

TITLE XIII: GENERAL OFFENSES

Chapter

130. OFFENSES AGAINST PUBLIC MORALS

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CHAPTER 130: OFFENSES AGAINST PUBLIC MORALS

Section

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- 130.02 Vagrants
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Cross-reference:

Assembling on sidewalk, see § 90.35

§ 130.01 OCCUPANT NOT TO PERMIT DISORDERLY CONDUCT OR LOITERING.

No occupant of any house, whether residence or business, shall permit the same to be kept in an indecent and offensive or disorderly manner or permit loafers or idle persons to congregate therein or in front of the same to the annoyance of persons passing by or living in the vicinity.

(`59 Code, Chapter I, Article I, § 1) Penalty, see § 130.99

§ 130.02 VAGRANTS.

Any and all tramps, vagrants, or persons under suspicion, who shall be found with no visible means of support, either male or female, shall not be allowed on the streets or other public places.

(`59 Code, Chapter I, Article I, § 2) Penalty, see § 130.99

§ 130.03 HOUSE OF ILL FAME.

No person shall keep a house or other place of ill fame in the town, and no person shall knowingly rent any house to be used as a house of ill fame. All adult persons living in such a house shall be considered as keepers thereof and be subject to the penalties of this code.

(`59 Code, Chapter I, Article I, § 3) Penalty, see § 130.99

§ 130.04 PROFANITY AND BOISTEROUS CONDUCT.

It shall be unlawful for any person to use loud and boisterous language so as to become a nuisance, or to use any form of profanity or indecent language on the street or in a gathering, audience, or assembly, or in any public place whatsoever, or to indecently expose themselves within the corporate limits.

(` 59 Code, Chapter I, Article I, § 4) Penalty, see § 130.99

§ 130.05 PUBLIC DRUNKENNESS.

It shall be unlawful for any intoxicated person to be on or upon any public street or other public place.

(` 59 Code, Chapter I, Article I, § 5) Penalty, see § 130.99

§ 130.06 BEER AND WINE.

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALCOHOLIC BEVERAGES. Shall include:

(a) Beer, lager beer, ale, porter, and other brewed or fermented beverages containing 0.5% of alcohol by volume but not more than 5% of alcohol by weight as authorized by the laws of the United States of America; and

(b) **UNFORTIFIED WINES.** Wine of an alcoholic content produced only by natural fermentation or by the addition of pure cane, beet, or dextrose sugar and having an alcoholic content of not less than 5% and not more than 14% of absolute alcohol, the percentage of alcohol to be reckoned by volume, which wine has been approved as to identity, quality, and purity by the state Board of Alcoholic Control as provided by law.

PERSON. Any individual, firm, partnership, association, corporation, or other groups or combinations acting as a unit.

(B) *Unlawful acts.* It shall be unlawful for:

(1) Any person to drink alcoholic beverages or to offer a drink to another person on any public road, street, alley, parking lot, sidewalk, or other publicly owned or leased place within the town;

(2) Any person to make public display of alcoholic beverages at any athletic contest in the town; or

(3) Any person to possess or consume any alcoholic beverages upon any premises except where expressly permitted by the General Statutes of the state.
(Ord. passed 7-1-74) Penalty, see § 130.99

§ 130.07 LOITERING AT NIGHT.

It shall be unlawful for any person or persons to loaf, loiter, or congregate on the streets or sidewalks, or in the alleys, or any public place in the town after 11:00 p.m. Anyone violating this section shall, upon conviction, be guilty of a misdemeanor.
(Ord. passed 11-3-69) Penalty, see § 130.99

§ 130.08 POOL ROOMS; MINORS RESTRICTED.

No person or owner of any pool room or billiard room shall allow any person under 18 years of age to play at games or to loiter in public pool rooms in the town.
(59 Code, Chapter H, Article II, § 14) Penalty, see § 130.99

Cross-reference:

Game Rooms, see §§ 112.01 - 112.06

§ 130.99 PENALTY.

(A) Any person who violates any provision of this chapter for which no other specific penalty has been provided shall be subject to the penalties described in § 10.99 of this code.

(B) The violation of § 130.06 shall constitute a misdemeanor and shall be punishable by a fine not exceeding \$50 or imprisonment for not more than 30 days in the discretion of the court.
(Ord. passed 7-1-74)

CHAPTER 131: OFFENSES AGAINST PUBLIC PEACE

Section

Restrictions on Picketing and Demonstrations

- 131.01 Noise restrictions
- 131.02 Sidewalk use
- 131.03 Numbers and spacing
- 131.04 One location within a block
- 131.05 Placards
- 131.06 Prohibited locations
- 131.07 Notice requirement
- 131.08 Right-of-way obstruction; dispersal requirement

- 131.99 Penalty

RESTRICTIONS ON PICKETING AND DEMONSTRATIONS

§ 131.01 NOISE RESTRICTIONS.

Any or all assemblies and picketing shall be peaceful and unattended by boisterousness or excessive noise, and there shall be no shouting, clapping, or singing of a nature so as to disturb the peace and tranquility of the community.

(Ord. O-63-002, passed 9-6-63) Penalty, see § 131.99

§ 131.02 SIDEWALK USE.

Picketing and demonstrations shall be conducted only on public sidewalks maintained by the town, and only the outside half of the sidewalks next to the nearest street edge shall be used by the pickets or demonstrators. No picketing or demonstrating shall be conducted on the remaining portion of the sidewalks or on that portion of the streets used primarily for vehicular traffic or parking.

