

Summary of Summerfield Ordinances which contain criminal punishment:

ORD1999-004: Offenses against Public Peace and Order

Prohibits unnecessary noises and the penalty is as follows: **(c) A violation of this section by any person shall subject the offender to a fine of up to two hundred dollars (\$200.00) and/or imprisonment for up to thirty (30) days. A second violation by the same person within one (1) year shall subject such person to a fine of up to four hundred dollars (\$400.00) and/or imprisonment for up to thirty (30) days. All subsequent violations by the same person within one (1) year shall subject such person to a fine of up to five hundred dollars (\$500.00) and/or imprisonment for up to thirty (30) days.**

ORD2009-001: Prohibiting Sex Offenders from Entering Parks and Recreational Facilities

The penalty is as follows: **Violation of this ordinance shall be punishable by a fine of five hundred dollars (\$500.00) and/or incarceration for up to thirty (30) days. Each entry into a public park or recreational area, regardless of the time period between such entries, shall constitute a separate offense under this article.**

ORD2010-005: Establishing Rules and Regulations Governing the use of the Town of Summerfield Parks and Recreation Areas

The penalty is as follows: **Failure to abide will result in violators being subject to arrest for trespassing.**

ORD2017-001: Firearms on Town Property

The Penalty is as follows: **The carrying of concealed handguns or the possession or display of any firearm or other weapon as defined in this section, in or on any of the locations specified by this section, shall constitute a misdemeanor and subject any violator(s) so convicted to such penalties as may be imposed by the Court.**

O-1999-004

SUMMERFIELD, NORTH CAROLINA OFFENSES AGAINST PUBLIC PEACE AND ORDER

Sec. 1-1. Unnecessary noises.

(a) Subject to the provisions of this section, it shall be unlawful for any person or persons to make, permit, continue, or cause to be made, or to make, permit, continue, or cause to be made, or to create any unreasonably loud, disturbing, and unnecessary noise in the Town. The person responsible for and in charge of any premises or activities on the premises shall also be responsible and liable for any violations of this section by tenants, guests, or licensees on the premises if the person so responsible for the premises is actively present at the time of the violation. This section shall in no way relieve any other person including the absentee owner as provided by section 1-1.1 from responsibility for violations of this noise ordinance. For purposes of this section, the following definitions shall apply:

(1) Unreasonably Loud. Noise which is substantially incompatible with the time and location where created to the extent that it creates an actual or imminent interference with peace or good order.

(2) Disturbing. Noise which is perceived by a person of ordinary sensibilities as interrupting the normal peace and calm of the area.

(3) Unnecessary. Any excessive or unusually loud sound or any sound which is of such character, intensity and duration as to disturb the peace and quiet of any neighborhood or which disturbs, injures or endangers the comfort, repose, health, peace or safety of any person, and being a type of sound which could be lessened or otherwise controlled by the maker without unduly restricting his conduct.

In determining whether a noise is unreasonably loud, disturbing and unnecessary, the following factors incident to such noise are to be considered: Time of day; proximity to residential structures; proximity to occupied structures; whether the noise is recurrent, intermittent or constant; the volume and intensity; whether the noise has been enhanced in volume or range by any type of mechanical means; the nature and zoning of the area; whether the noise is subject to being controlled or postponed without unreasonable effort or expense to the creator thereof.

(b) The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this section but this enumeration shall not be deemed to be exclusive.

(1) Blowing horns. The sounding of any horn, whistle or signal device on any automobile, motorcycle, bus or other vehicle or railroad train, except as a danger signal or as required by law, so as to create any unreasonable, loud or harsh sound or the sounding of such device for an unnecessary and unreasonable period of time.

(2) Radios, record players, etc. The playing of any radio, television set, record player, musical instrument or sound-producing or sound-amplifying device in such manner or with such volume, particularly but not limited to the hours between 9:00 p.m. and 7:00 a.m., as to annoy or disturb the quiet, comfort or repose of any person of normal sensibilities in any dwelling, motel, hotel or other type of residence.

(3) *Sound-producing equipment in vehicles.* The playing of any radio, tape recorder, cassette player, or other similar device for reproducing sound located on or in any motor vehicle on a public street, highway, or within the motor vehicular area of any public or private parking lot or part, if the sound generated is audible at a distance of fifty (50) feet from the radio, tape recorder, cassette player or other device that is producing the sound.

