, possessor have under their control within the city, a venomous reptile or any other wild or exotic animal.	



	<b>CHAPTER 4: ANIMAL</b>	
	<b>ARTICLE VI. - IMPOUNDMENT AND RECLAMATION</b>	
Sec. 4-67. - Disposition of unredeemed animals.	(b) The animal control unit shall require that all dogs and cats released from the animal shelter be spayed or neutered and microchipped. A written agreement from the adopter shall be executed prior to release of the animal guaranteeing that such animal will be sterilized and microchipped within a certain period of time after the date of release. It shall be unlawful for the adopter to violate the terms of such written agreement.	
Sec. 4-68. - Impoundment records.	It shall be unlawful for any person redeeming, reclaiming or adoption an animal from the unit to give false or fictitious names and addresses for the unit records.	
	<b>CHAPTER 6 – CEMETERIES</b>	
Sec. 6-28. - Unauthorized removal or damage to flowers, ornaments, etc.	It shall be unlawful for any person, other than the cemetery supervisor or his duly authorized agent, or a member of the owner's family or their duly authorized agent, to cut down, pluck or otherwise remove, injure or destroy any flowers, bulbs, vines, shrubbery or trees planted in the cemetery except under the supervision or with the approval of the cemetery supervisor, or to remove any flowers or other ornaments or any vase, basket or receptacle from any lot except under the supervision and with the approval of the cemetery supervisor.	
	<b>CHAPTER 7 - EXPLOSIVES</b>	
Sec. 7-1. - Compliance.	It shall be unlawful to explode or otherwise use blasting agents and any dangerous explosives within the corporate limits of the city or within one (1) mile thereof except as provided in this chapter and the North Carolina State Fire Prevention Code.	
	<b>CHAPTER 8 – FIRE PREVENTION AND PROTECTION</b>	
Sec. 8-1. - Flammable signs, banners, etc.	(a) Except as otherwise provided, it shall be unlawful for any person to allow or permit any sign, banner, flag or pennant made of paper, cloth, oil cloth, plastic or similar flammable material to be posted, hung or otherwise affixed to or made to stand or lean against or suspended between any building, marquee, wall, fence, post, pole, gasoline pump or otherwise within the city.	
	<b>CHAPTER 9 - GAS</b>	
Sec. 9-4. - Adoption of standards for liquefied petroleum gas.	All the provisions and requirements of the standards for the design, installation and construction of containers and pertinent equipment for the storage and handling of liquefied petroleum gases, as recommended by the National Fire Protection Association's copyrighted pamphlet No. 58, 1986 with addendums, are hereby adopted and made a part of this chapter as fully and completely as though set out herein in verbatim. It shall be unlawful for any person to fail to comply with such provisions and requirements within the corporate limits of the city.	
Sec. 9-14. - Disconnection of dangerous or defective facilities.	The inspections services division is authorized to cause to be disconnected any gas facility or appliance connected before a certificate of approval has been issued which upon inspection is found defective or in such condition as to endanger life, health, safety or property. In all cases where such disconnection is made a notice shall be affixed thereto and shall state that the same has been disconnected by the inspections services division, together with the reason or reasons therefor, and it shall be unlawful for any person to remove the notice or to	

	reconnect the gas facility or appliance until authorized by the inspections services division to do so.	
Sec. 9-21. - Gas company may refuse service to defective facility.	The gas company is authorized to discontinue or refuse to supply gas for any gas facility or gas appliance which it may find to be defective or leaky or in such condition as to endanger life, health, safety or property. In such case, the gas company shall immediately give written notice of discontinuance or refusal of service to the inspections services division and to the consumers. The inspections services division shall immediately make an investigation of the conditions reported by the gas company and it shall be unlawful for any person to reconnect the gas facility or appliance until authorized by the inspection services division.	
Sec. 9-22. - Approval of new and used gas appliances.	(a) It shall be unlawful for any person to install or use any new gas appliance which has not been approved by the inspections services division.	
	<b>CHAPTER 10 – HEALTH, SANITATION AND NUISANCES</b> <b>ARTICLE I. - IN GENERAL</b>	
Sec. 10-1. - Fish trucks.	It shall be unlawful for the driver of any fish truck or fish-bearing vehicle to permit water to drain from such vehicle in the city. It shall also be unlawful to park within the city any such fish-bearing vehicle unless adequate provision is made to take care of such refuse water by its drainage into buckets or other suitable receptacles and disposed of in a sanitary sewer.	
	<b>CHAPTER 10 – HEALTH, SANITATION AND NUISANCES</b> <b>ARTICLE III. - NUISANCES</b>	
	<b>DIVISION 4. - NOISE</b>	
Sec. 10-151. - Loud and raucous noise prohibited.	The generation or maintenance of any loud and raucous noise within the city limits is hereby declared to be a public nuisance. It shall be unlawful for any person to willfully make, continue, or cause to be made or continued any loud and raucous noise, which term shall mean any sound which, because of its volume level, duration, and character, annoys, disturbs, injures or endangers the comfort, health, peace, or safety of reasonable persons of ordinary sensibilities within the city limits.	
	<b>DIVISION 5. - ABANDONED, NUISANCE, AND JUNKED VEHICLES</b>	
Sec. 10-179. - Abandoned vehicle unlawful; removal authorized.	(a) It shall be unlawful for the registered owner or person entitled to possession of a vehicle to cause or allow such vehicle to be an abandoned vehicle as the term is defined herein.	
Sec. 10-180. - Nuisance vehicle unlawful; removal authorized.	(a) It shall be unlawful for the registered owner or person entitled to possession of a motor vehicle, or for the owner, lessee, or occupant of the real property upon which the vehicle is located to leave or allow the vehicle to remain on the property after it has been declared a nuisance vehicle.	
Sec. 10-181. - Junked motor vehicle regulated; removal authorized.	(a) It shall be unlawful for the registered owner or person entitled to the possession of a junked motor vehicle, or for the owner, lessee, or occupant of the real property upon which a junked motor vehicle is located to leave or allow such vehicle to remain on the property after the vehicle has been ordered removed.	

