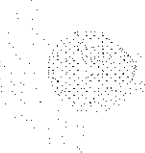


Chapter 13

**OFFENSES AND MISCELLANEOUS PROVISIONS\***

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\*Cross reference—General penalty for Code violations, § 1-11.



**Sec. 13-1. Noisemaking devices.**

(a) The use of noisemaking devices is hereby prohibited within all areas of the town other than those areas classified under the zoning ordinance of the town as rural zones.

(b) The penalty for the violation of this section shall be a fine of not more than twenty-five dollars (\$25.00), and each day on which a violation occurs shall be considered a separate offense. (Ord. of 11-20-72)

*State law reference*—Municipal noise regulation programs, G.S. § 22a-73.

**Sec. 13-2. Loitering.**

(a) It shall be unlawful for any person to loiter upon any public or quasipublic property.

(b) For the purposes of this section, the following definitions shall apply:

*Loiter* shall encompass one (1) or more of the following acts committed on public or quasipublic property within the town:

- a. Obstruction of the free, unhampered passage of pedestrians or vehicles.
- b. Obstructing, annoying or interfering with any person lawfully upon any public or quasipublic property.
- c. Refusing to move on when so requested by a police officer, or other officer having the power of arrest, provided such officer has exercised his discretion reasonably under the circumstances, in order to preserve or promote public peace and order.

*Quasipublic property* shall include any enclosed or open area of any business property to which the public is invited, including any parking or sidewalk area adjacent thereto.

(c) Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in accordance with section 1-11.

(Ord. of 6-15-70, §§ 1-3)

*State law reference*—Municipal authority to regulate loitering and trespassing, G.S. § 7-148(c)(7)(F).

**Sec. 13-3. Littering highways.**

(a) No person shall throw, place or discharge any paper, bottles, cans, rubbish or any other waste material of any kind, in, on, upon or about any highway located in the town.

(b) No person shall operate or move any vehicle, conveyance or other object containing paper, bottles, cans, rubbish or other waste material of any kind in such a manner that any paper, bottles, cans, rubbish or other waste material of any kind shall be thrown, placed or discharged in, on, upon or about any highway located in the town.

(c) No person shall place or load any paper, bottles, cans, rubbish or other waste material of any kind in or upon any object, vehicle or conveyance in such a manner that wind, the elements or the movement of such object, vehicle or conveyance will cause any paper, bottles, cans, rubbish or other waste material of any kind to be thrown, placed, blown or discharged in, on, upon or about any highway located in the town.

(d) Evidence that any paper, bottles, cans, rubbish or other waste material of any kind was thrown, placed, blown or discharged in, on, upon or about any highway located in the town from any moving object, vehicle or conveyance shall be prima facie evidence that the operator or person in control of such object, vehicle or conveyance at that time is guilty of a violation of this section.

(e) Every person who violates this section shall be fined in accordance with section 1-11.

(Ord. of 5-7-49, §§ 1-5)

*State law reference*—Littering or dumping prohibited, G.S. § 22a-250.

**Sec. 13-4. Discharging liquid substances onto highways.**

(a) Between December 1 and April 1 of any year it shall be unlawful for any person to discharge or allow to be discharged upon any public highway within the town any liquid substance, including water and septic tank effluents, in such manner as to create a dangerous and hazardous condition upon the highway.

(b) The superintendent of public works, upon learning of such unlawful discharge, is authorized to issue a cease and desist order to the person

responsible for the unlawful discharge. Failure to comply with such order shall constitute an infraction punishable in accordance with section 1-11.  
(Ord. of 6-21-76, § 2)

**Cross reference**—Streets and sidewalks, Ch. 19.