

GENERAL PROVISIONS OF THE CODE

The provisions in the following chapters and sections shall constitute and be designated "THE CODE OF THE TOWN OF HARMONY" and may be cited.

It is hereby declared to be the intention of the Board of Aldermen that the sections, paragraphs, sentences, clauses, and phrases of this code are severable, and the declaration by a court of competent jurisdiction that any section, paragraph, sentence, clause or phrase is unconstitutional shall not affect any remaining section, paragraphs, sentences, clauses, or phrases.

The repeal of an ordinance, or its expiration, shall not affect any right accrued, any offence committed, any penalty or punishment or any proceeding commenced before the repeal took effect or the ordinance expired.

Whenever in this code or in any ordinances of the Town, any act is prohibited or made or declared to be unlawful, where no specific penalty is provided therefore, the violation of the provision of the code shall be punished by a fine, not to exceed one hundred (\$100.00) dollars for each separate violation. Each day any violation of the code or of any ordinance shall continue shall constitute a separate offense.

CHAPTER 1 – THE CODE

ARTICLE 1

USE OF THE CODE

Section 1.1 – Definition and Rules of Construction

In the construction of this Code and of all ordinances, the following definitions and rules of construction shall be observed unless inconsistent with the manifest intent of the Board or the context clearly requires otherwise.

BOARD: The words “the board: shall mean the Board of Aldermen of the Town of Harmony.

COMPUTATION OF TIME: The time within which an act is to be done shall be computed by excluding the first and including the last day; and if the last day is Saturday, Sunday or a legal holiday, that day shall be excluded.

COUNTY: The word “county shall mean the County of Iredell in the State of North Carolina, except as otherwise provided.

MAYOR; The words “the Mayor” shall mean the Mayor of the Town of Harmony.

MONTH: The word “month” shall mean a calendar month.

NUMBER: Words used in the singular include the plural and words used in the plural include the singular number.

OATH: The word “oath” shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words “swear” and “sworn” shall be equivalent to the words “affirm” and “affirmed.”

OWNER: The word “owner;” applied to a building or land shall include any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety, of the whole or a part of such building or land.

PERSON: The word “person” shall include a corporation, firm, partnership, association, organization and any other group acting as a unit as well as an individual.

PERSONAL PROPERTY: The words “personal property” includes every species of property except real property as herein defined.

PRECEDING, FOLLOWING: The words “preceding” and “following” shall mean next before and next after respectively.

PROPERTY: The word “property “ shall include real and personal property.

REAL PROPERTY The words “real property” shall include land, tenements, and hereditaments.

SIDEWALKS The word “sidewalk” shall mean any portion of a street between the curb line and the adjacent property line intended for the use of pedestrians.

SIGNATURE The words “signature” or “subscription” include a mark when the person cannot write.

STATE The word “state” shall be construed to mean the State of North Carolina, except as otherwise provided.

STREET The word “street” shall mean and include any public way, road, highway, street, avenue, boulevard, parkway, alley, lane, or bridge and the approaches thereto within the Town.

TENANT The words “tenant” or “occupant” applied to a building or land shall include any person who occupies the whole or a part of such building or land whether alone or with others.

TIME Words used in the past or present tense include the future as well as the past and present.

TOWN The words “the town” shall mean the Town of Harmony in Iredell County, North Carolina, except as otherwise provided.

WRITING The words “writing” and “written” shall include printing and any other made to represent words and letters.

YEAR The word “year” shall mean a calendar year.

SECTION 1.2 – Section Designations

The headings of the several sections of this Code are intended as mere catchwords to indicate the contents of the section and shall not be deemed or taken to be titles of such sections nor as any part of the section, nor, unless expressly so provided, shall they be so deemed when any of such sections, including the catch lines, are amended or reenacted.

SECTION 1.3 – Damaging Ordinances Prohibited

No person shall tear or deface any of the Town ordinances.

SECTION 1.4 – Repeal or Ordainment of Chapters, Articles, or Section

Whenever a chapter, article or section of the Code is repealed, the Town Clerk shall make a notation of such repeal in the official copy of the Code. Whenever a new or amended chapter, article or section of this Code is ordained, the clerk shall make a notation of such new or amended ordinances in the official copy of this Code. Within a reasonable time after the enactment of all ordinances, such ordinances shall be printed in the format of this Code and inserted in the appropriate places herein.

CHAPTER 2 - ADMINISTRATION

ARTICLE 1

BOARD OF ALDERMEN

SECTION 2.1 – Elected Officials

The Governing Body shall consist of a Mayor and a Board of Aldermen of four members, who shall be elected at large, in accordance with the applicable provisions of the Town Charter

SECTION 2.2- Power over Employees

The Board shall have power to prescribe the duties, fix the compensation, bonds, administer oaths and cause the removal and fill vacancies of any and all employees.

SECTION 2.3 – Regular Meetings

There shall be a regular meeting of the Board, held at Town Hall at 7:00 p.m. on the first Monday of each month.

SECTION 2.4 – Adjourned Meetings

If a quorum shall fail to attend any regular or special meeting of the Board, or if for any reason such meeting shall fail to complete transaction of the business before the meeting, said meeting may be adjourned to any date prior to the next regular meeting agreed upon by a majority of the members present. A quorum shall consist of three (3) members of the governing body.

SECTION 2.5 - Order of Business

The order of business at all regular meeting shall be as follows:

Reading of minutes of last meeting

Correction, if any, made in same

Reports of Committees

Unfinished business

Reading any communication by the Clerk

New business

If the Board directs any matter to be the special business of a future meeting, the same shall have precedence over all other business at such meeting.

No proposition shall be entertained by the Mayor until it has been seconded, and every proposition shall, when required by the Mayor or any member, be reduced to writing.

SECTION 2.6 – Rules of Procedure

The procedure of the Board shall be governed by Robert’s Rules of Order, except as otherwise provided by ordinance

SECTION 2.7 - Previous Questions

The previous question may be called at any time by a majority of the members present. The “ayes” and “nays” may be called for by any member.

SECTION 2.8 - Motions have Precedence

When a question is under consideration, no motion shall be received, except as follows:

To lie on the table

To postpone to a time certain

To postpone indefinitely

To refer to a Committee

To amend

To strike out or insert

To divide

Motions for any of these purposes shall have precedence in the order named.

SECTION 2.9 – Motion to Adjourn

A motion to adjourn shall always be in order and shall be decided without debate.