(4) *Use of vehicles.* The use of any truck, automobile, motorcycle, or vehicles, so loaded, or operated in such manner as to create loud grating, grinding, rattling, screeching of tires, or other noise including but not limited to engine breaks.

(5) *Blowing whistles.* The blowing of any steam whistle attached to any stationary boiler except as a warning of danger.

(6) *Exhaust discharge.* The discharge into the open 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.

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

(8) *Building operations.* The erection (including excavation, grading, tree clearing), demolition, alteration, or repair of any building between the hours of 9:00 p.m. and 7:00 a.m. of any day, except in the case of urgent necessity in the interest of public safety and then only with a permit from the Town, which permit may be renewed for a period of three (3) days or less while the emergency continues.

(9) *Noises near schools, etc.* The creation of any excessive noise near any school, institution of learning, library, or sanitarium, or court while the same is in session, or adjacent to any hospital, or any church during services, which unreasonably interferes with the working of such institution.

(10) *Loading and unloading operations.* The operation of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates, and containers.

(11) *Bells or gongs.* 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.

(12) *Hawking, peddling or soliciting.* The shouting and crying of peddlers, hawkers, vendors, which disturb the quiet and peace of the neighborhood.

(13) *Noises to attract attention.* The use of any drum, loudspeaker, or other instrument for the purpose of attracting attention by creation of noise to any performance, show, sale, display, or advertisement of merchandise.

(14) *Blowers, engines.* The operation of any noise-creating blower, power fan, or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise emitting therefrom is sufficiently muffled and the engine is equipped with a muffler device sufficient to deaden such noise, so that the same shall not cause annoyance to the public nor unreasonably disturb the rest and quiet of persons on adjacent premises or within the vicinity thereof.

(15) *Appliances and other mechanical devices.* The operation of any noise-producing appliance or other mechanical device which, due to operational deficiencies, malfunction or other type of disrepair, causes loud and excessive noises in such a manner as to unreasonably annoy the public or disturb the rest and quiet of persons on adjacent premises or within the vicinity thereof.

(16) *Gun Fire.* The discharge of a firearm within one thousand (1,000) feet of an occupied dwelling or structure without permission from the owner or occupant of that property.

(17) *Loudspeakers or amplifiers.*

a. The use of mechanical loudspeakers or amplifiers on trucks, airplanes or other vehicles or by any other means for advertising or other commercial purposes is prohibited.

b. In the exercise of noncommercial free speech, loudspeakers or amplifiers may be used, subject to the following conditions:

1. It shall be unlawful for any person to speak into a loudspeaker or amplifier within the corporate limits of the Town, when such loudspeaker or amplifier is so adjusted that the voice of the speaker is amplified to the extent that it is audible at a distance in excess of one hundred fifty (150) feet from the person speaking; provided that such use in Town recreational facilities shall be regulated by the rules of the Town; provided, further, that the county health department may, upon obtaining a permit approved by the Council, use loudspeakers or amplifiers as a part of its educational campaign.

2. No wires or other materials or connections for the transmission of power or for other purposes shall be placed on any street, sidewalk or on the ground in any public park or public place. Any such wires, materials or connections shall be placed not less than seven (7) feet above the street, sidewalk or ground except at the point of connection to the loudspeaker or amplifier.

(c) A violation of this section by any person shall subject the offender to a fine of up to two hundred dollars (\$200.00) and/or imprisonment for up to thirty (30) days. A second violation by the same person within one (1) year shall subject such person to a fine of up to four hundred dollars (\$400.00) and/or imprisonment for up to thirty (30) days. All subsequent violations by the same person within one (1) year shall subject such person to a fine of up to five hundred dollars (\$500.00) and/or imprisonment for up to thirty (30) days.

(d) In the interest of public safety and convenience the following activities are excepted from the application of this section.

(1) Emergency work made necessary to restore property to a safe condition; emergency work required to protect persons or property from danger or potential danger; or work by private or public utilities when restoring utility service.

(2) Blasting and pile driving on street or road projects are exempted under this exception only to the extent that they are carried on between the hours of 9:00 a.m. and 5:00 p.m., Monday through Saturday.

