

**TITLE XIII: GENERAL OFFENSES**

**Chapter**

**130. GENERAL OFFENSES**



CHAPTER 130: GENERAL OFFENSES

Section

*General Provisions*

- 130.01 Paid admissions
- 130.02 Minors prohibited in certain pool halls
- 130.03 Allowing drunken or noisy person in place of business

*Conduct*

- 130.15 Disorderly conduct
- 130.16 Disturbing public meetings
- 130.17 Hitchhiking
- 130.18 Unauthorized use of police whistles and fire signals

*Property Offenses*

- 130.35 Injuring private property
- 130.36 Injuring public property
- 130.37 Obscene pictures
- 130.38 Public display of sexually explicit material in establishments frequented by minors
- 130.39 Playing games in streets, throwing stones and the like
- 130.40 Spitting
- 130.41 Jumping on or off train
- 130.42 Blocking street crossings
- 130.43 Fishing at city lake prohibited

*Posting of Signs*

- 130.55 On private property
- 130.56 On trees and poles
- 130.57 Prohibiting the carrying of concealed weapons on certain municipal property

*Weapons; Explosives*

- 130.70 Discharging firearms

**GENERAL PROVISIONS**

**§ 130.01 PAID ADMISSIONS.**

It shall be unlawful to attempt to see any show or public entertainment for which a fee is charged without paying admission.

(`88 Code, § 14-17) Penalty, see § 10.99

**§ 130.02 MINORS PROHIBITED IN CERTAIN POOL HALLS.**

It shall be unlawful for any person under 18 years of age to be allowed to enter or loiter in a poolroom where pool, billiard or bagatelle tables or similar games are kept for rent, hire or compensation and where beer or other alcoholic beverages are sold, consumed or permitted upon the premises.

(`88 Code, § 14-20) Penalty, see § 10.99

*Statutory reference:*

*Permitting minors to enter barrooms or billiard rooms, see G.S. § 14-317*

**§ 130.03 ALLOWING DRUNKEN OR NOISY PERSON IN PLACE OF BUSINESS.**

No person engaged in any kind of business shall allow any drunken or noisy person in his or her place of business.

(`88 Code, § 14-23) Penalty, see § 10.99

*CONDUCT***§ 130.15 DISORDERLY CONDUCT.**

(A) Any person shall be guilty of disorderly conduct if he or she:

(1) Acts in a violent or tumultuous manner toward another, whereby any person is placed in fear of safety for his or her life, limb or health;

(2) Acts 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;

(3) Endangers lawful pursuits of another by acts of violence, angry threats and abusive conduct;

(4) Causes, provokes or engages in any fight, brawl or riotous conduct so as to endanger the life, limb, health or property of another or public property;

(5) Assembles or congregates with another or others for the purpose of causing, provoking or engaging in any fight or brawl;

(6) Jostles or roughly crowds or pushes any person in any public place;

(7) Collects in bodies or in crowds for unlawful purposes;

(8) Assembles or congregates with another or others for the purpose of or with the intent to engage in gaming;

(9) Frequents any public place with intent to obtain money from another by an illegal and fraudulent scheme, trick, artifice or device;

(10) Assembles with another or others for the purpose of engaging in any fraudulent scheme, device or trick to obtain any valuable thing in any place or from any person in the city or aids or abets therein;

(11) Utters while in a state of anger, in the presence of another, any lewd or obscene words or epithets;

(12) Frequents any place where gaming or the illegal sale or possession of alcoholic beverages or narcotics or dangerous drugs is practiced, allowed or tolerated;

(13) Acts in a dangerous manner toward others;

(14) Uses "fighting words" directed towards any person who becomes outraged and thus creates turmoil;

(15) Assembles or congregates with another or others for the purpose of doing bodily harm to another;

(16) By acts of violence, interferes with another's pursuit of a lawful occupation;

(17) Congregates with another or others in or on any public way so as to halt the flow of vehicular or pedestrian traffic and refuses to clear such public way when ordered to do so by a peace officer or other person having authority;

(18) Makes any unreasonably loud and unnecessary noise;

(19) Damages, befouls or disturbs public property or the property of another so as to create a hazardous, unhealthy or physically offensive condition;

(20) Consumes alcoholic beverages on any public street, sidewalk or any other public property within the corporate limits of the city. Possession of open containers of alcoholic beverages or containers with the seal broken shall be prima facie evidence of consumption;

(21) Consumes alcoholic beverages in a vehicle or not on any public or private parking lot within the corporate limits of the city, except those maintained at establishments holding a valid "on premises" license for the retail sale of beer or wine.