SECTION 2.10 - Committees Appointed by Mayor

All Committees shall, unless otherwise ordered, be appointed by the Mayor. All reports of Committees shall be written or verbal, and Committeemen shall receive such compensation for extra and special service as the Board may designate.

SECTION 2.11 – Election

Regular municipal elections shall be held in the Town bi-annually in odd-numbered years, and shall be conducted in accordance with state law governing municipal elections. The mayor and members of the town council shall be elected by the bipartisan election and runoff election method.

At each regular municipal election in the town, a mayor shall be elected for a term of two (2) years by and from the qualified voters of the city voting at large.

At each regular municipal election in the town, there shall be elected four (4) members to the town council, to serve for terms of two (2) years each.

SECTION 2.12 – Resignation of Members

If any vacancy should occur in the office of mayor or aldermen in the town, the town council, before filling the vacancy, shall give public notice of the same in some newspaper published in the county at least fifteen (15) days before the date fixed for the filling of such vacancy. After giving this notice, the council may then proceed to fill the vacancy in accordance with state law. Resignation of any member of the Board shall be in writing.

SECTION 2.13 – Aldermen: Compensation of

The Aldermen shall be paid at the rate of \$100.00 per meeting attended. The Mayor shall receive \$150.00 per meeting attended. Mayor or Aldermen may be paid \$35.00 for any special meetings attended. Also, either may be paid \$13.00 an hour for all other work done. On July 11, 2022 Council voted and approved to increase pay for council members from \$100.00 per monthly meeting to \$150.00 per meeting. Council also approved at the same meeting to increase pay for special meetings from \$50.00 per meeting to \$75.00 per meeting. Motion carried 4-0.

SECTION 2.14 - Mayor Pro Tempore

In accordance with state law, the town council shall appoint one of its members as mayor pro tempore to exercise the functions of mayor whenever the mayor is absent or unable for any reason to discharge the duties of his office.

SECTION 2.15 - Disqualifications

If any member of the Board shall move his residence from the Town, his office shall at once be declared vacant, and shall be filled at by Sec. 2.12

SECTION 2.16 - Duties of Mayor

Mayor shall preside at meeting of the town council, but he shall vote only when there is equal division upon any question before the council. He shall vote in no other case except where otherwise authorized by law, and may not vote to break a tie vote in which he participated.

ARTICLE 2

ORDINANCES

SECTION 2.17 - Every Ordinance to be in Force; When

Every ordinance shall be in force immediately upon its passage, except as otherwise hereinafter provided, or as provided by applicable General Statutes.

SECTION 2.18 - Ordinances Confined to one Subject

All ordinances shall be confined to one subject except appropriation ordinances which shall be confined to the subject of appropriations only.

SECTION 2.19 - Ordinances: Official Copy

The Code, which shall at all times be kept up to date by the Town Clerk, shall be the official Code of the Town.

SECTION 2.20 - Ordinances; Adding to; Title

Any ordinance which is proposed to add to the existing Code a new chapter, article or section shall indicate, with reference to the arrangement of the Code, the proper number of such chapter, article or section. In addition to such indication thereof as may be contained in the text of such proposed ordinance, the same shall be shown in concise form above the ordinance.

SECTION 2.21 - Repeal or Ordainment of Chapter, Articles or Sections

Not more than one chapter, article or section of the Code shall be amended, repealed or ordained by any one ordinance, unless such chapters, articles or sections are consecutive.

ARTICLE 3

OFFICERS AND EMPLOYEES

SECTION 2.22 - Chief Executive of Town

The Mayor shall be chief executive official of the Town and as such shall have the powers and duties conferred upon the office of mayor under the General Statutes of North Carolina.

SECTION 2.23 – Town Clerk and Financial Officer; Appointment

At the first meeting of the Board after their election and qualification, or as soon thereafter as possible, they shall appoint a Town Clerk and a Financial Officer. Before entering upon his duties, the Town Clerk and Financial Officer shall take and subscribe to the same oath as is required for members of the Board of Aldermen.

SECTION 2.24- Offices of Town Clerk and Financial Officer

The Town Clerk and Financial Officer shall be appointed annually by the Board.

The Town Clerk shall:

All checks shall be signed by the Mayor and countersigned by the Town Clerk

The Town Clerk shall give receipts for all monies paid to him in his capacity as Town Clerk

Shall receive payments, post payments and keep an accurate account of all sewer customers

Perform all duties assigned to him in job description at time of hiring

The Financial Officer

All checks shall be signed by the Mayor and countersigned by the Financial Officer

Keep true, accurate and just books of accounts of the dealing and transactions of the town, which books shall show at all times the true condition of the said town, its resources and liabilities and the disposition and use of the monies coming under the control of the town.

Disburse funds for the various purposes of the Town only when an appropriation for such purpose has been made in the annual budget and the disbursement is authorized by the Board.

Perform all duties assigned to him in job description at time of hiring

SECTION 2.25 -Tax Collector - Duties

All taxes are collected by Iredell County Tax Department for Town

ARTICLE 4

PERSONNEL POLICIES AND REGULATIONS

SECTION 2.74 - Demotion and Dismissal

A permanent employee whose work is not satisfactory over a period of time shall be notified as to how his work is deficient and what he must do if his work is to be satisfactory. If, after suitable notice, the permanent employee continues to be negligent or fails to do work up to the standard of the classification held, he may be demoted or dismissed by the Mayor and Board.

SECTION 2.75 – Dismissal Because of Outside Employment

The work of the Town shall have precedence over the other occupational interests of employees. All outside employment for salary, wages, or commission and all self-employment must be reported to and approved by the Mayor and Board of Aldermen. Conflicting outside employment shall be grounds for dismissal.

SECTION 2.76 – Approval and Signing of Contracts

Any bids and/or contracts for work to be performed on behalf of the Town of Harmony will be brought before the Town Council for review and approval. If approved, the contract will be signed by the Mayor, the Mayor Pro Tempore, and one other Council member. In the absence of the Mayor Pro Tempore, the

contract may be signed by two Council members. The signatures will be witnessed by the Town Clerk, dated and affixed with the town seal.

Ordinance adopted by the Harmony Town Board on the 7th day of December, 2020.

ARTICLE 5

BOARDS AND COMMISSIONS

SECTION 2.80- Zoning Board

The Town Zoning Board shall consist of five (5) members appointed by the Mayor and Board of Aldermen. Members work under the Iredell County Zoning Board under an Inter local Agreement for Implementation and Enforcement of Zoning within the Town of Harmony adopted January 4, 2010.

