

GENERAL OFFENSES

OFFENSES AGAINST PUBLIC PEACE AND SAFETY

GENERAL PROVISIONS

§ 130.01 CURFEW FOR MINORS.

(A) No minor under the age of 16 shall loiter, wander, stroll, loaf or play in or upon the streets, roads, alleys or other public places within the town, or in any vehicle placed or parked thereon between the hours of 11:00 pm and daylight of the following day, unless accompanied by the parent, guardian or other adult person having the care, custody or control of the minor.

('75 Code, § 15-4)

(B) No parent, guardian or other person having the care, custody or control of any minor under the age of 16 years shall permit such minor to violate any of the provisions of division (A).

('75 Code, § 15-5)

(1) Whenever any law enforcement officer discovers or has his attention called to the fact that a minor is violating any of the provisions of division (A), the duty officer shall make an immediate investigation of the violation.

(2) If the investigation reveals that division (A) is being violated by the minor, the officer shall take the minor in to custody and cause him to be taken or delivered to his home or place of residence and placed in the care and control of the parent, guardian or other person having control of the minor.

('75 Code, § 15-6)

(C) Any parent, guardian or other person having the care, custody or control of any minor who, after delivery of such minor to his custody under the provisions of division (C) shall permit such minor to again violate the provisions of this section shall be guilty of a misdemeanor and punished as provided by state law.

('75 Code, § 15-7)

§ **130.02 DISORDERLY CONDUCT.**

Any person who shall do or engage in any of the following shall be guilty of disorderly conduct:

(A) Any person who shall act in a violent or tumultuous manner toward another, whereby any person is placed in danger of safety of his life, limb or health.

(B) Any person who shall act in a violent or tumultuous manner toward another, whereby public property or property of any other person is placed in danger of being destroyed or damaged.

(C) Any person who shall endanger lawful pursuits of another by acts of violence or threats of bodily harm.

(D) Any person who shall cause, provoke or engage in any fight, brawl or riotous conduct so as to endanger the life, limb, health or property of another or public property.

(E) Any person who shall assemble or congregate with another or others and cause, provoke or engage in any fight or brawl.

(F) Any person who shall collect in bodies or in crowds and engage in unlawful activities.

(G) Any person who shall assemble or congregate with another or others and engage or attempt to engage in gaming.

(H) Any person who shall frequent any public place and obtain money from another by an illegal and fraudulent scheme, trick artifice or device, or attempt to do so.

(I) Any person who assembles with another or others and engages in any fraudulent scheme, device or trick to obtain any valuable thing in any place or from any person, or attempts to do so.

(J) Any person who utters, in a public place or any place open to the public any obscene words or epithets.

(K) Any person who frequents any place where gaming or the illegal sale or possession of alcoholic beverages or narcotics or dangerous drugs is practiced, allowed or tolerated.

(L) Any person who shall use "fighting words" directed towards any person who becomes outraged and thus creates turmoil.

(M) Any person who shall assemble or congregate with another or others and do bodily harm to another.

(N) Any person who shall, by acts of violence, interfere with another's pursuit of a lawful occupation.

(O) Any person who shall congregate with another or others in or on any public way so as to halt the flow of vehicular or pedestrian traffic and refuse to clear such public way when ordered to do so by a police officer or other person having authority.

(P) Any person who damages, befouls or disturbs public property or the property of another so as to create a hazardous, unhealthy or physically offensive condition.
('75 Code, § 15-8)

§ **130.03 FALSE ALARMS.**

No person shall make or circulate or cause to be made or circulated a false alarm of fire or false call to any emergency vehicle.

('75 Code, § 15-9)

§ **130.04 DISCHARGING OR PERMITTING CHILD TO DISCHARGE WEAPONS; POSSESSION OF WEAPONS ON TOWN PROPERTY.**

- a) It shall be unlawful for any person to discharge an air rifle, air pistol, air gun, slingshot or any like instrument used to eject a pellet or projectile, to discharge a pistol, rifle, shotgun or other firearm within the corporate limits, except in the following circumstances:
 - 1. By a police officer acting in the performance of his or her duties;
 - 2. With the permission of a police officer acting in the performance of his or her official duties;
 - 3. In self-defense;
 - 4. As a part of any use authorized by the Aberdeen Unified Development Ordinance. (Amended 06-22-15)

- b) Except as provided in subsection (1) below, all persons are prohibited from possessing weapons as defined in GS §14-269 and firearms as defined in §14-409.39 during and on the premises of any Town sponsored Fourth of July holiday festival.
 - 1. This section shall not apply to law enforcement personnel acting within the scope of their duties and to those persons lawfully permitted to possess and carry a concealed handgun pursuant to G.S. § 14-269.

(’75 Code, § 15-12) (Amended 06-22-15)

ANIMALS OWNED BY TOWN

§ 130.10 CRUELTY TO ANIMALS OR POLICE DOG OWNED BY TOWN.

It shall be unlawful to willfully torture, torment, beat, kick, strike, mutilate, injure, disable or otherwise mistreat a dog or other animal owned by the town or willfully by any action whatsoever interfere with the lawful performance of such dog or animal.

(Ord., passed 1-10-94)

Cross-reference:

Cruelty to animals generally, see § 91.03

GENERAL OFFENSES

OFFENSES AGAINST PERSONS AND PROPERTY

§ **131.01 REMOVING OR DESTROYING BARRICADES.**

No person, other than an employee of the town, shall remove, tear down or destroy any barricade which has been erected by the town.

('75 Code, § 15-2)

§ **131.02 TOBACCO AND E-CIGARETTE USE PROHIBITED ON TOWN PARKS AND RECREATION PROPERTY.**

(A) Definitions: For purpose of this section, the following definitions shall apply:

(1) Tobacco Product: A cigarette, cigar, or any other product that contains tobacco and is intended for inhalation or oral use.

(2) E-Cigarette: Any electronic oral device, such as one composed of heating elements, battery, and/or electronic circuit, which provides a vapor or nicotine or any other substances, and the use of inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, or under any other product name or descriptor.

(B) Prohibition: It shall be unlawful for any person to use any tobacco product or e-cigarette in or on any park, recreation building, indoor or outdoor athletic facility, greenway or trail, or any other indoor or outdoor recreation facility, or any portion thereof, that is owned, leased, operated, occupied, managed, or controlled by the Town.

(C) Violation:

(1) Smoking Tobacco Products. In accordance with G.S. 130A498, the smoking of tobacco products in violation of this section shall be an infraction and may be punished by a fine of not more than fifty dollars (\$50,00).

(2) Other Violations. In accordance with G.S. 14-4, all other violations of this section shall constitute a Class 3 misdemeanor and may be punished by a fine not to exceed fifty dollars (\$50.00).

(Amended 06-22-15)