

CHAPTER III: GENERAL REGULATIONS

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CHAPTER III: GENERAL REGULATIONS
ARTICLE 1: ANIMALS AND FOWL

Section

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Cross-reference:

Creation of noise, see ' 7-5.2(D)

Vicious animals in parades, see ' 3-2.5(B)

Statutory reference:

Animal protection, see G.S. ' ' 19A-1 et seq.

Authority to prohibit cruelty, see G.S. ' 160A-182

Authority to regulate domestic animals, see G.S. ' 160A-186

Overworking and the like, see G.S. ' 14-360

' 3-1.1 KEEPING OF HORSES AND MULES AND OTHER LIVESTOCK.

(A) No horse, mule, pony, jack, jenny, cow, swine, goat, sheep, fowl or other livestock may be kept, maintained or stabled within the municipality for a period longer than 24 hours.

(B) The prohibition in subsection (A) shall not apply when the animal is kept in a pasture, lot or enclosure of at least one acre in size for each animal with written permission of abutting landowners within 100 feet of the lot or pasture; provided that, no stable for the animal will be within 200 feet of any house of human habitation; and, provided further that, the owner of any animal will collect all manure from the lot or pasture at least once a week and deposit the same in an approved compost pile or as otherwise authorized by law.

(1989 Code, ' 3-1; 2003 Code, ' 3-1.1)

' 3-1.2 DOGS AT LARGECPROHIBITED.

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It shall be unlawful for the owner of any dog to permit it to be at large, or off the premises of the owner or custodian, unless under the control of the owner or a member of the owner=s immediate family, or the custodian, by leash, collar, chain or otherwise; or unless on property owned by the owner or custodian of the dog.

(1989 Code, ' 3-2; 2003 Code, ' 3-1.2)

Statutory reference:

Rabies vaccination required, see G.S. ' 130A-185

' 3-1.3 SAMEcNOTICE TO OWNER TO COMPLY.

It is hereby declared the duty of the Animal Control Officer to notify the owner, if known, of any dog found at large and to place same under proper control or confinement.

(1989 Code, ' 3-3; 2003 Code, ' 3-1.3)

' 3-1.4 SAMEcIMPOUNDING.

The Animal Control Officer shall have the authority to apprehend and impound in a suitable place any dog found at large in the town and not on the owner=s or custodian=s property, and to notify the owner or custodian in writing of the impounding. If the owner or custodian shall so request, the dog shall be released to the person upon the person executing a written agreement to place the dog under proper control or confinement. If no request and execution is made by the owner or keeper within five days after written notice, the Police Department shall cause the dog to be destroyed. In the event of an apprehended dog, the owner or custodian of which is unknown, the Animal Control Officer shall post a notice of impoundment, along with a general description of the dog, to be posted for five days at the town hall. The notice shall explain that, if no request for release of the dog and an execution of agreement to confine the dog is made within five days from the date of the posting of the notice, the Animal Control Officer shall cause the dog to be destroyed.

(1989 Code, ' 3-4; 2003 Code, ' 3-1.4)

' 3-1.5 DOG TAX.

For each male dog, there shall be an annual tax of \$1; and, for each female dog, there shall be an annual tax \$2; the tax shall be paid to the Town Tax Collector on the date fixed by the Board. Upon payment of the tax, the Tax Collector shall issue a tag as prescribed by the Board. The owner of every dog shall be required to see that the person=s dog wears the tag, as evidence that the tax has been paid.

(1989 Code, ' 3-5; 2003 Code, ' 3-1.5)

**CHAPTER III: GENERAL REGULATIONS
ARTICLE 2: PARADES AND DEMONSTRATIONS**

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- 3-2.1 Definitions
- 3-2.2 Permit Crequired
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- 3-2.6 Interference prohibited
- 3-2.7 Additional regulations applicable to picketing
- 3-2.8 Exceptions

Statutory reference:

Authority to regulate processions and assemblages, see G.S. ' 20-169

Authority to tax therefor, see G.S. ' 160A-209(c)(9)

County and municipal emergency management, see G.S. ' 166A-7

' 3-2.1 DEFINITIONS.

As used in this article, the following terms shall have the respective meanings ascribed to them.

BLOCK. The portion of any street lying between its intersections with other streets.

GROUP DEMONSTRATION. Any assembly together or concert of action between or among two or more persons for the purpose of protesting any matter or of making known any position or promotion of the persons, or of or on behalf of any organization or class of persons, or for the purpose of attracting attention to the assembly.

PARADE. Any assemblage of two or more persons participating in or operating any vehicle in any march, ceremony, show, exhibition or procession of any kind in or upon the public streets, sidewalks, alleys, parks or other public grounds or places.