Ordinance Amended to read: Zoning Board of Adjustments shall consist of five members of Town Council and Mayor. **Adopted By The Harmony Town Board on April 3, 2018**

Ordinance amended to read: Zoning Board of Adjustments shall consist of five members appointed by the Mayor and Town Council. **Adopted By The Harmony Town Board on April 8, 2024.**

SECTION 2.81- Duties of Zoning Board

Three (3) members represents quorum. Rezoning, expansion of non-conforming use, special use permit, variance, and change in non-conforming use hearing

Section 2.82- Harmony Community Center Board

The board shall be made up of local citizens. They shall operate under the approval of the Mayor and the Board of Alderman

ARTICLE 6

PURCHASING

SECTION 2.90 - Purchasing

Before any order is given for items to be paid by the Town or any purchase made by any Town employee a purchase order must first be obtained from the Financial Officer. Any town employee purchasing goods without a purchase order from the Financial Officer will be held responsible for the cost of same.

SECTION 2.91 – Disbursement of Funds

In accordance with the Local Government Budget and Fiscal Control Act, no bill or claim against the Town may be paid unless it has been approved by the officer or employee responsible for the function or agency to which the expense is charged. No check or draft of the Town shall be valid unless it bears on its face the certificate of the Financial Officer as follows:

“This disbursement has been approved as required by the Local Government Budget and Fiscal Control Act.”

ARTICLE 7

EMERGENCIES

SECTION 2.95 - Signing Checks

Mayor Pro tempore may sign checks in the absent of Mayor

SECTION 2.96 - State of Emergency

Town of Harmony is authorized to adopt ordinances imposing restrictions and prohibitions when they declare a local state of emergency. (G. S. 166A-8, G.S. 14-288.12 and 288.13). These restrictions and prohibitions may be on:

1. The movements of people in public places, including directing and compelling the evacuation of all or part of the population from any stricken or threatened area within the governing body’s jurisdiction, to prescribe routes, modes of transportation, and destinations in connection with evacuation; and to control ingress and egress of a disaster area, and the movement of persons within the area;
2. The operation of offices, business establishments, and other places to or from which people may travel or at which they may congregate;
3. The possession, transportation sale, purchase, and consumption of alcoholic beverages;
4. The possession, transportation, sale, purchase, storage, and use of dangerous weapons and substances, and gasoline; and
5. Other activities or conditions the control of which may be reasonably necessary to maintain order and protect lives or property during the state of emergency. (G.S. 14-288.12(b))

SECTION 2.97 – Delegate of Authority

A State of Emergency may be declared by the Town of Harmony, who may also delegate its declaration authority by ordinance to the mayor (G.S. 14-288.1(2), (6))

CHAPTER 3 - POLICE PROTECTION

ARTICLE 1

GENERAL PROVISIONS

SECTION 3.1 - Direct Responsibility and Control

Shall be Iredell County Sheriff's Department

CHAPTER 4 - FIRE PROTECTION

ARTICLE 1

VOLUNTEER FIRE DEPARTMENT

SECTION 4.1- Direct Controls and Responsibility

Shall be Iredell County Fire Marshall

ARTICLE 2

FIRE HAZARDS

SECTION 4.10 - Fire Hazards

Whenever the Iredell County Fire Marshall shall find that any building or any premises constitute a fire hazard, he shall serve or cause to be served upon the owner and the occupant of such building a written notice specifying the condition complained of, ordering the same to be remedied promptly, and indication what is considered a reasonable time for compliance with such order.

ARTICLE 3

FIRE LIMITS

SECTION 4.20- Fire Limits

Iredell County

ARTICLE 4

FLAMMABLE FLUIDS AND EXPLOSIVES

SECTION 4.25 - Purpose

The purpose of this article is to regulate the storage and handling of dangerous materials in accordance with safety methods as established by experience and findings of the National Board of Underwriters and other authorities.

SECTION 4.26 -Definitions

Flammable fluids comprise all liquids and gases of dangerous volatility and low flashpoint such as gasoline, kerosene, fuel oils, acetylene, etc.

Explosives include the known explosive materials such as black powder, gunpowder, blasting powder, dynamite, blasting caps, detonators, etc.

SECTION 4.27 - Pyrotechnics

No person shall set fire to or explode firecrackers, fireworks or other explosive material within the corporate limits.

CHAPTER 5 - STREETS AND SIDEWALKS

ARTICLE 1

DAMAGING STREETS AND SIDEWALKS

SECTION 5.1 - Cutting Streets and Sidewalks

No person shall make any excavations, cut or make any other opening in any of the streets or sidewalks without first having obtained permission from the mayor or town board.

SECTION 5.2 - Street Repair

Every person, firm or corporation, who shall open or dig a ditch, trench or holes in any street or cut or otherwise injure the streets, sidewalks, curbs, and gutters shall be responsible for replacing or repairing same at their own expense.

SECTION 5.3 - Injury to Streets or Sidewalks

No person shall injure, deface or mar in any manner what so ever any of the streets or sidewalks. The Town shall have the right and privilege to repair any such injury, defacement or mar and assess the cost there of against the offender.

ARTICLE 2

OBSTRUCTING STREETS AND SIDEWALKS

SECTION 5.10- Obstructing Walk Area

No item shall be place on sidewalks that obstructs walk area.

ARTICLE 3

USE AND CLEANLINESS OF STREETS AND SIDEWALKS

SECTION 5.15 – Injury To

It shall be unlawful to pull down, cut, deface with signs, break or in any way injure any of the trees, shrubs or flowers on any street or square.

SECTION 5.16 - Throwing or Burning Trash

It shall be unlawful to place in any of the streets or sidewalks or in or about any public building any trash or rubbish of any description or to burn the same in any of the aforementioned places.

SECTION 5.17 - Tree Trimmings

It shall be unlawful for any person to place or allow to be placed any tree trimmings or shrubbery on any street or sidewalk in the city so as to obstruct free passage of persons and vehicles there on.

SECTION 5.18 - Littering Prohibited

It shall be unlawful for any person, firm, organization or private corporation to throw or deposit upon any street or sidewalk, or upon any private property, except with written permission of the owner or occupant to such private property, any trash, refuse, garbage, building material, cans, bottles, broken glass, paper, or any type of litter.

SECTION 5.19 - Same; From Vehicles

It shall be unlawful for any person, while a driver or a passenger in a vehicle to throw or deposit litter upon any street or other public place within the Town, or upon private property.