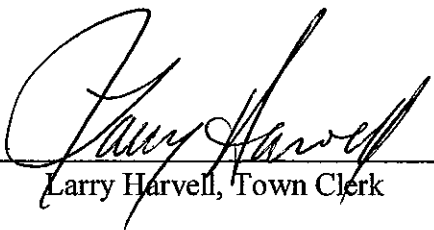
Sec. 1-1.1. Owner and occupant responsibility for noise violations.


An owner of any premises subject to section 1-1 who is not an occupant of the premises shall be responsible and subject to civil penalty but not criminal liability, for actions by tenants, guests, or other licensees that constitute second or subsequent violations of section 1-1 but only if such absentee owner has been notified of the first or previous violations of section 1-1 which have occurred within the previous twelve-month period. Notice of any first or previous violations pursuant to this paragraph shall be effected by registered or certified mail.

The civil penalty for violation of this section shall be one hundred dollars (\$100.00) to be paid within ten (10) days following service, which penalty may provide for an additional fifty dollars (\$50.00) delinquency charge upon nonpayment, and which penalty and delinquency charge may be recovered by the Town in a civil action.

ADOPTED: July 6, 1999

Ordinance No. _____

(SEAL) 
Larry Harvell, Town Clerk

	Ordinance: Prohibiting Sex Offenders	Effective Date: 02/01/2009
	Ordinance Number: Draft O-2009-001	Revision Effective Date:
	Responsible Party: Town Council	Revision Page Number:



ORDINANCE PROHIBITING SEX OFFENDERS FROM ENTERING PARKS AND RECREATIONAL FACILITIES

Adopted
January 13, 2009
Effective February 1, 2009

Ordinance Prohibiting Sex Offenders From Entering Parks and Recreational Facilities

WHEREAS, the Town of Summerfield parks and recreational facilities are meant for the peaceful enjoyment of our citizens and are in desirable and well utilized locations for such enjoyment;

WHEREAS, the Town of Summerfield parks and recreational facilities are public spaces wherein sexual offenders may sometimes attempt to find victims; and

WHEREAS, the State of North Carolina, the Mayor, Town Council members and Staff recognize that protection of the public is of paramount governmental interest; and

WHEREAS, it is in the interest of promoting the general welfare and safety of the people of the Town of Summerfield to reduce opportunities for sexual offenders to make use of public spaces for criminal intent; and

WHEREAS, the Mayor, Town Council members and Staff finds it in the best interest of the citizens and residents of the Town of Summerfield to prohibit and ban Registered Sex Offenders from the Town of Summerfield parks and other recreational facilities; and

WHEREAS, North Carolina General Statute 160A-174 states that a town may by ordinance define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the town, and may define and abate nuisances.

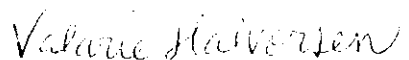
NOW, THEREFORE, BE IT RESOLVED that the Town Council of Summerfield hereby enacts Ordinance Number O-2009-001 Prohibiting Sex Offenders From Entering Parks and Recreational Facilities.

Adopted this 13th day of January, 2009



Mayor

Attest:



Valarie Halvorsen, Town Clerk

Approved as to form:


William Hill, Town Attorney

Ordinance Prohibiting Sex Offenders From Entering Parks & Recreation Facilities

A. Prohibition: No person registered with the State of North Carolina and any other state or federal agency as a registered sex offender, including, but not limited to the sex offender registry established pursuant to Article 27A of Chapter 14 of the North Carolina General Statutes, shall enter into or upon any public park or recreation facility owned, operated or maintained by the Town.

B. Penalties: Violation of this ordinance shall be punishable by a fine of five hundred dollars (\$500.00) and/or incarceration for up to thirty (30) days. Each entry into a public park or recreational area, regardless of the time period between such entries, shall constitute a separate offense under this article.

C. Definitions: For purposes of this ordinance, the following definitions shall apply:

Official Meeting – A meeting that is required to be open to the public by the Open Meetings Law, Article 33C of Chapter 143 of the North Carolina General Statutes.

Public Park – Any publicly owned, leased, operated, or maintained property that is designated as a park by the town, including any adjacent public parking area as well as the driveway, entrance way, or pedestrian walkway used by the public to access the public park.