PICKET LINE. Any two or more persons formed together for the purpose of making known any position or promotion of the persons or of or on behalf of any organization or class of persons.
(1989 Code, ' 12-20; 2003 Code, ' 3-2.1)

' 3-2.2 PERMITCREQUIRED.

It shall be unlawful for any person to organize, conduct or participate in any parade, picket line or group demonstration in or upon any street, sidewalk, alley or other public place within the municipality unless a permit therefor has been issued by the municipality in accordance with the provisions of this article.

(1989 Code, ' 12-21; 2003 Code, ' 3-2.2)

' 3-2.3 SAMECREQUIREMENTS; ISSUANCE.

The Chief of Police or the Chief=s designee shall issue permits as required in ' 3-2.2. and, in the issuance thereof, shall:

(A) Require a written application for permit to be filed not less than 24 hours in advance of the parade, picket line or group demonstration which application shall specify the time and place for the commencement of any picket line and the time, place, route and duration of any parade or group demonstrations;

(B) Refuse to issue permits for parades or group demonstrations to be held at the same time and place as those designated in a permit issued pursuant to a written application previously received by the Chief of Police or the Chief=s designee;

(C) Require that the application for a permit specify whether or not minors below the age of 18 years will be permitted to participate; and

(D) Require that the application for a permit shall specify and the permit shall designate the person or persons in charge of the activity. That person shall be required to accompany the parade, picket line, or group demonstration and shall carry the permit with the person at that time. The permit shall not be valid in the possession of any other person.

(1989 Code, ' 12-22; 2003 Code, ' 3-2.3)

' 3-2.4 SAMECREVOCATION.

The Chief of Police shall revoke any permit granted for a parade, picket line or group demonstration for any of the following causes:

(A) The violation by any participant of ' 3-2.5; and/or

(B) The failure to comply with the terms and conditions of the permit.

(1989 Code, ' 12-23; 2003 Code, ' 3-2.4)

' 3-2.5 CERTAIN ACTIVITIES PROHIBITED.

The following acts or activities, when performed or undertaken in conjunction with or as part of, any parade, picket line or group demonstration, are hereby prohibited and declared unlawful:

(A) The carrying on or about the person of any firearm, or any weapon or article, including, but not limited to, blackjacks, nightsticks or flashlights, which by their use might constitute a deadly weapon; and

(B) The taking or keeping of any vicious dog or other vicious animal, whether leashed or unleashed. (1989 Code, ' 12-24; 2003 Code, ' 3-2.5)

Statutory reference:

Obstruction of justice by parading or picketing, see G.S. ' 14-225.1

' 3-2.6 INTERFERENCE PROHIBITED.

No person shall tamper, obstruct or interfere with any parade, picket line or group demonstration being conducted under authority of a permit duly issued by the Chief of Police or the Chief=s designee. (1989 Code, ' 12-25; 2003 Code, ' 3-2.6)

' 3-2.7 ADDITIONAL REGULATIONS APPLICABLE TO PICKETING.

Picket lines and picketing shall be subject to the following additional regulations.

(A) Picketing may be conducted only on the sidewalks reserved for pedestrian movement and may not be conducted on the portion of a street used primarily for vehicular traffic.

(B) Not more than ten pickets promoting the same objective shall be permitted to use either of the two sidewalks within a single block at any one time.

(C) Pickets may carry written or printed placards or signs not exceeding two feet in width and two feet in length promoting the objective for which the picketing is done.

(D) Pickets must march in single file and not abreast and not march closer together than 15 feet, except in passing one another. Pickets shall not be allowed to walk more than one foot from the curb line and shall be in continuous motion.

(E) If pickets promoting different objectives desire to use the same sidewalk for picketing and that use would result in the presence of more than ten pickets thereon, the Chief of Police or the Chief=s designee shall allot time to each group of pickets for the use of the sidewalk on an equitable basis. (1989 Code, ' 12-26; 2003 Code, ' 3-2.7)

' 3-2.8 EXCEPTIONS.

The provisions of this article shall not apply to:

(A) Funeral processions; or

(B) Any governmental agency acting within the scope of its functions.
(1989 Code, ' 12-27; 2003 Code, ' 3-2.8)

CHAPTER III: GENERAL REGULATIONS
ARTICLE 3: CEMETERIES

Section

- 3-3.1 Burials in cemeteries
- 3-3.2 Map of Rose Cemetery
- 3-3.3 Digging graves in Rose Cemetery
- 3-3.4 Certificate prior to burial
- 3-3.5 Disinterments in Rose Cemetery
- 3-3.6 Damaging property in cemetery
- 3-3.7 One interment in grave in Rose Cemetery; exception; type of grave
- 3-3.8 Entering cemetery between sunset and sunrise
- 3-3.9 Cemetery not to be used as public thoroughfare
- 3-3.10 Cemetery rules and regulations

Statutory reference:

Authority to establish and operate cemeteries, see G.S. ' ' 160A-341 et seq.