SECTION 5.20 – Scrap on Street Right-of-Way Prohibited

It is unlawful for any person, firm, organization or private corporation, or for the governing body, agents or employees of the Town to place or leave or cause to be placed or left temporarily or permanently, any trash, garbage, scrapped automobile, scrapped truck or part thereof, on the right-of-way of any street or public road of the Town.

The placing or leaving of the articles or matter forbidden by this section shall, for each day or portion thereof that articles or matter are placed or left, constitute a separate offense.

CHAPTER 6 – SPECIAL EVENTS

ARTICLE 1

SPECIAL EVENTS PERMITS

SECTION 6.1- Definitions

A “special event” is an activity sponsored by one or more organizations, individuals, or other entities, held in the public right-of-way in the Town of Harmony.

SECTION 6.2- Purpose and Intent

- A. The purpose of the ordinance is to insure the comfort, safety and general welfare of the Town citizens by controlling the number of special events and impacts of such events on the community and by providing a simplified permit process.
- B. The intent of this ordinance is to protect the residents from excessive noise, traffic and other intrusions upon their privacy.

SECTION 6.3 – Special Events Permit

All special events held in the public right-of-way shall obtain a special event permit. Activities include, but are not limited to; processions such as; walks, road races, bicycle rides, skate-a-thons, parades, and similar activities.

SECTION 6.4-Application Submittal Requirements

The following items and information shall be submitted to the Town Clerk

- Complete application (application form supplied by the Town) submitted to the Town at least one month prior to the event
- Detailed description of the event
- Contact person available prior to and during the event
- Application fee (as set by resolution of the Town Board)
- The anticipated number of attendees and number of vehicle trips per day
- An on-and off-site parking plan

SECTION 6.5 -Permit Issuance

- A. The mayor or designee may issue a special event permit when in the opinion of the Town Board or designee the event meets all of the requirements of this ordinance. The mayor or designee shall issue or deny a special event permit within fifteen (15) days of receipt of a completed application. If the event will not be in conformance with this ordinance the application shall be denied.
- B. If a special event permit is issued by the mayor or designee, such official may impose any reasonable conditions to insure the event will have a minimal impact on the community. Such conditions may include, but are not limited to, any of the following;
 1. Adequate arrangements to prevent:
 - Violation of Chapter 11 Section 11.45 & 11.46 Noise Control
 - Violation of Chapter 11 Article 2 Nuisance Abatement
 - Amplified sound
 - Violation of any traffic laws
 - Violation of any other section of this ordinance
 2. Signs on public property shall be kept to a minimum and shall not be displayed for longer than one hour prior to or after the end of the event
 3. Other materials or mitigation measures deemed necessary by the Town Board.

SECTION 6.6-Permit Revocation

A special event permit may be revoked by the mayor or his or her designee in the event of any violation of any condition of the special events permit.

SECTION 6.7-Violation as a Public Nuisance

Each violation of this ordinance is a misdemeanor and shall constitute a public nuisance and be subject to abatement as such

CHAPTER 7 – TRAFFIC

ARTICLE 1

ENFORCEMENT AND OBEDIENCE

SECTION 7.1 – Obedience to Traffic Code

The state traffic laws with regard to speed, etc. shall be applicable upon all streets within the Town.

SECTION 7.2 – Obedience to No-Parking Zone and Safety Zone

Whenever authorized signs or markings are placed which indicate no-parking zones or safety zones, the driver of a vehicle shall obey such regulatory indications.

SECTION 7.3 – Play Streets

Whenever authorized signs are placed which prescribe any street, or part thereof, as a play street, no person shall drive a vehicle upon any such prescribed street, except persons who have business, or who reside within such prescribed area; any such person shall exercise the greatest care when driving upon any such play street.

SECTION 7.4 – School Zones

Whenever authorized signs are placed which prescribe any street, or part thereof, as a school zone, drivers of motor vehicles shall exercise the greatest care, for the protection of children.

SECTION 7.5 – One-Way Streets

Whenever any ordinance designates any one-way street there shall be signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

SECTION 7.6 – Cafeteria Street

Cafeteria Street shall be designated as a one-way street. Traffic shall enter off Hwy 21 and exit onto Hwy 901.

SECTION 7.7 – Authority to Erect Stop Signs

Whenever any ordinance designates and describes a through street, there shall be a stop sign on each and every street intersecting such through street. Every stop sign shall be located as near as practicable on the near side of the intersection.

ARTICLE 2

MISCELLANEOUS DRIVING RULES

SECTION 7.20 – Driving Through Funeral Processions

No vehicle may be driven through a funeral procession, except Fire Department vehicles, Police Patrols and Ambulances, and only if the same are responding to calls.

SECTION 7.21 – Vehicles Shall Not Be Driven on Sidewalk

The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway.

SECTION 7.22 – Clinging to Moving Vehicles

Any person riding upon any bicycle, motorcycle, coaster, sled, roller skates, or any toy vehicle, shall not attach the same or himself to any public conveyance, or moving vehicle.

SECTION 7.23 – Riding on Handlebars Prohibited

The operator of a motorcycle, or bicycle, when upon a street, shall not carry any person upon the handlebars, frame, or tank of his vehicle, nor shall any person so ride upon any such vehicle.

SECTION 7.24 – Moving Cars from Parked Position

Parked cars shall move out in the direction headed, or if they are parked at an angle with the curb, they shall back out at that angle until they have cleared the other cars, and shall then proceed in the direction in which they are most nearly headed.

SECTION 7.25 – Ordinance prohibiting the unlawful use of engine and compression brakes (“Jake Brake Ordinance”) - **APPROVED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF HARMONY, NORTH CAROLINA THIS THE 3RD DAY OF DECEMBER, 2018.**

(a) Purpose: The purpose of this ordinance is to prohibit the excessive, loud and unusual or explosive use of engine and compressed air-braking devices within designated areas in the Town of Harmony.

(b) Definitions: For the purposes of this ordinance the following words and phrases are defined as follows: (1) “Engine retarding brake” means a “Dynamic Brake”, “Jake Brake”, “Jacobs Brake”, “C-Brake”, “Paccar Brake”, transmission brake or any other engine retarding brake system that alters the normal compression of the engine and subsequently releases that compression.

© Prohibitions: It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated within the incorporated areas of the Town of Harmony, State of North Carolina any engine brake, compression brake or mechanical exhaust device designated to aid in the braking or deceleration of any vehicle that results, in excessive, loud or unusual, or explosive noise from such vehicle, unless such use is necessary to avoid imminent danger. Such prohibitions shall be applicable only to those public highways or portions specifically identified in this Chapter.