Sec. 10-191. - Unlawful removal of impounded vehicle.	It shall be unlawful for any person to remove or attempt to remove from any storage facility designated by the city any vehicle which has been impounded pursuant to the provisions of this division unless and until all towing and impoundment fees which are due, or bound in lieu of such fees, have been paid.	
Sec. 10-206. - Penalties.	It shall be unlawful for any person to cause or permit the spill, discharge, breakage, or leakage of any hazardous material in the city.	
Sec. 10-215. - Non-stormwater discharge controls.	<p>(b) Illicit connections.</p> <p>(1) Connections to a stormwater conveyance or stormwater conveyance system which allow the discharge of non-stormwater, other than the exclusions described in section (a) above, are unlawful. Illicit connections include, but are not limited to: floor drains, waste water from washing machines or sanitary sewers, wash water from commercial vehicle washing or steam cleaning, and waste water from septic systems.</p> <p>(e) Solid waste, yard waste and other obstructions.</p> <p>(1) It shall be unlawful for any person to throw, dump, roll or in any manner place or cause to be placed any objects or materials in a drainage pipe, culvert, drainage ditch or any other stormwater carrier receiving street runoff which may cause a blockage, reduction in flow capacity or build up of excess nutrients or pollutants.</p>	
<b>CHAPTER 11 – HOUSING CODE</b>		
Sec. 11-17. - Enforcement.	<p>(c) Action upon failure to comply with order.</p> <p>(1) If the owner of a dwelling fails to comply with an order to repair, alter or improve or to vacate and close the dwelling, the supervisor may cause the dwelling to be repaired, altered, or improved, or to be vacated and closed. The supervisor may cause to be posted on the main entrance of any dwelling so closed, a placard with the following words:          "This dwelling is unfit for human habitation. The use or occupation of this dwelling for human habitation is prohibited and unlawful."</p> <p>Occupation of a dwelling so posted shall constitute a misdemeanor.</p> <p>(f) Equitable enforcement. In case any dwelling is erected, constructed, altered, repaired, converted, maintained, or used in violation of this code or any order or decision of the supervisor or housing appeals board made pursuant to this code, the supervisor may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, or use, to restrain, correct, or abate such violation and to prevent the occupancy of the dwelling.</p>	
Sec. 11-19. - Other unlawful acts.	<p>(a) It shall be unlawful for any person, firm or corporation to remove (or permit the removal of), damage or deface any complaint, notice, order or certificate posted in accordance with the provisions of this code, unless the code enforcement official consents in writing to such action.</p> <p>(b) It shall be unlawful for the owner or owner's agents of any dwelling subject to the provisions of this code to fail to furnish to the buyer(s) a copy of the inspection findings or</p>	

	report prior to closing or other property transfer of such dwelling.	
	<b>CHAPTER 12 – HUMAN RELATIONS</b>	
Sec. 12-28. - Discriminatory practices prohibited.	It is unlawful to commit or attempt to commit any act, practice, activity or procedure related directly or indirectly to the sale or rental of public or private housing, which affects or may tend to affect the availability or desirability of housing on an equal basis to all persons.	
Sec. 12-31. - Discrimination in financial practices.	It shall be unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available such as a transaction, or in the terms of conditions of such a transaction, because of race, color, sex, handicap, familial status or national origin.	
Sec. 12-33. - Other discriminatory practices.	<p>(c) Conspiracy to violate this article is unlawful. It is a discriminatory practice for a person or for two (2) or more persons to conspire to:</p> <p>(1) Retaliate or discriminate in any manner against a person because that person has opposed a practice prohibited by this article, or because that person has made a charge, filed a complaint, testified, assisted or participated in any manner in any investigation, proceeding, or hearing under this article; or</p> <p>(2) Aid, abet, incite, compel, or coerce a person to engage in any of the acts or practices prohibited by this article; or</p> <p>(3) Obstruct or prevent a person from complying with the provisions of this article or any order issued thereunder; or</p> <p>(4) Resist, prevent, impede or interfere with the department or any of its members or representatives in the lawful performance of a duty under this article.</p>	
	<b>CHAPTER 13 – LICENSES AND BUSINESS REGULATIONS</b>	
	<b>ARTICLE II. - PRIVILEGE LICENSE TAX</b>	
	<b>DIVISION 1. - PRIVILEGE LICENSE TAX GENERALLY</b>	
Sec. 13-30. - License prerequisite to conduct of business.	It shall be unlawful for any person to engage in any business or profession for which a license is required, without first having secured the required license and paid the license tax therefor.	
Sec. 13-44. - Revocation, suspension.	Upon the revocation or suspension of any such license, it shall be unlawful for the person to whom such license was granted to continue to conduct such business.	
	<b>ARTICLE III. – PEDDLERS AND SOLICITORS</b>	
	<b>DIVISION 2. PERMIT</b>	
Sec. 13-86. - Required.	<p>(a) It shall be unlawful for any person, acting as a peddler, solicitor or itinerate merchant, or any person acting as an assistant to any peddler or solicitor to go in or upon, or permit his representative to go in or upon any public area, private residence or premises in the city for the purpose of soliciting orders for the sale of goods, wares, periodicals or merchandise, or for the purpose of distributing, disposing of, peddling, selling, or hawking the same, or act as an assistant to any peddler or solicitor, without first obtaining a permit therefore as provided in this division.</p> <p>(f) It shall be unlawful for any itinerate merchant to conduct business on any property without the written permission from the property owner or current property lessee.</p>	