Authority to tax therefor, see G.S. ' 160A-209(c)(8)

' 3-3.1 BURIALS IN CEMETERIES.

It shall be unlawful for any person to bury, or cause to be buried, any human body in any place other than in Rose Cemetery or other cemetery approved by the town, and not then until a lot has been purchased.

(1989 Code, ' 5-1; 2003 Code, ' 3-3.1)

' 3-3.2 MAP OF ROSE CEMETERY.

The Town Clerk shall keep a map of Rose Cemetery showing thereon all burial plots or squares which are offered for sale, together with those sold, indicating the exact location of each.

(1989 Code, ' 5-2; 2003 Code, ' 3-3.2)

' 3-3.3 DIGGING GRAVES IN ROSE CEMETERY.

No person shall dig any grave in Rose Cemetery without permission from the town.

(1989 Code, ' 5-4; 2003 Code, ' 3-3.4)

' 3-3.4 CERTIFICATE PRIOR TO BURIAL.

It shall be unlawful to bury any dead body without first securing a certificate from some licensed physician. The certificate shall give the name and residence of the deceased, the name of the nearest relative and the time, place and cause of death.

(1989 Code, ' 5-5; 2003 Code, ' 3-3.5)

' 3-3.5 DISINTERMENTS IN ROSE CEMETERY.

No disinterments in Rose Cemetery shall be made, except by Rose Cemetery employees, with the consent of the Board and upon written consent of the lot owner or nearest of kin. Disinterments shall be made as provided by the laws of the state.

(1989 Code, ' 5-6; 2003 Code, ' 3-3.6)

' 3-3.6 DAMAGING PROPERTY IN CEMETERY.

It shall be unlawful to damage, destroy or deface any property in or belonging to any cemetery.

(1989 Code, ' 5-7; 2003 Code, ' 3-3.7)

' 3-3.7 ONE INTERMENT IN GRAVE IN ROSE CEMETERY; EXCEPTION; TYPE OF GRAVE.

(A) In Rose Cemetery, only one interment shall be made in a grave, except upon permission of the town.

(B) All burials shall be in a vault or urn.

(1989 Code, ' 5-8; 2003 Code, ' 3-3.8)

' 3-3.8 ENTERING CEMETERY BETWEEN SUNSET AND SUNRISE.

It shall be unlawful for any person to enter any cemetery at any time between sunset and sunrise for any purpose without written consent of the cemetery keeper.

(1989 Code, ' 5-9; 2003 Code, ' 3-3.9)

' 3-3.9 CEMETERY NOT TO BE USED AS PUBLIC THOROUGHFARE.

No person shall use the avenues of any cemetery as public thoroughfares.

(1989 Code, ' 5-10; 2003 Code, ' 3-3.10)

' 3-3.10 CEMETERY RULES AND REGULATIONS.

(A) Only one grave marker shall be placed on any single grave. The marker shall be set so that it is flush with the ground. The installation of markers shall be supervised by a designated employee of the town.

(B) Grave mounds are prohibited. No grave or lot shall be raised above the existing established graves.

(C) Other than grass, there shall be no other planting of any kind, including trees, flowers or shrubs, on any lot.

(D) Except for markers, as above provided, vases permanently affixed to the marker, and natural flowers in vases or wreaths, no other objects or item shall be placed upon a grave or lot, except by the written consent of the cemetery administrator. Natural flowers, vases and wreaths shall be removed when they have dried out.

(1989 Code, ' 5-11; 2003 Code, ' 3-3.11)

CHAPTER III: GENERAL REGULATIONS
ARTICLE 4: PARKS AND RECREATION

Section

3-4.1 Rich Park; hours

Cross-reference:

Protection of trees in parks, see ' ' 9-3.1 et seq.

' 3-4.1 RICH PARK; HOURS.

The hours during which the premises known as Rich Park will be open for the public will be from 8:00 a.m. until 11:00 p.m. No unauthorized person will be in Rich Park from 11:00 p.m. until 8:00 a.m. and no private vehicular traffic will be permitted upon the park roads during those hours.
(1989 Code, ' 13-1; 2003 Code, ' 3-4.1)