(Ord. O-63-002, passed 9-6-63) Penalty, see § 131.99

§ 131.03 NUMBERS AND SPACING.

The marching of pickets and demonstrators shall be in single file and they shall be spaced a distance of not less than 15 feet apart, and not more than six pickets shall picket or demonstrate before any given place of business or public facility. No vehicle or animal shall be used in any picket or demonstrating line, and all pickets or demonstrators shall be afoot.

(Ord. O-63-002, passed 9-6-63) Penalty, see § 131.99

§ 131.04 ONE LOCATION WITHIN A BLOCK.

(A) Pickets or demonstrators promoting the same objective may picket or demonstrate in front of only one place of business or public facility within a town block at any one time.

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

BLOCK. The portion of a street lying between intersections.

(Ord. O-63-002, passed 9-6-63) Penalty, see § 131.99

§ 131.05 PLACARDS.

Pickets or demonstrators shall carry only cardboard or paper placards or signs and the words used thereon shall not be defamatory in nature and shall not be such that they would tend to produce violence. No metal, wood, or other hard material may be attached to the placards or signs, and placards or signs shall not be more than 24 inches in length nor more than 24 inches in width. No picket, demonstrator, or person supervising or accompanying the picket or demonstration shall make any statement which is inflammatory in nature or which would tend to produce violence or incite riot.

(Ord. O-63-002, passed 9-6-63) Penalty, see § 131.99

§ 131.06 PROHIBITED LOCATIONS.

There shall be no picketing or demonstrating in front of any building in which the following are located:

- (A) A church;
- (B) A fraternal order;
- (C) A school; or

(D) A hospital, nursing home, or rest home.
(Ord. O-63-002, passed 9-6-63) Penalty, see § 131.99

§ 131.07 NOTICE REQUIREMENT.

The Chief of Police of the town is to be given at least eight hours notice by any person or persons planning to picket or demonstrate. This notice shall include the name of the organization or organizations planning to picket and also shall include the names of the places of business or public facilities which will be picketed and the date and the hours that the picketing or demonstrating will be conducted.

(Ord. O-63-002, passed 9-6-63) Penalty, see § 131.99

§ 131.08 RIGHT-OF-WAY OBSTRUCTION; DISPERSAL REQUIREMENT.

Whenever the free passage of any street or sidewalk in the town shall be obstructed for any reason by a crowd, the persons composing that crowd shall disperse or move on when directed to do so by a police officer. It shall be unlawful for any person to refuse to so disperse or move on when so directed by a police officer as herein provided.

(Ord. O-63-002, passed 9-6-63) Penalty, see § 131.99

§ 131.99 PENALTY.

(A) Any person who violates any provision of this chapter for which no other specific penalty has been provided shall be subject to the penalties described in § 10.99 of this code.

(B) Violation of the regulations in §§ 131.01 - 131.08 shall constitute a misdemeanor, and shall be punishable by a fine not exceeding \$50 or imprisonment not exceeding 30 days.

(Ord. O-63-002, passed 9-6-63)

CHAPTER 132: OFFENSES AGAINST PUBLIC HEALTH AND SAFETY

Section

- 132.01 Firearms discharge
- 132.02 Public urination or defecation
- 132.03 Loitering for drug-related activity

§ 132.01 FIREARMS DISCHARGE.

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

(^ 59 Code, Chapter I, Article II, § 3) Penalty, see § 10.99

§ 132.02 PUBLIC URINATION OR DEFECATION.

(A) *Purpose and intent.* The purpose of this section is to prohibit urinating or defecating in public, in order to allow public property to be used more enjoyably and to promote the good health of the public.

(B) *Authority.* This section is adopted under the authority granted by G.S. § 160A-174.

(C) *Jurisdiction.* This section applies to all property accessible to the general public.

(D) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DEFECATE. The act of expelling solid waste from the human body..

PERSON. Any individual, firm, partnership, association, corporation, other organizations or groups, or a combination of persons acting as a unit.

PUBLIC PLACE. Any building, street, alley, parking lot, or any other place that is easily accessible to the general public.

(E) *Enforcement.* Any person violating this section will be charged by citation, criminal summons, or by physical arrest for this violation. Violation shall be a misdemeanor as provided by G.S. § 14-4. (Ord. O-99-01, passed 10-4-99) Penalty, see § 10.99

§ 132.03 LOITERING FOR DRUG-RELATED ACTIVITY.

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

PUBLIC PLACE. Any street, sidewalk, bridge, alley or alleyway, plaza, park, driveway, parking lot, or transportation facility, or the doorways and entranceways to any building which fronts on any of those places, or a motor vehicle in or on any of those places, or any property owned by the town.

(B) It shall be unlawful for a person to remain or wander about in a public place in a manner and under circumstances manifesting the purpose to engage in a violation of any subdivision of the state Controlled Substance Act, G.S. Chapter 90, Article 5. This type of circumstances shall include:

- (1) Repeatedly beckoning to, stopping, or attempting to stop passersby, or repeatedly attempting to engage passersby in conversation;
- (2) Repeatedly stopping or attempting to stop motor vehicles;
- (3) Repeatedly interfering with the free passage of other persons;
- (4) Repeatedly passing to or receiving from passersby, whether on foot or in a vehicle or by courier, money or objects; or
- (5) Taking flight upon the approach of a police officer.

(C) Violation of any provision of this section shall be a misdemeanor as provided by G.S. § 14-4. (Ord. O-98-001, passed 3-2-98) Penalty, see § 10.99

Cross-reference:

Assembling on sidewalk, see § 90.35