	(g) It shall be unlawful for any peddler to go upon the residential property of any person without prior invitation before 9:00 a.m. or after sundown.	
	<b>DIVISION 3. - DENIALS, APPEALS, AND CONDITIONS</b>	
Sec. 13-93. - Display.	Each permit issued under the provisions of this article shall be carried at all times by the permittee when he or she is engaged in business allowed under the permit. It shall be unlawful for such permittee to fail or refuse to exhibit such permit when requested to do so by a police officer.	
Sec. 13-96. - Falsification of information.	It shall be unlawful for any person to falsify any required information for permits in this article. It shall also be illegal for any person or persons to pass inventory from one (1) person to another or from one (1) company to another for the purpose of avoiding time and location restraints as set out in the City of Rocky Mount Land Development Code.	
	<b>ARTICLE IV. – PUBLIC AMUSEMENTS</b>	
	<b>DIVISION 1. - GENERALLY</b>	
Sec. 13-136. - Tent shows.	It shall be unlawful for any person to conduct, operate or exhibit within the corporate limits of the city any circus, carnival or show of like kind, vaudeville show under canvas, menagerie, merry-go-round, Ferris wheel, or other similar riding device operated for profit, with the following exceptions:  (1) A circus shall be allowed to operate not more than one (1) time a year on the campus of a college that offers four-year baccalaureate degrees so long as the campus contains at least one hundred (100) acres of land; and  (2) Carnival rides shall be allowed to operate for events sponsored by the City of Rocky Mount.	
	<b>DIVISION 3. – PRESENCE OF MINORS IN NIGHTCLUBS</b>	
Sec. 13-161. - Minors in nightclubs restricted.	It shall be unlawful for any minor to enter or be present in a nightclub between the hours of 5:00 p.m. and 8:00 a.m.	
Sec. 13-162. - Responsibilities of owners, operators or employees.	It shall be unlawful for an owner, operator or employee of a nightclub to permit or suffer the presence of a minor within a nightclub between the hours of 5:00 p.m. and 8:00 a.m.	
	<b>ARTICLE V. - SECONDHAND GOODS DEALERS</b>	
Sec. 13-210. - Permit.	(a) Except as provided in section 13-212, it shall be unlawful for any person to engage as a dealer in the business of purchasing precious metals either as a separate business or in connection with other business operations without first obtaining a permit for the business from the police department.	
Sec. 13-219. - Portable smelters.	It shall be unlawful for any person to possess or operate a smelter in any mobile home, trailer, camper or other vehicle or structure not permanently affixed to the ground, for the purpose of refining precious metals.	
	<b>ARTICLE VI. - MASSAGE PARLORS</b>	
Sec. 13-262. - Unlawful acts.	(a) Treatment of persons of opposite sex restricted. It shall be unlawful for any person holding a permit under this article to treat a person of the opposite sex, except upon the signed order of a licensed physician, osteopath, chiropractor or registered physical therapist, which order shall be dated and shall specifically state the number of treatments, not to exceed ten (10).	

	<p>(b) It shall be unlawful for any person, in a massage parlor, to place his or her hand or hands upon, to touch with any part of his or her body, to fondle in any manner, a sexual or genital part of any other person.</p> <p>(c) It shall be unlawful for any person, in a massage parlor, to expose his or her sexual or genital parts, or any portions thereof, to any other person. It shall also be unlawful for any person, in a massage parlor, to expose the sexual or genital parts, or any portions thereof, of any other person.</p> <p>(d) It shall be unlawful for any person while in the presence of any other person in a massage parlor, to fail to conceal with a fully opaque covering, the sexual or genital parts of his or her body.</p> <p>(e) It shall be unlawful for any person owning, operating or managing a massage parlor, knowingly to cause, allow or permit in or about such massage parlor, any agent, employee, or any other person under his control or supervision to perform such acts prohibited in subsection (a), (b), (c) or (d) of this section.</p> <p>(f) It shall be further unlawful for any permittee under this article to administer a massage on an outcall basis as defined in section 13-241(h).</p> <p>(g) It shall be unlawful for any massage service to be carried on within any cubicle, room, booth, or any area within a massage establishment which is fitted with a door capable of being locked.</p>	
	<b>ARTICLE VII. - SEXUALLY ORIENTED BUSINESSES</b>	
Sec. 13-272. - Application for licenses.	<p>(a) Sexually oriented business license.</p> <p>(1) It shall be unlawful for any person to operate or maintain a sexually oriented business in the city unless the owner or operator thereof has obtained a sexually oriented business license from the city. It shall also be unlawful for any person to operate such business after such license has been revoked or suspended by the city or after such license has expired.</p> <p>(2) It shall be unlawful for any person to knowingly perform any work, service or entertainment directly related to the operation of an unlicensed sexually oriented business within the city.</p> <p>(b) Adult entertainer license.</p> <p>(1) It shall be unlawful for any person to work as an adult entertainer at a sexually oriented business without first obtaining a license to do so from the city or to work as an adult entertainer at a sexually oriented business after such person's license to do so has been revoked or suspended by the city or after such license has expired.</p> <p>(d) Expiration of license.</p>	

