

**AN ORDINANCE REGARDING THE REGULATION OF
OFFENSES AGAINST PUBLIC OR MUNICIPAL PROPERTY**

BE IT ORDAINED by the Council of the Town of Wilson's Mills as follows:

Section 1. Purpose:

The purpose of this ordinance is to protect the health, safety, and welfare of citizens and municipal employees. It is also in the public interest to reduce hazards and minimize any health risks associated with involuntary exposure to intoxicating substances, environmental tobacco smoke, and/or dangers of other general safety hazards as defined in the following sections of this ordinance.

Section 2. Drinking Prohibited on Municipal Property:

- 1) It shall be unlawful for any person to possess or consume any beer, wine, or other intoxicating beverage at any time or event in any municipal building or on any municipal property.
- 2) The words *INTOXICATING LIQUOR*, *MALT BEVERAGES*, and *WINE*, fortified or unfortified, shall be defined as in Chapter 18B of the N. C. General Statutes.
- 3) G.S. 18B-301 of the North Carolina General Statutes on *Drinking on Public Property*, and as amended, is hereby adopted by reference as fully as though set forth herein.

Section 3. Defacing Public Property

- 1) It shall be unlawful for any person to mark or deface the walls of any public building or waiting room, or the paved sidewalk of any street.
- 2) G.S. 14-132(B) of the North Carolina General Statutes on *Defacing Walls of Public Building Prohibited*, and as amended, is hereby adopted by reference as fully as though set forth herein.

Section 4. Damaging Town Fixtures

It shall be unlawful for any person to injure, break, or otherwise tamper with any lamp, wire, or other fixture of the Town.

Section 5. Forbidding Certain Persons to Enter Public Property:

- 1) It shall be unlawful for any person, after being forbidden to do so by any member of the police force of the Town, to remain, go, or enter on the grounds or premises of any

service station, supermarket, store, restaurant, office building, or other business or municipal establishment, providing parking space for customers, patrons, or the public within the corporate limits of the Town, including any drive, driveway, road, roadway, street, alley, or parking area on the grounds and premises, when the owner or other person in legal possession of the grounds and premises has provided to the Police Department written authority to forbid any person to remain, go, or enter on the grounds and premises.

- 2) G.S. 14-159.13 of the North Carolina General Statutes on *Entering Land After Being Forbidden To Do So*, and as amended, is hereby adopted by reference as fully as though set forth herein.

Section 6. Climbing on Roofs and Water Tanks

- 1) It shall be unlawful for any person to climb or tramp on any of the roofs of any business houses in the Town without a lawful purpose.
- 2) It shall be unlawful for any person to climb or go on the ladder or any part of any water tank owned by the Town or the County without the permission of a representative with the approved authority or the Chief of Police of the Town.
- 3) G.S. 14-159.1 of the North Carolina General Statutes on *Tampering With Public Water System*, and as amended, is hereby adopted by reference as fully as though set forth herein.

Section 7. Smoking:

- 1) *Scope:* This section shall be applicable to all buildings owned, lease, or occupied by the Town, or by any of its departments or agencies
- 2) *Authority:* This section is adopted pursuant to the authority of G.S. 160A-174
- 3) *Definition:* For the purpose of this section, *SMOKING* shall mean the inhaling, exhaling, burning, or carrying of a lighted pipe, cigar, cigarette, or other combustible tobacco product.
- 4) *Municipal building.* It shall be unlawful for any person to smoke in any building or portion of a building now or hereafter owned, leased, operated, occupied, managed or controlled by the town.
- 5) *Notice.* In every building regulated by this section shall be posted the following clear and conspicuous signs:
 - a. "No Smoking" or other such signs shall have letters of not less than one inch in height, or the international "no smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed within a red circle crossed by a red bar) no smaller than three inches in diameter.

- b. Signs shall be posted in a position clearly visible on entry into every town building.

Section 8. Penalty:

- 1) *General:* Anyone in violation of this section shall be guilty of a misdemeanor, punishable by a fine not to exceed \$200 per violation.
- 2) *Town employees:* In addition to the general penalty stated above, town employees in violation of this section shall be subject to progressive disciplinary action under the town's personnel policies, which could lead to dismissal.

Section 9. Effective Date

This ordinance shall become effective upon adoption.

Duly adopted this the 9th day of October, 2006

PETER H. WILSON, Mayor

ATTEST:

LEIGHANNA T. WORLEY, Town Clerk