Possession of open containers of alcoholic beverages or containers with the seal broken shall be prima facie evidence of consumption.

(B) Any person convicted of disorderly conduct, as defined in this section, shall be punished as provided in § 10.99.

(`88 Code, § 14-2) Penalty, see § 10.99

*Statutory reference:*

*Disorderly conduct, see G.S. § 14-288.4*

#### § 130.16 DISTURBING PUBLIC MEETINGS.

It shall be unlawful to behave in a boisterous or indecent manner or to create any disturbance at or near any public entertainment or meeting.

(`88 Code, § 14-3) Penalty, see § 10.99

#### § 130.17 HITCHHIKING.

No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any private vehicle.

(`88 Code, § 14-8) Penalty, see § 10.99

#### § 130.18 UNAUTHORIZED USE OF POLICE WHISTLES AND FIRE SIGNALS.

No person without special authority from the Police Department or Fire Department shall carry or use any whistle, bell, horn or siren similar in appearance or sound to the whistles, horns or sirens used by the Police or Fire Department.

(`88 Code, § 14-19) Penalty, see § 10.99

### *PROPERTY OFFENSES*

#### § 130.35 INJURING PRIVATE PROPERTY.

It shall be unlawful to injure any property belonging to another.

(`88 Code, § 14-9) Penalty, see § 10.99

*Statutory reference:*

*Injury to real property, see G.S. § 14-127*

#### § 130.36 INJURING PUBLIC PROPERTY.

It shall be unlawful to injure, damage, deface, trespass upon, break or injure any property belonging to the city.

(`88 Code, § 14-10) Penalty, see § 10.99

*Statutory reference:*

*Injury to public property, see G.S. § 14-127*

#### § 130.37 OBSCENE PICTURES.

No person shall display on any street or alley or in any store, shop or public place in the city any vulgar or obscene pictures, marks, words or representation of any kind.

(`88 Code, § 14-15) Penalty, see § 10.99

*Statutory reference:*

*Obscene literature and exhibitions, see G.S. § 14-190.1*

#### § 130.38 PUBLIC DISPLAY OF SEXUALLY EXPLICIT MATERIAL IN ESTABLISHMENTS FREQUENTED BY MINORS.

(A) *Declaration of policy and findings.* The City Council does find that there exists an increasing trend

in the display of sexually explicit material in commercial establishments in such a manner that the material is within the open view of minors and is thereby easily accessible to them. The City Council further finds that the public display of such material is adverse and detrimental to the health, safety and welfare of its citizens, particularly minors, and the peace and dignity of the city, and as a matter of policy such display should be regulated under the police power of this city.

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

**KNOWINGLY.** Having knowledge of the character and content of the cover of the material or failing to exercise reasonable inspection which would disclose the character and content of the cover of the material.

**MINOR.** Any person under the age of 18 years.

**PUBLIC DISPLAY.** The placing, exposing or exhibiting of sexually explicit material in or on a newsstand, display rack, window, showcase, display case or similar place so that the material is easily visible from a public thoroughfare, sidewalk or from that portion of the interior of any business or commercial establishment frequented by minors or where minors are or may be invited as part of the general public.

**SEXUALLY EXPLICIT MATERIAL.** Any book, magazine or newspaper which contains on the cover any photograph, picture, drawing, depiction or other visual representation depicting human sexual intercourse, masturbation, homosexual acts, direct physical stimulation or touching of unclothed genitals or pubic areas of the human male or female, flagellation or torture by or upon a person who is nude or clad in revealing or bizarre costumes, uncovered or less than opaquely covered postpubertal human genitals or pubic areas or the exposure of the female breast or breasts below the top of the nipple, except those of infants.

(C) *Prohibited acts.* It shall be unlawful for any person to knowingly place on public display sexually explicit material in any business establishment frequented by minors or where minors are or may be invited as a part of the general public. However, such sexually explicit material may be displayed on any shelf, rack, stand or ledge which has an opaque screen or border of sufficient height so that only the title of any such material is visible and shall be bound by tape, plastic or other method of sealing to prevent a minor from viewing the contents.