	(3) It shall be unlawful for any person to operate or cause to be operated a sexually oriented business when such person knows or should know that the business has a license which has expired.	
Sec. 13-279. - Persons under eighteen prohibited on premises.	It shall be unlawful for any person under the age of eighteen (18) years to come or remain on the premises of any sexually oriented business, as adult entertainer, employee, or patron, unless such person is on the premises on lawful business.	
Sec. 13-280. - Regulations pertaining to adult cabarets.	<p>(b) An adult cabaret, regardless of whether or not a license has been issued for said business under this article, shall be subject to the following:</p> <p>(4) Adult live entertainment may occur only:</p> <ul style="list-style-type: none"> <li>a. In the presence of and visually observable by an employee who is not an adult entertainer; and</li> <li>b. In the presence of and visually observable by more than one (1) patron; and</li> <li>c. In an area and on a stage that is shown on an approved diagram as an area where adult live entertainment may occur; and</li> <li>d. In an area that is not visually screened, obstructed, or separated from the majority of the patrons located in that area, which patrons are present without payment of any charge other than the charge, if any, for entry into the premises, such as a cover charge or membership fee; and</li> <li>e. In an area that is accessible to all patrons without payment of any charge other than the charge, if any, for entry into the premises, such as a cover charge or membership fee.</li> <li>f. Subsections (b)(4)d. and e., above, do not prohibit or limit charges to patrons by adult entertainers, or payment to, or the tipping of, such persons by the patrons; provided such payment or tipping is not made directly or personally to an adult entertainer. Any such payment or tips made to an adult entertainer shall be placed in a receptacle for such payment or tips provided by the owner or operator.</li> </ul> <p>(c) It shall be the duty of the operator and any owner who is present on the premises to ensure that adult live entertainment is not performed in the presence of patrons in violation of subsection (b)(4), above. It shall be unlawful for any such operator or owner to knowingly fail to fulfill that duty.</p> <p>(d) It shall be unlawful for an adult entertainer to engage in or perform adult live entertainment in violation of subsection (b)(4), above.</p> <p>(e) It shall be unlawful for an adult entertainer to touch a patron or the clothing of a patron at an adult cabaret.</p>	

	(f) It shall be unlawful for a patron at an adult cabaret to touch an adult entertainer.	
Sec. 13-282. - Regulations pertaining to adult mini motion picture theaters.	<p>(a) An adult mini motion picture theater, regardless of whether or not a license has been issued for said business under this article, shall be subject to the following:</p> <p>(3) At least one (1) employee must be on duty and situated at each manager's station at all times that any patron is present in or on the premises.</p> <p>(4) The interior of the premises shall be configured in such a manner that there is an unobstructed view from a manager's station of every area of the premises to which any patron is permitted access for any purpose, excluding restrooms. Restrooms may not contain video reproduction equipment. If the premises has two (2) or more manager's stations designated, then the interior of the premises shall be configured in such a manner that there is an unobstructed view of every area of the premises to which any patron is permitted access for any purpose, excluding restrooms, from at least one (1) of the manager's stations. The view required in this subsection must be by direct line of sight from the manager's station.</p> <p>(5) The entrance to each adult mini motion picture booth shall be free of any obstruction such as a door, curtain, wall, partial wall, panel, board, merchandise, display rack, or other material.</p> <p>(6) There shall be no openings of glass of any kind between booths, and booths shall not be designed, constructed, or configured in such a manner that the interior of any booth may be visible or made to be visible from any other booth.</p> <p>(7) The interior of each booth shall be sufficiently illuminated so that the inside of the booth is visible from the manager's station(s), as set forth in subsection (a)(4), above.</p> <p>(8) No booth shall be occupied by more than one (1) patron at any time.</p> <p>(b) It shall be the duty of the operator and any owner or employees who are present on the premises to ensure compliance with subsections (a)(3) through (8), above. It shall be unlawful for any person having such a duty to knowingly fail to fulfill that duty.</p>	
Sec. 13-283. - Regulations pertaining to clothing modeling studios.	<p>(a) A clothing modeling studio, regardless of whether or not a license has been issued for said business under this article, shall be subject to the following:</p> <p>(1) A model shall not encourage or permit a patron to expose or display his or her (the patron's) specified anatomical areas.</p> <p>(2) A model shall not suggest or imply that a customer should or is permitted to expose or display his or her (the patron's) specified anatomical areas.</p>	



	<p>(3) A model shall not expose or display his or her (the model's) specified anatomical areas at anytime the model is in the presence of a patron.</p> <p>(4) A model shall not straddle a patron.</p> <p>(5) A model shall not offer to agree to straddle a patron.</p> <p>(6) A model shall not intentionally touch the clothed or unclothed body of a patron at any point below the waist and above the knee of the patron.</p> <p>(7) A model shall not encourage or permit a patron to touch the clothed or unclothed body of the model at any point below the waist and above the knee of the model.</p> <p>(8) A model shall not encourage or permit a patron to touch the clothed or unclothed breast of the model.</p> <p>(9) All fees and charges, including tips and gratuities, paid by the patron of a clothing modeling studio shall be paid to the model or the studio before the modeling session begins. A model shall not solicit or accept any tip, gratuity, or compensation from a patron in violation of the foregoing.</p> <p>(10) All modeling for a patron must occur in the presence of and be visually observable by an employee who is not a model.</p> <p>(11) The entrance to each room in which modeling for a patron is being performed shall be free of any obstruction such as a door, curtain, wall, partial wall, panel, board, or other device, and the entire interior of each room shall be visible from the aisle, walkway, or hallway leading to the room.</p> <p>(b) It shall be the duty of the operator and any owner who is present on the premises to ensure that clothing modeling is not performed in the presence of a patron in violation of subsection (a), above. It shall be unlawful for any such operator or owner to knowingly fail to fulfill that duty.</p> <p>(c) It shall be unlawful for a model to violate any of the provisions of subsection (a),above.</p>	
	<b>ARTICLE VIII. - BARS, TAVERNS, AND NIGHTCLUBS</b>	
Sec. 13-302. - Application for license.	<p>(a) Bars, taverns, and nightclubs license.</p> <p>(1) It shall be unlawful for any person to operate or maintain a bar, tavern, or night club in the City of Rocky Mount unless the owner or operator thereof has obtained a bar, tavern, or nightclub license from the city. It shall also be unlawful for any person to operate such business after such license has been revoked or suspended by the city or after such license has expired.</p> <p>(2) It shall be unlawful for any person to operate or maintain a bar, tavern, or nightclub in the City of Rocky Mount unless the person holding the license for such establishment is physically present on the premises or an</p>	