Recreational Facility – Any publicly owned, leased, operated, or maintained property that is designated as a recreational facility by the town, including any adjacent public parking area as well as the driveway, entrance way, or pedestrian walkway used by the public to access the public recreation facility.

Registered Sex Offender – An individual who is registered by any state or federal agency as a sex offender and/or whose name is published or required to be published on any state or federal sex offender registry, including, but not limited to the North Carolina Sex Offender and Public Protection Registry established pursuant to Article 27A of Chapter 14 of the North Carolina General Statutes.

D. Signage Required: The Town Manager or his/her designee shall be charged with posting this regulation at the entrances to each Public Park and recreational facility within thirty (30) days of the passage of this article.

E. Limited Exceptions:


- 1) **Official Meetings:** A registered sex offender who has the right to be present at an official meeting shall have the limited privilege of entering on and into a park or recreational facility for such time as is necessary to attend said meeting or function, but any form of loitering or lingering shall be a violation of this ordinance.

The privilege shall only extend to those parts of the park and/or recreational facility that are commonplace for meetings of that kind and any registered sex offender found outside of those parts shall be punished as outlined above.

- 2) Polling Place: When such recreational facility is used as a polling place for an election, the registered sex offender may enter the facility for the limited purpose of voting if he/she qualifies to do so at that polling place.

The privilege shall only extend to those parts of the park and/or recreational facility that are commonplace for polling and any registered sex offender found outside of those parts shall be punished as outlined above.

- F. Severability:** If any section, subsection, paragraph, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

	Ordinance: Park Rules and Regulations	Effective Date: 11/1/2010
	Ordinance Number: O-2010-005	Revision Effective Date: 11/14/2017
	Responsible Party: Town Council	Revision Page Number: 4



ORDINANCE

ESTABLISHING RULES AND REGULATIONS GOVERNING THE USE OF THE TOWN OF SUMMERFIELD PARKS AND RECREATION AREAS

Adopted
October 12, 2010
Effective November 1, 2010

**Ordinance Establishing Rules and Regulations Governing the use of the Town of
Summerfield Parks and Recreation Areas**

WHEREAS, outdoor recreation and the health benefits that it provides is very important to the Town of Summerfield; and

WHEREAS, the Town of Summerfield is committed to providing diverse and excellent recreational opportunities for its citizens; and

WHEREAS, the Town has constructed and dedicated the Summerfield Community Park, Summerfield Athletic Park and other recreational facilities for public use;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of Summerfield establishes Rules and Regulations Governing the use of the Town of Summerfield Parks and Recreation Areas and encourages use of the facilities by all citizens.

Adopted this 12th day of October, 2010

Mayor

Attest:

Approved as to form:

Valarie Halvorsen, Town Clerk

William Hill, Town Attorney

**Ordinance Establishing Rules and Regulations Governing the use of the Town of
Summerfield Parks and Recreation Areas**

The following rules shall regulate the use, occupancy, and the conduct of persons in or upon all parks or park property owned or administered by the Town of Summerfield, North Carolina. Failure to adhere to any rule or regulation may result in expulsion from the facility for the day and/or for an extended period of time. Failure to abide will result in violators being subject to arrest for trespassing. Additional rules and regulations for specific parks and facilities may be posted at each facility.

1. Hours of Operation

The Town reserves the right to close any park, park facility, or other structure at any time and for any reason. Such reasons include, but are not limited to, maintenance, weather, un-safe conditions, or special events.

A) Summerfield Community Park is open from dawn to dusk with the exception of special events or lease agreement, as recognized by the Town Manager or designated official.

B) Summerfield Athletic Park is open from 8:00 am to dusk with the exception of special events or lease agreement as recognized by the Town Manager or designated official.

C) Public trails and Greenways are open dawn to dusk with the exception of special events or lease agreement as recognized by the Town Manager or designated official.

2. Vehicles in Parks

A Motor vehicle is defined to include mini-bikes, go-carts, golf-cart, motorbikes, ATV's or any other self-propelled motorized vehicle. It shall be unlawful for any person to drive any vehicle anywhere in any park, except upon the regularly established roadways; and it shall be unlawful for any person to park or permit to be parked any vehicle anywhere except upon designated parking areas. Motorized vehicles used for park maintenance and duly recognized by the Town Manager or designated official as such are exempt from this rule. Motorized wheelchairs and other mobility assistive devices including Segways (Electronic personal Assistive Mobility Device) are allowed in parks, paths, sidewalks and trails as prescribed by North Carolina law; however the Town Manager or designated official reserves the authority to regulate the time, place, and manner of use.