(D) *Unlawful sales.* It shall be unlawful for any person, firm, corporation, salesclerk or other legal entity to sell to a minor such material as is covered under this section.

(E) *Penalties.* Violation of this section shall constitute a misdemeanor. Any person convicted of violating this section shall be punished in accordance with § 10.99. In addition to the criminal penalties herein provided, violations of this section may be enforced by the institution of proceedings in the form of a civil action for equitable and injunctive relief to restrain or prohibit the violation. The proceeding shall be brought in the Superior Court of Richmond County. The institution of any proceeding for equitable or injunctive relief under this subsection shall not relieve any party to such proceedings for any criminal penalty prescribed for violations of any part of this section.

(`88 Code, § 14-16) Penalty, see § 10.99

*Statutory reference:*

*Obscene literature and exhibitions, see G.S.  
§ 14-190.1*

### § 130.39 PLAYING GAMES IN STREETS, THROWING STONES AND THE LIKE.

It shall be unlawful for any person to play games in streets or to throw stones, shoot or otherwise project any missile whether by hand, sling or elastic gun in any street, alley or any other place within the city. (`88 Code, § 14-18) Penalty, see § 10.99

**§ 130.40 SPITTING.**

It shall be unlawful to spit on any paved sidewalk or platform connected with any railroad or bus passenger station or upon the floor or wall of any public building, church, theater and the like.  
(`88 Code, § 14-24) Penalty, see § 10.99

**§ 130.41 JUMPING ON OR OFF TRAIN.**

It shall be unlawful for any person to jump on or off a train in the city while the train is in motion.  
(`88 Code, § 17-1) Penalty, see § 10.99

**§ 130.42 BLOCKING STREET CROSSINGS.**

It shall be unlawful for the agent or employee of any railroad to block the crossing of any street in the city for a period in excess of ten minutes.  
(`88 Code, § 17-2) Penalty, see § 10.99

**§ 130.43 FISHING AT CITY LAKE PROHIBITED.**

It shall be unlawful for any person to engage in any form of fishing at or on the impoundment known as Rockingham City Lake. Punishment shall be by fine or imprisonment as for misdemeanors, and each violation shall be considered a separate offense.  
(Ord. passed 10-14-92) Penalty, see § 10.99

**POSTING OF SIGNS****§ 130.55 ON PRIVATE PROPERTY.**

No advertisement or pictures shall be posted on private property within the city without the consent of the owner of the property.  
(`88 Code, § 14-21) Penalty, see § 10.99

**§ 130.56 ON TREES AND POLES.**

No person shall tack or nail any sign or poster on any shade tree or electric or telephone pole.  
(`88 Code, § 14-22) Penalty, see § 10.99  
*Statutory reference:*  
*Posting commercial signs, see G.S. § 14-145*

**§ 130.57 PROHIBITING THE CARRYING OF CONCEALED WEAPONS ON CERTAIN MUNICIPAL PROPERTY.**

(A) *Posting of signs required.* The City Manager is authorized and instructed to post conspicuous signage at appropriate locations on or within each park and each building or portion of a building owned, leased as lessee, operated, occupied, managed or controlled by the city, as well as the appurtenant premises to such buildings, indicating that carrying a concealed handgun is prohibited therein.

(B) *Location of signs.* Signs on building shall be visibly posted on the exterior of each entrance by which the general public can access the building. The City Manager shall exercise discretion in determining the number and appropriate location of signs to be placed on or within appurtenant premises and parks.  
(Ord. passed 12-1-95) Penalty, see § 10.99

**WEAPONS; EXPLOSIVES****§ 130.70 DISCHARGING FIREARMS.**

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 or to discharge a pistol, rifle, shotgun or other gun within the corporate limits, except a police officer in the performance of his or her duty. It shall be unlawful for any parent of a child or any person who stands in the relationship of parent to a child to knowingly permit the child to discharge an air rifle, air pistol, air gun, slingshot or any like instrument used to eject a pellet or projectile within the corporate limits.  
(`88 Code, § 14-5) Penalty, see § 10.99