	<p>on-site manager designated by the licensee and approved by the city is physically present on the premises.</p> <p>(3) It shall be prima facie evidence that any bar, tavern, or nightclub that fails to have a bar, tavern, or nightclub license issued by the city posted in a conspicuous place in the establishment has not obtained such license.</p> <p>(4) All persons lawfully operating or maintaining a bar, tavern, or nightclub and possessing ABC permits and privilege licenses for the same on the effective date of this article shall have until June 30, 2011, to secure a bar, tavern, and nightclub license. It shall be unlawful for such person to operate or maintain a bar, tavern, and nightclub business without the required license after June 30, 2011.</p>	
Sec. 13-304. - On-site manager.	It shall be unlawful for any person to act or serve as on-site manager of a bar, tavern, or nightclub unless the licensee has submitted the information required by section 13-303 to the chief of police and the chief of police has approved the person as an on-site manager.	
Sec. 13-305. - Control of premises.	It shall be unlawful for any licensee to relinquish control of a bar, tavern, or nightclub to any other person except an on-site manager. The licensee or an on-site manager must remain on and in control of the premises during all events, including private parties.	
	<b>CHAPTER 14 - MISCELLANEOUS OFFENSES</b>	
Sec. 14-1. - Defacing, removal of signs.	It shall be unlawful to tear, deface, mutilate, take down or in any manner destroy any advertisement or legal, public or private notice posted for public view within the corporate limits, except that the owner of the property upon which such advertise mentor notice has been posted without his permission may remove the same.	State Law reference - Unlawful posting of advertisements, G.S. § 14-145.
Sec. 14-3. - Possession of dangerous weapons.	It shall be unlawful for any person to display or willfully or intentionally possessor have immediate access to any bowie knife, dirk, dagger, slingshot, loaded cane, brass iron or metallic knuckles, razor, pistol, shotgun, rifle or other deadly weapon of like kind upon or in any city park, city transit bus, or city building or portion thereof, owned, leased as lessee, operated, occupied, managed, or controlled by the city, as well as the appurtenant premises to any such city building. It shall also be unlawful for any person to possess such dangerous or deadly weapons while under the influence of intoxicating drink, or at the premises of a church, polling place, or other place of public assembly.	
Sec. 14-4. - Discharge of firearms, fireworks.	It shall be unlawful for any person to shoot or project any stone, rock, shot or other hard substance by means of a slingshot, bean shooter, air rifle, pop gun, bow or other similar contrivance; or to fire any pistol, gun or other firearm; or to discharge any fireworks within the city; except on archery ranges, firing ranges or in legally established shooting galleries or ranges, or in the discharge of duty by law enforcement officers.	
Sec. 14-6. - Blocking or obstructing storm drainage pipes and ditches.	(a) It shall be unlawful for any person to throw, dump, roll or in any manner place or cause to be placed any objects or materials in a drainage pipe, box culvert, drainage ditch or any other storm- water carrier receiving street runoff which may cause a blockage or reduction in flow capacity.	
Sec. 14-7. - Spilling, dumping, leaking, etc., of	It shall be unlawful for any person to spill, dump, leak or in any manner allow or cause hazardous chemicals or	

hazardous chemicals or waste into or on the city's storm drains, sanitary sewers or drainage ditches, streets, etc.	wastes to gain access into the city's storm drains, sanitary sewers or drainage ditches, streets, etc.	
Sec. 14-9. - Loitering for the purpose of engaging in drug related activity.	<p>(b) It shall be unlawful for any person to remain or wander about in a public place in a manner and under circumstances manifesting the purpose of violating any subdivision of the North Carolina Controlled Substances Act, North Carolina General Statutes 90,Article 5. Such circumstances shall include:</p> <p>(1) Repeatedly beckoning to, stopping, or attempting to stop passers-by, or repeatedly attempting to engage passers-by in conversation, whether such passers-by are on foot or in a motor vehicle, for the purpose of inducing, enticing, soliciting, or procuring another to illegally possess, transfer, or buy any controlled substance; or</p> <p>(2) Behaving in such a manner as to appear that he or she is about to engage in or is engaged in an unlawful drug related activity; or</p> <p>(3) Repeatedly passing to or receiving from passers-by, whether on foot or in a motor vehicle, money, objects, or written material, for the purpose of inducing, enticing, soliciting, or procuring another to illegally possess, transfer, or buy any controlled substance.</p>	
Sec. 14-10. - Smoking in municipal buildings and vehicles.	<p>(b) Smoking prohibited in city administrative office building. It shall be unlawful for any person to smoke in the city administrative office building located at 331 South Franklin Street.</p> <p>(c) Smoking regulated in other municipal buildings. It shall be unlawful for any person to smoke in any building or facility or portion of a building or facility now or hereafter owned, leased, operated, occupied, managed, or controlled by the city, except, that smoking shall be permitted in specifically designated areas in buildings other than the city administrative office building. The city manager shall have the authority to designate smoking areas within each such city building or facility. An area within any such building or facility may be designated as a smoking area only if in the judgment of the city manager the ventilation of such area is sufficient, any adverse impact on municipal employees and members of the public is minimal, and no fire or other safety hazard will be created by smoking in such area.</p> <p>(d) Smoking regulated in municipal vehicles. It shall be unlawful for any person to smoke in any vehicle now or hereafter owned or leased by the city unless it has been designated for smoking by the city manager.</p>	
Sec. 14-11. - Carrying of concealed handguns on city property.	(d) Unlawful to carry concealed handguns. It shall be unlawful for any person not a law enforcement officer to carry a concealed handgun on city property or in a city vehicle which has been posted pursuant to this section.	
Sec. 14-13. - Regulation of panhandling.	<p>(b) Prohibited acts. It shall be unlawful to:</p> <p>(1) Panhandle in an aggressive manner in any public place.</p>	