3. Bicycles in Parks

Cyclists shall observe all NC Bicycle Statutes including, but not limited to, the NC Helmet Law. All cyclists are encouraged to wear helmets in Summerfield Town Parks.

Bicycles shall be allowed only on designated paths and trails, and on public roadways within Town Parks.

4. Advertising and Signage

It shall be unlawful for any person to place or erect any structure, sign, bulletin board, post pole, or advertising device of any kind whatsoever in any park. It shall be unlawful to attach any notice, bill, poster, sign, wire, rod, or cord to any tree, shrub, fence, railing, post, or structure within an park except as authorized by the Town Manager or designated official.

5. Destruction of Park Property

A. It shall be unlawful for any person to remove, destroy, mutilate, or deface any structure, monument, planter, fountain, wall, fence, railing, vehicle, bench, trash can, restroom, playground, trees, plants, or any other property in any park.

B. Geocaching

1. A cache must be registered with the Town of Summerfield. Contact Town Hall at (336) 643-8655.
2. A detailed map including the exact location of the cache must be provided to the Town for approval. A detailed list of the cache contents must be provided to the Town.
3. The person applying for the cache permit must provide valid contact information to include name, address, phone number, and/or email address.
4. A specific time frame for the cache should be determined if possible to avoid abandoned articles. Recommended: three months. The applicant is responsible for removing the physical cache from public property. Abandoned or illegal caches will be removed and discarded.
5. The applicant agrees to remove the cache from any website or other promotional means at the completion of the cache period.
6. Caches shall be of a manner not to threaten or encourage wildlife usage such as nesting.
7. Virtual caches are encouraged when possible.
8. The cache must not be buried, disturb vegetation, placed in water, placed using nails, screws or fasteners or provide an imminent hazard.
9. The applicant agrees to reimburse the Town of Summerfield for any replacement or repair costs associated with any damage or theft caused by the placement of a cache.
10. Metal detectors may not be used to search for a cache.
11. Permits will not be granted for areas not intended to be accessible to the general public.
12. Changing the location of an existing cache will require a new permit.
13. If for any reason it is determined a cache is causing adverse impacts to the park, facility, environment, staff, or public, the cache will be removed by the Town and held for ten days to be picked up by the permit holder. Caches not retrieved after ten days will be discarded.
14. The Town reserves the right to regulate the number of caches within any facility or grounds.

C. Plant Material

It shall be unlawful for any person to dig, cut, bruise, mutilate or cause to be transplanted, cut, bruised, debarked, or mutilated any plant material of all and any description within any park land without written permission of the Town Manager or designated official. All new plant material must be approved by the Town Manager or designated official.

EXCEPTION: Flowers may be gathered in small bunches for non-commercial use at the Summerfield Community Park wildflower field (located adjacent to the amphitheatre). This privilege may be revoked if such flower gathering is determined to be detrimental to the viability of the field.

6. **Weapons, Firearms, and Incendiary Devices**

Regarding firearms and other weapons, ORD-2017-001 entitled “*Regulations Regarding Handguns, Firearms, and Other Weapons at Summerfield Athletic Park, Summerfield Community Park, and Town-Owned Property*” applies.

7. Animals Running at Large

No animals are allowed to enter lakes, ponds, or streams on or off a leash.

A) At Summerfield Community Park it shall be unlawful for any person to allow or permit any horses, mules, dogs, or other animals to run at large. Dogs are allowed on a leash. Pet owners are required to clean-up pet excrement prior to leaving the area. The Town Manager or designated official has the authority to close the park to all animals during designated times of day or designated Town events.

B) At Summerfield Athletic Park it shall be unlawful for any person to allow or permit any horses, mules, dogs, or other animals to run at large. Due to the nature of the facility, and the likelihood of interactions between children and animals, dogs are expressly prohibited from the facility. Owners shall be issued a warning; repeat offenders will be asked to leave the facility and may be barred from attendance for willfully ignoring this rule.

