

CHAPTER 15: OFFENSES

Section

- 15-101 Firearms regulated
- 15-102 Posting bills or other advertising
- 15-103 Fire bombs prohibited
- 15-104 Yard sales (garage sale, attic sale, rummage sale, porch sale)

Notes

- ¹ Cross-reference:
General penalty, § 1-111; public consumption of alcoholic beverages, § 3-101; removal of bitten animals from quarantine, § 4-206; discharging firecrackers and other explosives prohibited, § 14-202(R); gambling in parks, § 16-210; disorderly conduct in parks, § 16-211; indecent behavior in parks, § 16-218.

§ 15-101 FIREARMS REGULATED.

It shall be unlawful for any person to discharge any firearm or air rifle of any type within the corporate limits, except by a law enforcement officer in the performance of his or her duty, or by a private citizen in defense of person or property, or pursuant to lawful directions of law-enforcement officers.

(Code 1976, § 11.4) Penalty, see § 1-111

Cross-reference:

Firearms in parks, § 16-204.

Statutory reference:

Authority of city to regulate discharge of firearms, G.S. § 160A-189.

§ 15-102 POSTING BILLS OR OTHER ADVERTISING.

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

(Code 1976, § 11.5)

Cross-reference:

Advertising, notices, bills in parks, § 16-202; use of nails and tacks on poles restricted, §19-106.

§ 15-103 FIRE BOMBS PROHIBITED.

(A) The provisions of this section shall be in addition to any state and federal law and, where applicable, shall be preempted by state and federal law, including, but not limited to G.S. § 14-284.1.

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

FIREBOMB. Any type of object designed, or constructed, so that, upon being propelled, it will explode, or ignite, its area of impact.

MOLOTOV COCKTAIL. Any breakable container, or any container which is designed in such a manner that upon being propelled, it will, at impact, empty its contents which is filled with an inflammable fluid, or substance, and which is fitted with a fuse or wick.

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

(D) It shall be unlawful for any person, or group of persons, to possess all the items, or materials, needed to manufacture Molotov cocktails, or other firebombs, except that individual components that are lawful for other purposes (for example, gasoline and kerosene) may be kept in a secure location.

(Code 1976, § 11.6) Penalty, see § 1-111

§ 15-104 YARD SALES (GARAGE SALE, ATTIC SALE, RUMMAGE SALE, PORCH SALE).

(A) For the purpose of this section, **YARD SALE** shall mean an occasional sale at which surplus, and primarily used, household goods and/or clothing are sold. In cases where such sales are conducted on the same property more than six days per calendar year, or in cases when new, or used, merchandise purchases for resale are resold, it shall be deemed a flea market and not a **YARD SALE**.

(B) It shall be unlawful for any person to conduct, or permit to be conducted, on his or her property in the town, more than six yard sales per calendar year, with each yard sale limited to one 24-hour day.

(C) A permit must be issued to the property owner by the Code Enforcement Officer, and must be posted in a highly visible place at the yard sale. All apparatus, racks, shelves, tables, signs, and other appurtenances associated with the sale shall be removed the same day as the sale.

(D) Flea markets are not permitted. For the purposes of this section, a **FLEA MARKET** is any commercial market where individual vendors sell a variety of inexpensive goods or secondhand items, either indoors or outdoors. This definition does not include antique malls operating within a fully enclosed space; events that occur once a year, such as a church bazaar or town-sponsored festival; or yard sales, as described above.

(Ord. 27-94, passed 11-7-1994) Penalty, see §1-111