	<p>(2) Panhandle on private or residential property without carrying written permission to engage in such conduct from the owner or other person lawfully in possession of such property.</p> <p>(3) Panhandle within twenty (20) feet of any entrance or exit of any financial institution, check-cashing business, or automated teller machine without the consent of the owner of such facilities or other person legally in possession thereof; provided, however, that when an automated teller machine is located within an automated teller machine facility the twenty-foot distance shall be measured from the entrance or exit of the facility.</p> <p>(4) Panhandle an operator or other occupant of a motor vehicle for the purpose of performing or offering to perform a service in connection with such vehicle or otherwise soliciting the sale of goods or services. This subsection shall not apply to services rendered in connection with emergency repairs requested by the operator or passenger of such vehicle.</p> <p>(5) Panhandle an operator or occupant of a motor vehicle on a public street in exchange for blocking, occupying, or reserving a public parking space, or directing the operator or occupant to a public parking space.</p> <p>(6) Panhandle while under the influence of alcohol or a controlled substance.</p> <p>(7) Panhandle by stating that funds are needed to meet a specific need, when the solicitor has the funds to meet that need, does not intend to use funds to meet that need, or does not have that need.</p> <p>(8) Panhandle in any public transportation vehicle; or at any bus, train, or taxi station or stop, or within twenty (20) feet of the entrance or exit of any bus, train, or taxi station or stop.</p> <p>(9) Panhandle after sunset or before sunrise.</p> <p>(10) Panhandle while standing or sitting on the roadway, shoulder, or median of any street or highway.</p>	
Sec. 14-14. - Helmets, elbow pads and kneepads required at city skateboard parks.	(a) It shall be unlawful for any person to use a skateboard, inline skates, or bicycle, or to participate or engage in skateboarding, inline skating, or freestyle bicycling at any city skateboard park without wearing a helmet, elbow pads and kneepads.	
Sec. 14-15. - Graffiti.	<p>(d) Graffiti unlawful.</p> <p>(1) It shall be unlawful for any person to place graffiti upon any public or private property.</p> <p>(2) It shall be unlawful for any person under the age of eighteen (18) to possess any graffiti implement upon any school ground, public place, bridge, culvert, or any residential property of which they are not a resident or guest, or at any private business, unless such person can establish to the reasonable satisfaction of the police that</p>	

	the possession of such implement was part of a school project, home project, or some other lawful activity.	
	<b>CHAPTER 15 - PARKS AND RECREATION</b>	
	<b>ARTICLE I. - IN GENERAL</b>	
Sec. 15-1. - Vehicles on public grounds.	It shall be unlawful for any person to drive or to park any vehicle on any part of any park, athletic field, school ground or other public lands within the city except upon the driveways therein or in the areas designated as parking spaces.	
Sec. 15-2. - Activities at city lake.	It shall be unlawful for any person to swim in, wade in, ice skate or walk upon or in any manner encroach upon or place any boat or vehicle upon or in the city lake on Sunset Avenue in the city.	
	<b>ARTICLE II. - PARKS</b>	
Sec. 15-26. - Hours generally; extinguishment of light; exception.	It shall be unlawful for any person to remain in or enter any park owned by the city between the hours of 12:00 midnight and 7:00 a.m.	
Sec. 15-27. - Specific parks; activities regulated.	(a) Battle Park. It shall be unlawful to park or remain in parked cars in Battle Park in areas that have been designated closed between sunset and 7:00 a.m.  (b) Frank's Field (Taylor Park). Frank's Field or Taylor Park, located in Nash County and bounded by Wildwood Avenue, Evergreen Road and Shady Circle Drive, shall be closed between the hours of 7:00 p.m. and 7:00 a.m. It shall be unlawful for any person, during these hours to enter, remain in or leave a motor vehicle parked upon the city park.	
Sec. 15-28. - Group activity; signs.	(b) Signs declaring park use regulations. Signs shall be erected at the entrances to parks setting forth the hours of opening and closing the parks. Other signs regulating the use of the park areas by the public may be established throughout the parks when such regulation has been established in this section. All signs are to be observed by the public and it shall be unlawful for anyone to violate any such posted regulation.	
Sec. 15-54. - Boating.	(11) It shall be unlawful to move, damage or in any way alter buoys that have been placed on the reservoir.	
Sec. 15-56. - Hunting.	(a) It shall be unlawful for any person except the warden or authorized law enforcement personnel to carry, possess, discharge, fire or shoot any pistol, rifle, shotgun, or other firearm over, across, upon, or from the reservoir except as permitted in this section.  (b) It shall be unlawful for any person to shoot or project by means of a sling shot, bean shooter, air rifle, pellet gun, pop gun, bow, or any similar means or contrivance, any stone, rock, shot, or other hard substance over, across, into, upon, or from the reservoir.  (e) It shall be unlawful for any person to use, discharge, or cause to be discharged, any fireworks or pyrotechnics over, across, into, upon, or from the reservoir unless a permit for such use or discharge has been issued by the city council.  (f) It shall be unlawful for any person to construct a blind or other method of concealment on the regulated section of the reservoir without an annual permit from the reservoir warden.	