C) At Trails and Greenways it shall be unlawful for any person to allow or permit any horses, mules, dogs, or other animals to run at large. Dogs are allowed on a leash. Horses and mules shall be allowed on designated and marked bridle paths.

The Town Manager or designated official shall have the authority to modify above standards for special events or activities.

8. Molesting Animals

It shall be unlawful for any person to trap, catch, wound or kill, or cause to be injured, treat cruelly, or tease, or any attempt to trap, wound, kill, or tease any bird or animal, or to rob the nest of any bird, or the lair, den, or burrow of any animal in or upon any land owned or administered by the Town of Summerfield except as permitted by the Town Manager or designated official.

It shall also be unlawful to release or place any animal onto land owned or administered by the Town of Summerfield.

EXCEPTION: Animal control devices used by professionals or staff.

9. Fishing

It shall be unlawful to fish in any waters other than areas designated by the Town for fishing. NC Wildlife Resources Commission Fish Rules & Regulations apply. Fishing is permitted at Summerfield Community Park only and is regulated to bank-side and fishing pier only. There shall be no fishing from the wildlife overlook or along any streams. Seines, traps, or other special devices are not allowed.

10. Commerce

It shall be unlawful for any person to engage in soliciting, peddling, begging, or selling, or ply the vocation of a solicitor, agent, peddler, beggar, or salesman of any description in any part, and it shall be unlawful for any person to sell, hawk, or vend fruits, candies, popcorn, peanuts, ice cream, soft drinks, or other items of merchandise within any park. Special events and exhibition shows approved by the Town Manager or designated official are exempt from this rule.

EXCEPTION: Vending machine contracts negotiated on behalf of the Town are allowed in all parks.

Summerfield Athletic Park concession stand may be operated per agreement between Town and contracted concessioner.

11. Disorderly Conduct

It shall be unlawful for any person to use any boisterous, obscene, or insulting language or to be guilty of disorderly conduct of any kind in any park. Persons found guilty of disorderly conduct may, at the discretion of the Town Manager or designated official, be banned from further entry into any park owned or administered by the Town of Summerfield.

12. Sex Offenders

Summerfield Ordinance O-2009-001, "Prohibiting Sex Offenders from Entering Parks and Recreational Facilities of the Town of Summerfield" applies at all times and under all circumstances in all parks and recreational facilities.

13. Tobacco Use

"Tobacco Free Zones" have been established in areas of youth activity. No tobacco use is allowed in the areas where signs are posted. Failure to comply with this rule may result in expulsion from the facility and the offender may be barred from future attendance. The Summerfield Athletic Park, in its entirety, is considered a Tobacco Free Zone.

14. Beer, Wine, Ale, and other Alcoholic Beverages

It shall be unlawful for any person to possess, consume, or display publicly any beer, wine, ale, or any alcoholic beverage within any park; and it shall be unlawful for any person under the influence of intoxicating beverages to enter or remain in any park.

15. Games and Sports

It shall be unlawful for any person to play football, baseball, or other games of like character in any area of any park where signs are posted in such area specifically prohibiting such games. At no time, under no circumstances, shall such games be played in such proximity to playground equipment or park structures as to threaten harm to persons using the park or damage park structures. The hitting of golf balls is strictly prohibited in all facilities.

The Summerfield Athletic Park has established rules for reserving fields for individual and league play. Unless otherwise reserved or closed by the Town, fields are open during daylight hours on a first come, first served basis at no charge. Repeated and ongoing use by the same league, club, or team may constitute a violation of this provision and will require the league, club, or team to pay a field usage fee for continued use of the field(s). Athletic Field lighting shall only be available to leagues, clubs, or teams that have an approved usage agreement.

16. Fires

It shall be unlawful for any person to make or kindle a fire in any park, except in a stationary charcoal grill as provided by the park, or a gas grill approved by the Town Manager or designated official. It shall be unlawful for any person to leave any fire unattended, or to fail to completely extinguish a fire and all embers before leaving such fire. Provision, use, and disposal of any cooking materials or supplies are the responsibility of the park visitor.

EXCEPTION: Vendors approved and contracted by the Town for Special Events.