(d) Areas of Prohibition: The prohibition set forth herein shall apply to the following highways in the Town of Harmony or portions thereof:

1. Highway 21 / Harmony Highway
2. Hwy 901 / Memorial Highway

€ Signage: Signs stating “VEHICLE NOISE LAWS ENFORCED” OR “ENGINE BRAKE ORDINANCE ENFORCED” may be installed at locations deemed appropriate by the Town Board to advise motorists of the prohibitions contained in this ordinance, except that no sign stating “VEHICLE NOISE LAWS ENFORCED” or “ENGINE BRAKE ORDINANCE ENFORCED” shall be installed on a state highway without a permit from the North Carolina Department of Transportation. The provisions of this ordinance shall be in full force and effect even if no signs are installed.

(f) Exceptions: Emergency vehicles shall be exempt from the applications of this ordinance.

(g) Enforcement: This ordinance is deemed to be a town infraction. It shall be enforced pursuant to Chapter 7 of the Town of Harmony Code of Ordinances.

(h) Adoption: This ordinance will take effect upon final publication.

ARTICLE 3

PEDESTRIANS

SECTION 7.40 – When Pedestrians Shall Yield

Every pedestrian crossing a roadway at any point other than within a marked cross walk or within an unmarked cross walk at an intersection shall yield the right of way to all vehicles upon the road.

SECTION 7.41 – Pedestrians Walking Along Roadways

(a) Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(b) Where sidewalks are not provided any pedestrian walking along and upon a highway shall when practicable walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

SECTION 7.42 – Pedestrians soliciting Rides or Business

No person shall stand in a roadway for the purpose of soliciting a ride, employment, or business from the occupant of any vehicle.

SECTION 7.43 – Drivers to Exercise Due Care

Notwithstanding the foregoing provisions of this Article every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway: shall give warning by sounding the horn when

necessary: and shall exercise proper precaution upon observing any child or confused or incapacitated person upon a roadway.

ARTICLE 4

REGULATIONS FOR BICYCLES

SECTION 7.50 – Observance of Traffic Regulations

Any person operating a bicycle shall be required to observe traffic regulations and traffic control signals in the same manner as required of motor vehicles and shall also be required to have such bicycle under complete control before entering any highway within the Town.

SECTION 7.51 – Riding on Bicycles

A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto.

SECTION 7.52 – Riding on Roadways and Bicycle Paths

(a) Every person operating a bicycle upon a roadway shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(b) Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

(c) Whenever a usable path for bicycles has been provided adjacent to a roadway bicycle riders shall use such path and shall not use the roadway.

SECTION 7.53 – Speed

No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions existing.

SECTION 7.54 – Emerging From Alley or Driveway

The operator of a bicycle emerging from an alley, driveway or building, shall upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right of way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right of way to all vehicles approaching on said roadway.

SECTION 7.55 –Helmets

Helmets are required for all bicycle riders on public streets

ARTICLE 5

STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES

SECTION 7.60 – Stopping, Standing or Parking, Prohibited, No Signs Required.

No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer in any of the following places:

On a sidewalk

In front of a public or private driveway

Within an intersection

Within 15 feet of a fire hydrant

On a cross walk

Within 30 feet upon the approach to any stop sign or traffic-control signal located at the side of a roadway

Within 20 feet of the driveway entrance to any fire station

Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic

On a roadway side of any vehicle stopped or parked at the edge or curb of a street; i.e. double parking

At any place where official signs prohibit stopping

SECTION 7.61 – Vehicles Not to Obstruct Passage of Other Vehicles

No vehicle shall so stand on any street as to interrupt, or interfere with, the passage of public conveyances or other vehicles.

SECTION 7.62 – All-night Parking Prohibited

No person shall park a vehicle between the hours of 1:00 am and 6:00 am of any day on the streets.

SECTION 7.63 – Standing or Parking on One-Way Roadways

In the event a highway includes two or more separate roadways and traffic is restricted to one direction upon such roadway, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless signs are erected to permit such standing or parking.

CHAPTER 8 – BUILDING REGULATIONS

ARTICLE 1

IN GENERAL

SECTION 8.1 – State Building Code – Adopted and Incorporated by Reference

The North Carolina State Building Code, current edition, and amendments thereto, published by the North Carolina Building Code Council and the North Carolina Department of Insurance, is hereby adopted and incorporated by reference and made a part of this chapter as if fully set out herein.

State Law Reference – State Building Code, Chapter 143, Article 9

Resolution adopting for the Town of Harmony, the Iredell County Building Code, current edition, and the current Iredell County Insulation and Energy Ordinance, and authorizing the Iredell County Building Inspectors to administer and enforce said ordinances within the Harmony Town limits.

Whereas, the Harmony Board of Aldermen, hereinafter called the Board, deems it best after considering North Carolina General Statute 160A-411, 160A-413, and 160A-360, and North Carolina General Statute 153A-122, that the Town of Harmony adopt and apply within the town limits of said town, the current Iredell County Insulation and Energy Ordinance dealing with the licensing of insulation contractors and others.

Whereas, the Board further believes that the best administration and enforcement of these codes and ordinances can be provided by the Iredell County Building Inspection Department, and that it would be in the best interest of the town Board and the Town of Harmony to request that the Board of Commissioners of the County of Iredell direct one or more of the County Building inspectors to exercise their powers within the Town of Harmony to administer and enforce the above ordinances.

It is therefore resolved and ordained by the Harmony Board of Aldermen, that the Iredell County Insulation and Energy Ordinance, current edition, and the Iredell County Building Code, current edition, be from this date henceforth effective within the town limits of the Town of Harmony.

It is further ordained and resolved that, subject to the approval of the Iredell County Board of Commissioners, the administration and enforcement of said ordinances within the town limits of Harmony be conducted by the Iredell County Building Inspectors Office in the manner and form directed by the Iredell County Board of Commissioners.

This ordinance and resolution is adopted pursuant to North Carolina General Statutes 160A-411, 160A-413, 160A-360, and 153A-122.

This resolution and ordinance adopted hereby shall be effective this 3rd day of April 1978.