	(g) It shall be unlawful for any person to damage or deface a permitted blind.	
Sec. 15-58. - Miscellaneous regulations.	<p>(i) Parking in ramp area. It shall be unlawful to park any vehicle, boat or trailer in the ramp area at the Bend of the River Ramp for any purpose other than immediate loading or launching of boats.</p> <p>(j) Blocking egress from parking area. It shall be unlawful to double park or park a vehicle in such a manner as to block egress from the parking lot for any other vehicle at the Bend of the River Boat Ramp.</p> <p>(k) Removal of barricades. It shall be unlawful for any unauthorized person to remove or tamper with any barricades or other devices intended to close or limit the use of any ramp, driveway, or other grounds at the reservoir belonging to the city.</p> <p>(l) Trespass upon the reservoir bed. It shall be unlawful for any unauthorized person to drive, cause to be driven, or permit any vehicle to be driven, operated, or left upon the reservoir bed.</p>	
Sec. 15-76. - Activities prohibited.	<p>(d) Unlawful to operate bicycle or other wheeled vehicle. It shall be unlawful for any person to operate a bicycle, tricycle, unicycle, moped, skateboard or any other wheeled vehicle, roller skates or roller blades (all hereafter referred to as "wheeled vehicle") on or within the boundaries of the Down East Festival or any other city sponsored event to which these provisions have been made to apply. For purposes of this article, "operate" shall mean the use, putting into action, or causing to function of a wheeled vehicle by a person mounted thereon. This article shall not apply to wheelchairs, baby strollers or baby carriages.</p> <p>(e) Unlawful to throw balls, etc. It shall be unlawful for any person to toss or throw a ball, Frisbee, model airplane or similar object on or within the boundaries of the Down East Festival or any other city sponsored event to which these provisions have been made to apply.</p> <p>(h) Unlawful to conduct outside sales. It shall be unlawful for any person to exhibit, display, offer for sale or to sell any merchandise or other item, any service, food or beverage (hereafter referred to as "outside sales") on public property within the boundaries of the Down East Festival unless such person has been issued a permit for such outside sales by the city parks and recreation department.</p>	
	<b>CHAPTER 18 - SOLID WASTE</b>	
Sec. 18-5. - Unlawful acts.	<p>It shall be unlawful for any person to:</p> <p>(1) Deposit solid waste in any solid waste container which is not the property of that person without the consent of the owner of the container.</p> <p>(2) Interfere in any manner with solid waste collection personnel or solid waste collection and transport equipment.</p>	

	<p>(3) Engage in the business of collecting, transporting, processing or disposing of solid waste within the corporate limits of the city without a permit from the director of public works.</p> <p>(4) Permit any dirt, rocks, sand, brick, broken concrete, lumber, tree trunks, limbs or trimmings, cinders, plaster, gravel, paper, cardboard or any similar material to fall, be scattered or blown upon any street from any vehicle transporting such material, or fail to remove such material immediately from the street.</p> <p>(5) Place, discard, dispose or leave any solid waste upon a street or highway within the city, or upon any property owned or operated by the city unless such solid waste is placed in a designated location or in a solid waste container.</p>	
	<b>Chapter 19 - STREETS, SIDEWALKS AND CERTAIN OTHER PUBLIC PLACES</b>	
	<b>ARTICLE I. - IN GENERAL</b>	
Sec. 19-1. - Consumption and possession of malt beverages and unfortified wine.	<p>(b) Consumption on the public streets and on municipal property prohibited. It shall be unlawful for any person who is not an occupant of a motor vehicle to consume malt beverages and/or unfortified wine on the public streets. Furthermore, it shall be unlawful for any person to consume malt beverages and/or unfortified wine on any property, whether located inside or outside the corporate limits, owned, occupied, or controlled by the city including, but not limited to, public buildings and the grounds appurtenant thereto, municipal parking lots, public parks, playgrounds, recreational areas, tennis courts, and other athletic fields.</p> <p>(c) Possession of open containers on the public streets and on municipal property prohibited. It shall be unlawful for any person who is not an occupant of a motor vehicle to possess any open container of malt beverage and/or unfortified wine on the public streets. Furthermore, it shall be unlawful for any person to possess any open container of malt beverage and/or unfortified wine on any property, whether located inside or outside the corporate limits, owned, occupied, or controlled by the city including, but not limited to, public buildings and the grounds appurtenant thereto, municipal parking lots, public parks, playgrounds, recreational areas, tennis courts, and other athletic fields.</p> <p>(d) Possession during special events prohibited. It shall be unlawful for any person to possess malt beverages and/or unfortified wine on public streets, alleys, or parking lots which are temporarily closed to regular traffic for special events.</p>	
Sec. 19-2. - Marking of streets, sidewalks.	It shall be unlawful for any person to advertise or attempt to advertise by marking or painting on any of the streets or sidewalks within the city.	
Sec. 19-7. - Erection of poles, fixtures, etc., within right-of-way.	It shall be unlawful to erect or place any pole, stake (including without limitation stakes and poles designed to keep vehicles off grass), fixture, right-of-way structure, or any other structure, or any underground facility within the	