17. Dumping

No person shall deposit, dump, throw, cast, lay, or place, or cause to be deposited, dumped, thrown, cast, laid, or placed any ashes, trash, rubbish, soil, or earth, paper, garbage, refuse, debris, plant clipping, limbs, or leaves in or upon any park or park lands or in any watercourse, lake, pond, or slough within any park.

18. Use of Park Lakes or Ponds

Swimming and use of any powered or non-powered boat is prohibited in any park body of water.

19. Skates, Skateboard, and Rollerblades

The use of skates, rollerblades, and skateboards is prohibited on park roads, walkways and parking lots.

EXCEPTION: In Summerfield Community Park skates, skateboards, and rollerblades are permitted on park roads not normally open to vehicular traffic, but are prohibited on walkways and in parking lots. Improper behavior by anyone including, but not limited to, jumping from steps, walls, or other park structures, shall lead to expulsion of the offender from the park and the loss of the privilege for skates, rollerblades, and skateboards from being allowed for all users of the facility.

20. Amplified Music

Devices that produce a sound that carries more than 200 feet or is loud enough to disturb other park patrons or nearby homeowners is prohibited. The judgment of the level of disturbance is at the discretion of the Town Manager or designated official. Special events approved by the Town Manager are exempt from this rule.



TOWN ORDINANCE



ORDINANCE NAME: **REGULATIONS REGARDING HANDGUNS, FIREARMS,
AND OTHER WEAPONS AT SUMMERFIELD ATHLETIC
PARK, SUMMERFIELD COMMUNITY PARK, AND
TOWN-OWNED PROPERTY**

ORDINANCE #: ORD-2017-001

ORIGINAL ADOPTION DATE: 11-14-17

ORIGINAL EFFECTIVE DATE: 11-14-17

Section:

- ___.01. Purpose
- ___.02. Concealed Handguns with valid permit
- ___.03. Other firearms and weapons
- ___.04. Exceptions
- ___.05. Violations

§___.01. **Purpose:** The purpose of this chapter is to regulate the carrying and display of handguns, firearms and other weapons at Summerfield Athletic Park, Summerfield Community Park and Town owned Buildings, hereinafter Town Owned Property

§___.02. **Concealed handguns:** A person with a valid Concealed Carry Permit, may possess a handgun, in a concealed manner on all Town owned Property.

§___.03. **Other firearms and weapons:**

- (A) No person shall **display** any weapon, as defined in N.C.G.S. §14-269(9) on or at any Town Owned Property, which includes the open display of handguns, or “open carry.” These restrictions do NOT apply to any greenways, trails or walkways as defined by state law. In addition, an individual, otherwise lawfully carrying a firearm, may secure it in a vehicle when visiting town owned property.
- (B) Town owned property must be posted in order to be subject to this ordinance.
- (C) This Section ___.03 is not applicable to those with a valid concealed carry permit recognized in North Carolina, which are governed by section ___.02 above.

§___.04. **Exceptions.** The possession or display of a firearm or other weapon is exempt from the provisions of this section in the following situations:



- (A) If the possession or display of the firearm, or other weapon, is the result of an individual(s) exercising his or her legitimate right to self-defense or the defense of others as allowed by law.
- (B) If the possession or display of the firearm, or other weapon, is conducted by a person(s) authorized by law to carry and display such items as part of their official or otherwise recognized lawful duties (e.g., law enforcement officers, military personnel, security guards, etc.).
- (C) If the possession or display of the firearm, or other weapon, is necessary for the temporary transport and securing of the item and is not otherwise in violation of existing statutes or ordinances (e.g., recent purchase and movement to vehicle for transport, securing firearm by CCW permit holder in vehicle, found item to be turned into authorities, firearm in approved vehicle gun rack, etc.).
- (D) The possession or display of a knife with a blade longer than three (3) inches used for fishing purposes only.
- (E) The possession or display of a knife with a blade longer than three (3) inches for the performance of the duties of a Town employee or contractor.

§ .05. **Violation.** The carrying of concealed handguns or the possession or display of any firearm or other weapon as defined in this section, in or on any of the locations specified by this section, shall constitute a misdemeanor and subject any violator(s) so convicted to such penalties as may be imposed by the Court.

Adopted this 14th day of November, 2017.

Attest:

Mayor Mark Brown

Deputy Clerk Mary Gant

Town Attorney William Hill