ARTICLE 2

ZONING

IREDELL COUNTY/TOWN OF HARMONY

INTERLOCAL AGREEMENT

FOR IMPLEMENTATION AND ENFORCEMENT OF ZONING

WITHIN THE TOWN OF HARMONY

WITNESSETH:

WHEREAS, Iredell County and the Town of Harmony desire to enter into an agreement, concerning the implementation and enforcement of zoning within the incorporated area of the Town of Harmony, in order to facilitate growth and land use planning; and

WHEREAS, Article 322 of Chapter 153A authorizes the County to enter into such an agreement and Article 363 of Chapter 160A authorizes the Town of Harmony to enter into such an agreement; and

WHEREAS, NCGS 160A-360 authorizes the Town of Harmony to implement zoning within their corporate limits; and

WHEREAS, the Iredell County Board of Commissioners have agreed for the Iredell County Department of Planning and Development to assist the Town of Harmony with this implementation; and

WHEREAS, the Iredell County Board of Commissioners have agreed that the County staff will serve as staff to the Town of Harmony concerning all zoning matters.

NOW THEREFORE, the parties do mutually agree as follows:

Sphere of Influence

The Town of Harmony will maintain a Zoning Ordinance similar to the Iredell County Zoning Ordinance.

Iredell County shall provide staff from the Department of Planning and Development to assist the Town with the implementation its adopted Zoning Ordinance.

Iredell County shall provide staff to assist the Town Council concerning all rezoning, expansion of non-conforming use, special use permit, variance, and change in nonconforming use hearings.

Iredell County shall provide staff to enforce the zoning code concerning any violation procedures that may arise.

Iredell County shall charge and receive a fee for all zoning permits, rezoning applications, variances, amendments, and special use permits for property within the corporate limits based upon the Iredell County Planning Department's Fee Schedule.

Iredell County shall be financially responsible for all required legal ads for rezoning, variances, amendments, and special use permits.

The Town of Harmony shall provide a meeting place for all required public hearings.

The Town of Harmony shall be responsible for any litigation.

Term

This agreement shall remain in place until either the Iredell County Board of Commissioners or the Town Council for the Town of Harmony cancels said agreement.

Amendment

This document shall be amended only by a written document executed in the same manner as this Agreement. This document may be cancelled at any time upon thirty (30) days written notice by the Iredell County Board of Commissioners or the Town Council for the Town of Harmony.

Integration

This instrument contains the entire agreement between Iredell County and the Town of Harmony, and no statement, either oral or written, made by an agent of either party which is not contained herein shall be valid or binding.

SECTION 8.3- Non-Residential Building Appearance

Refer to Iredell County Zoning Ordinance

Section 3.21 Non-Residential Building Design Requirements

CHAPTER 9 – ENVIRONMENTAL HEALTH AND SANITATION

ARTICLE 1

GENERAL HEALTH REGULATIONS

SECTION 9.1 – Unlawful to Violate County Health Regulations

It shall be unlawful for any person, firm or corporation to violate any lawfully adopted rule or regulation of the Iredell County Board of Health, or regulations of the Division of Health Services, North Carolina Department of Human Resources. The enforcement of these laws shall be the responsibility of the County Health Officer.

SECTION 9.2 – Unlawful to Hinder Health Officer or Assistants

It shall be unlawful for any person to hinder, obstruct or delay the County Health Officer or any of his assistants in the lawful discharge of their duties.

SECTION 9.3 – Removal of Nuisances

The owner, lessee, tenant or occupant of any building or premises where there shall be a nuisance or any violation of any ordinance relating to health and sanitation shall be jointly and severally liable therefore and each of them may be required to abate the same or comply with the order of the appropriate enforcement official within the time specified within the order.

SECTION 9.4 – Offensive Matter on Premises Prohibited

No owner or occupant of any premises shall suffer to remain on premises owned or occupied by him any decayed animal or vegetable matter, or any other thing which may be offensive to, or injurious to the health of, persons in the vicinity; nor shall any person place or throw such offensive matter upon any street or alley or upon the premises of another person.

SECTION 9.5 – Septic Tanks Regulation

- No citizen will be able to repair septic tanks or lines coming from bathrooms or kitchens if sewer tap is available.
- All homes or businesses must hook-up to sewer unless home or business building is over 200 feet from main sewer line or sewer line is not available to home or business. In these cases septic tank is allowed to be repaired.

Article 2

GROWTH OF WEEDS AND ACCUMULATION OF REFUSE REGULATED

Section 9.20- Uncontrolled Growths of Weeds and Accumulation of Refuse Declared a Safety Issue or Public Nuisance

The existence of any of the following conditions on any vacant lot or other parcel of land within the corporate limits is hereby declared to be dangerous and prejudicial to the public health or safety or detrimental to the economic well-being of the community, and therefore constitutes a public nuisance:

The uncontrolled growth of noxious weeds or grass to a height of 6 inches or more on developed lots or 12 inches or more on undeveloped lots.

Any accumulation of animal or vegetable matter that is offensive by virtue of odors or vapors or by the inhabitation therein of rats, mice, snakes or vermin of any kind which is or may be dangerous or prejudicial to the public health.

Any accumulation of rubbish, trash or junk causing or threatening to cause the accumulation of stagnant water, or causing or threatening to cause the inhabitation therein of rats, mice, snakes or vermin of any kind.

Any property condition causing or threatening to cause an endangerment to the public safety.

Any condition detrimental to the public health which violates the rules and regulations of the County Health Department

Section 9.21- Complaint and Investigation

The City Clerk, upon notice from any person of the existence of any of the conditions described in Section 9.20, shall cause to be made by the appropriate County Health Department official, or Town Official, such investigation as may be necessary to determine whether, in fact such conditions exist to constitute a public nuisance as declared in Section 9.20.

Section 9.22- Notice to Abate Nuisance

The Town inspector or his agent or assistant shall give notice in writing to the person owning, residing on or having charge or control of the premises that such conditions do exist and do constitute a public nuisance as declared in Section 9.20 and they shall have ten days from date of notice to correct the conditions. Such notice shall be served upon the person to whom it is directed by personal service if such person is a resident of the Town. If the owner of the property is not a resident of the Town and no person resides on the property nor has charge or control of the premises or vacant lot, the notice shall be served by posting a copy on the property.

Section 9.23- Failure of Owner or Tenant or Person in Charge or Control to Comply With Notice

Any person who owns, rents or has charge or control of any premises or vacant lot in the Town and who, after having received notice as provided in section 9.22 to correct a public nuisance condition as listed in the written complaint fails to do so within ten days after notice shall be guilty of a public nuisance condition.

If after the expiration of such ten days, the public nuisance condition has not been abated, the Town may abate the public nuisance at the expense of the owner, tenant, or other person having charge or control and make a reasonable charge, which charge shall be a lien on the lot or parcel of land, to be collected as other debts are collected, or liens enforced.