	right-of-way of any street or sidewalk within the city limits except as provided in this article	
Sec. 19-8. - Roller skates, skateboards within fire district.	It shall be unlawful for any person to use roller skates and skateboards upon the sidewalks or streets within the fire district of the city.	
Sec. 19-10. - Discharge of oily substances.	(b) It shall be unlawful for any person to pour, drain or permit to be poured or drained any oil or other petroleum products into any street, open ditch, sewer or on the sidewalks within the city.	
Sec. 19-12. - [Use of roller skates, roller blades, skateboards or bicycles in certain areas.]	It shall be unlawful for any person to use roller skates, roller blades, skateboards or bicycles upon the walkways around City Lake.	
<b>ARTICLE II. - STREETS</b>		
Sec. 19-37. - Protection of dangerous conditions.	It shall be unlawful for any person to pave, repair or do any excavation or other work on any street or alley in the city which may create or cause a dangerous condition in, on or near any street, sidewalk, alley or driveway without placing and maintaining proper guardrails and signal lights or other warnings at, in or around the same, sufficient to warn the public of such work or excavation and to protect all persons using reasonable care from injuries on account of same.	
Sec. 19-38. - Use of vehicles that damage or injure surface.	It shall be unlawful for any person to drive, push, pull or otherwise propel or cause to be driven, pushed or pulled or propelled over or along any street or other public way in the city any steam or gasoline tractor, motor car or other vehicle, wagon or equipment whatsoever, so as to cut, scrape, indent or otherwise deface or injure the paved surface of such street or other public way, or so as to crack, break or otherwise damage or injure the base or subbase of such paving.	
Sec. 19-39. - Burning substances on paved surface.	It shall be unlawful for any person to burn or cause to be burned upon the paved surface of any such street or other public way in the city any oil, gasoline or other combustible substance or material whatsoever.	
Sec. 19-40. - Deleterious matter on paved surface.	It shall be unlawful for any person to mix and place or cause to be mixed or placed upon the paved surface of any street or other public way in the city, so as to come in contact therewith, any lime, concrete mixture or other like deleterious substance or material.	
<b>ARTICLE IV. - PARADES AND DEMONSTRATIONS</b>		
Sec. 19-85. - Permit—Required.	It shall be unlawful for any person to organize, conduct or participate in any parade or demonstration in or upon any street, sidewalk, alley or other public place within the city unless a permit has been issued by the city in accordance with the provisions of this article.	
Sec. 19-90. - Unlawful participation.	It shall be unlawful for any person to conduct or participate in any parade or demonstration for any purpose or in any manner other than those set out in the application and permit.	
<b>ARTICLE V. - TREES</b>		
Sec. 19-103. - Pruning guidelines.	It shall be unlawful, except as described below, for any person, firm or city department to top any street tree or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than three (3) inches in diameter within the tree's crown to such degree as to remove the normal canopy and to disfigure the tree. Trees severely damaged by storms or other causes, or certain trees which interfere with or are an eminent threat	



	to utility wires or other obstructions where other pruning practices are impractical may be exempt from this article.	
	<b>ARTICLE VI. - YOUTH PROTECTION</b>	
Sec. 19-127. - Penalties.	(b) Any person other than a juvenile who violates any section of this article shall be guilty of a misdemeanor and shall be subject to a fine not to exceed five hundred dollars (\$500.00) and imprisonment in the discretion of the court in accordance with G.S. § 14-4.	
	<b>Chapter 21 - UTILITIES</b>	
Sec. 21-6. – Same - Injuring, tampering with.	It shall be unlawful for any person, other than a duly authorized employee of the city, to tamper with any meter; or to in any manner injure any meter; or to manipulate or attempt to manipulate any meter in any manner so as to affect its registration or measurement of the metered utility service.	
	<b>ARTICLE II. - SANITARY SEWERS</b>	
Sec. 21-33.1. - Wastewater dischargers.	It shall be unlawful for any person to connect or discharge to the POTW without first obtaining the permission of the city.	
	<b>Chapter 22 - VEHICLES FOR HIRE</b>	
Sec. 22-2. - Licensing required.	(a) It shall be unlawful for any person to operate a taxicab on the streets, alleys or highways of the city until the city council shall establish that the public convenience and necessity will be served by the operation of such taxicab.  (e) It shall be unlawful for any person to operate a limousine on the streets or highways of the city until he shall have obtained a certificate for its operation approved by the city council.	
Sec. 22-13. - Soliciting taxi patronage.	It shall be unlawful for any person operating or in charge of a taxicab or other public vehicle for hire to go upon the premises of any place of public accommodation to solicit patronage from travelers or other persons, or to take hold of any passenger's clothing, baggage or other property, unless requested to do so.	
Sec. 22-14. - Refusal of passengers restricted.	It shall be unlawful for any taxicab operator to refuse to carry or transport any orderly person anywhere in the city, unless previously engaged or unable to do so, or to select and reject fares by points of origination based on their comparative profit margins.	
Sec. 22-15. - Acceptance of additional passengers.	(a) It shall be unlawful for any taxicab or limousine operator, driver or owner of any vehicle carrying passengers for hire within the corporate limits to allow any person from the general public to ride when transporting in said vehicle for hire a paying passenger or passengers.  (b) It shall be unlawful for additional passengers to be picked up if the original passenger is under sixteen (16) years of age.  (c) It shall be unlawful for additional passenger(s) to be picked up without the prior permission of the first paying passenger(s).  (d) It shall be unlawful for additional passenger(s) to be picked up unknowing that the taxicab carries previous passengers.	
Sec. 22-17. - Transporting persons for immoral or unlawful purposes.	It shall be unlawful for any person to knowingly drive any vehicle for hire or permit the same to be driven for the purpose of conveying any person to or from any place or	

	point for the purpose of indulging in any act of illicit sexual intercourse or any other immoral or unlawful act.	
Sec. 22-18. - Taximeter required; definition, specifications, operation, inspection.	(f) No person shall drive a taxicab equipped with a taximeter that has not been duly inspected and approved pursuant to section 22-5 of this chapter. It shall be unlawful to change the size of the wheels or tires of a taxicab or the gears operating the taximeter or to change a taximeter from one (1) taxicab to another unless the taximeter is retested and approved by the chief of police or his designee.	
	<b>ARTICLE III. - DRIVER'S PERMIT</b>	
Sec. 22-65. - Appeal from denial.	In the event that the applicant is denied a driver's permit by the chief of police, the applicant may appeal such denial to the city council in accordance with the following:  (f) During pendency of an appeal from a decision to revoke a driver's permit, it shall be unlawful for such applicant to drive a vehicle for hire.	
Sec. 22-68. - Display.	The driver's permit shall be conspicuously displayed where the same may be seen by occupants of the rear seat in any taxicab operated by the permittee and it shall be unlawful for any person to operate, or for any owner to permit to be operated, any taxicab by any person other than the operator designated in the permit displayed in the taxicab.	