CHAPTER 10 – BUSINESSES AND TRADES

ARTICLE 1

PRIVILEGE LICENSE

SECTION 10.1 – Town License Tax Imposed

In addition to the tax on property, as otherwise provided for, and under the power and authority conferred in the laws of North Carolina, there shall be levied and collected annually or oftener where provided for, a privilege license tax on trades, professions, business operations, exhibitions, circuses, and all subjects authorized to be licensed, as set out in the following sections and schedule. All licenses shall be a personal privilege and shall not be transferable. Nothing herein contained shall be construed to prevent the Board from imposing from time to time, as they may see fit, such license taxes as are not specifically herein defined, or from increasing or decreasing the amount of any special license tax, or from prohibiting or regulating the business or acts licensed, and all licenses are granted subject to the provisions of existing ordinances or those hereafter enacted. G.S. 160A-211

REPEALED *North Carolina HB 1050 Section 12.3 repealed effective for taxable years beginning on or after July 1, 2015*

ARTICLE 2

AMUSEMENT AND ENTERTAINMENT ESTABLISHMENTS

SECTION 10.21 – Regulation Of

It shall be unlawful for any person, firm, corporation, or other entity to participate in or operate any place of amusement or entertainment between the hours of 11:00 p.m. on Saturday and 7:00 a.m. of the following Monday morning. Closed Sunday

SECTION 10.22 – Definition

Places of amusement and entertainment include pool and billiard halls, game rooms, dance halls, carnivals, circuses, itinerant shows or exhibits of any kind, coffee houses, cocktail lounges, night clubs, beer halls, and similar establishments.

SECTION 10.23 – Permits Issued by State Board of Alcoholic Control

To the extent that this ordinance is inconsistent with permits or license issued by the State Board of Alcoholic Control the terms set forth in said permit or license shall control and it shall be unlawful for any person, firm, corporation or other entity to violate said permit or license.

SECTION 10.24 – Violation

Any violation of this ordinance shall be a misdemeanor as provided by North Carolina General Statute 14-4, punishable upon conviction by a fine not exceeding One Hundred Dollars (\$100.00).

SECTION 10.25 – Same

Any person, firm, corporation, or other entity violating this ordinance shall be civilly fined One Hundred Dollars (\$100.00) for each violation of the ordinance and shall pay said fine within ten (10) days from the date the citation for the violation is issued. In the event the party violating the ordinance does not pay the fine within the ten day period, then the Town of Harmony may, by a civil action in the nature of a debt, collect said fine pursuant to North Carolina General Statute 160A-175.

SECTION 10.26 – Enforcement

This ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction.

SECTION 10.27 – Continuing Violation

Each day's continuing violation of this ordinance shall be a separate and distinct offense or violation.

SECTION 10.28 – Ordinance Enforced

This ordinance may be enforced by any one, all, or a combination of the remedies authorized and prescribed in this ordinance or by other applicable law.

SECTION 10.29 – Effective

This ordinance shall be effective upon adoption.

SECTION 10.30 – Ordinances in Conflict

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

ARTICLES 3, 4, & 5

RESERVED

ARTICLE 6
BEER AND WINE SALES

SECTION 10.60 – Town Malt Beverage and Unfortified Wine Retail Licenses

- (a) Each person holding a Malt Beverage Permit or an Unfortified Wine Permit issued by North Carolina ABC Commission for an establishment located within the Town of Harmony must secure from the Board of Aldermen a Town License for that activity, with the amount of the annual fee for each Statute currently in effect at the time the license is issued. (See N.C. S.C. Sec. 105-113.77)
- (b) Each person seeking a Town Malt Beverage or Wine License must complete and submit an application on a form prescribed by the Board of Aldermen. The information required to be provided in the application shall be the same as required by the North Carolina Alcoholic Beverage Control Commission for the equivalent permit.

SECTION 10.61 – Hours for Sale

The retail sale of malt beverages and unfortified wine within the Town of Harmony shall be regulated by North Carolina State Law

ARTICLE 7
SHOWS, SHOWHOUSES, CIRCUSES, AND OTHER AMUSEMENTS

SECTION 10.70 – Billiard and Pool Tables

Every person, firm, or corporation engaged in the business of operating billiard or pool tables, whether operated by slot or otherwise, shall annually apply for and procure from the Board of Aldermen of the Town of Harmony a Town License for the privilege of operating such billiard or pool tables, and shall annually pay for such license a tax for each table in an amount which is equal to the tax levied in the current year on each table by the North Carolina Department of Revenue and recorded on the state license of the applicant.

SECTION 10.72 – Hours of Operation for Pool Halls and Game Rooms

It shall be unlawful for any person, firm, corporation, or other entity to participate in or operate any place of amusement and entertainment between the hours of 11:00 pm and 7:00 am Monday through Saturday of each week and between the hours of 11:00 pm on Saturday and 7:00 am of the following Monday morning.

SECTION 10.73 - Internet Sweepstakes Business

Internet Sweepstakes business is prohibited in Town limits

CHAPTER 11 – DISORDERLY CONDUCT AND PUBLIC NUISANCES

ARTICLE 1

DISORDERLY CONDUCT

SECTION 11.1 – General

No person shall be engaged in any disorderly conduct within the Town limits.

SECTION 11.2 – Drinking in Public Places

- (a) It shall be unlawful for a person to drink beer while standing, walking, or riding on the streets of the Town, and likewise, it shall be unlawful to drink beer in any of the parking lots of the Town.
- (b) It shall be unlawful for any person to drink whiskey, wine, or other alcoholic beverages while standing, walking, or riding on the streets of the Town, and likewise, it shall be unlawful to drink whisky, wine, or other alcoholic beverages in any of the parking lots of the Town.

SECTION 11.3 – Minors under Twenty-One Buying Beverages Prohibited; Buying for Minors Prohibited

It shall be unlawful for any person under twenty-one (21) years of age to buy any beer, wine, or other alcoholic beverages. It shall also be unlawful for any person to buy any beer, wine, or other alcoholic beverage for a minor.

ARTICLE 2

GENERAL NUISANCES

SECTION 11.20 – Indirect Solicitation of Alms in Public Places without Permit Prohibited

No person shall sell or offer for sale any pencils, flowers, shoestring, chewing gum or similar objects in or on the streets or other public places as an indirect method of soliciting alms, nor shall any person offer a cup or other receptacle for the deposit of money or take up any collection in connection with the playing of any musical instrument in or on the streets or other public places without having a permit therefore issued by the Clerk.

SECTION 11.21 – Shooting of Firearms for Amusement Prohibited

No person shall fire any pistol, gun or other firearms, fireworks, or other pyrotechnics for sport or amusement.

SECTION 11.22 – Loitering on Streets

It shall be unlawful for any person to loiter or loaf on the streets of the Town of Harmony, or around any public place, after 12:00 midnight, and it shall be specifically unlawful for any person or his vehicle, to be found or parked, or the occupants or owners of the vehicle, to loiter or loaf on the parking lots of any commercial establishment in the Town of Harmony at any time that these commercial establishments are closed and not open for business. Also, it shall be unlawful for any persons to congregate on the streets or sidewalks in such a way as to obstruct or interfere with the free passage into or out of any public business, or private property.

SECTION 11.23 –Same – Police and Fire Stations or Other Public Building or Property

It shall be unlawful for any person to loiter or loaf about the premises of fire departments or in or about any public building or publicly owned property; provided, this section shall not apply to members of the volunteer fire department.

SECTION 11.24 – Same – Recreational Facilities

It shall be unlawful for any person to loaf, or lounge, or loiter, near, on, or about the outside of the place or places of entrance or around the sidewalks or streets adjacent thereto, of any and all of the recreational facilities of the Town of Harmony, within the corporate limits of said town; provided, that the provisions of this section shall in no way abridge, limit, or affect the rights of those members of the public that are entitled thereto, to use recreational facilities of the Town as a participant, spectator, or otherwise, when they are inside the facilities of said recreational premises and are not violating any other section of the Code of the Town of Harmony or the laws of the State of North Carolina.

SECTION 11.25 – Obscenity – Exposure of Person

It shall be unlawful for any person to violate public decency by indecent exposure of the person or by any obscene conduct on any street or other public building or anywhere within the corporate limits of the Town.

SECTION 11.26 –Same - Conduct

It shall be unlawful for any person to engage in any violent, obscene or disorderly conduct within the corporate limits of the Town.

SECTION 11.27 – Abandoned Iceboxes

It shall be unlawful for any person to leave outside of any building or dwelling or in any place within the corporate limits accessible to children, or unattended, abandoned, or discarded ice-box, refrigerator, or other container of any kind, which has an airtight door, snap lock or other locking device which, when closed, may not be released for opening from the inside, without first removing the doors, snap lock or other locking device from said icebox, refrigerator, or other container.

SECTION 11.28 –Abusing Town Official

It shall be unlawful for any person to revile abuse or ridicule any official of the Town while in the discharge of his official duties.

SECTION 11.29 – Assault and Battery

It shall be unlawful for any person to commit an assault and battery on another in the Town.

SECTION 11.30 – Interference at Public Assemblies

It shall be unlawful for any person to create any disturbance at any place of public amusement, religious congregation or other public meeting by loud talking, whistling, using indecent, obscene or profane language, or to in any way interrupt the performance or the good order of the audience; or obstruct the entranceway to such place.

SECTION 11.31 – Intoxicated Persons in Public Places

It shall be unlawful for any person to be found drunk in any street, alley, or other public place within the corporate limits of the Town.

SECTION 11.32 – Language

It shall be unlawful for any person to curse, swear, or use profane or obscene language or indulge in loud and boisterous talking on the streets, sidewalks, public squares, or at or in any other public building or public place.

SECTION 11.33 – Property - Buildings and Fences; Writing, Defacing and Posting Bills

It shall be unlawful for any person to write, paint, draw, carve or cut any letter, letters, word, words or device, or to in any way mutilate or deface any church, public buildings, private wall or fence belonging to another, or post any bills on the same without the owner's consent.

SECTION 11.34 – Same – Public Buildings; Town Owner Property

It shall be unlawful for any person to injure, deface, mutilate, destroy, tamper with or in any wise injure any public building or other property belonging to the Town.

SECTION 11.35 – Same – injuring Town Signs and Property

It shall be unlawful for any person to wantonly break, injure, deface, or misplace any of the street signboards, lamps, lamp posts, light poles, telephone, telegraph poles, or wires, in any manner whatsoever, belonging to or placed within the Town, or to break or injure any fountain, hydrant, water fixture, or other property belonging to the Town or located within the same.

SECTION 11.36 – Same – Writing, Painting on Pavement or Curbs

It shall be unlawful for any person to write, paint or print any letters, figures, signs, devices, pictures or marks on any of the pavements or curbstones of the Town; provided, that this section shall not apply to traffic regulatory markings required or authorized by ordinance.

SECTION 11.37 – Same – Schools; Fixtures, Furniture and Grounds

It shall be unlawful to deface, despoil or otherwise injure or damage any school building in the Town or any furniture or fixtures therein or to commit any injury, waste or depredation upon the grounds of any schoolhouse or building or to injure in any way any flowers, trees or shrubbery upon any school grounds or at or near any schoolhouse or building.

SECTION 11.38 – Same – Damaging Trees

It shall be unlawful for any person to pull down, cut, or in any way injure any shade tree on the streets, side-walks or public squares.

SECTION 11.39 – Prostitutes

It shall be unlawful for any person to cohabit with or in any way aid any prostitute, harlot, whore, male or female given to lasciviousness within the corporate limits or the Town.

SECTION 11.40 – Advertising – Signs, etc. on Street Right-of-Way

It shall be unlawful for any person to erect, attempt to erect, or cause to be erected, or to maintain any sign, post or standard, or any other equipment whatsoever for the display of any sign for any purpose in the space provided for street right-of-way, public sidewalks, public parking, or between or on the space of ground between any sidewalk and street curb.

SECTION 11.41 – Posting Advertising or Other Matter on Private Property

It shall be unlawful for any person, firm, or corporation to nail, stick, or otherwise affix bills, posters, advertisements, notices or other printed or graphic matter upon private property within the Town without the consent of the owner.

SECTION 11.42 – Disturbing School Decorum

No person shall engage by conversation, sign or otherwise the attention of any pupil to the disturbance of the discipline of any school.

SECTION 11.43 – Patronage of Massage Businesses by Minors and Employment of Minors

- (a) It shall be unlawful for any person licensed as a masseur or masseuse to massage or treat any person under the age of eighteen (18) upon the licensed premises, except upon written order by a licensed physician, osteopath, chiropractor, or registered physical therapist, such order being dated and in the possession of the masseur or masseuse giving the massage or treatment. A violation of this subsection shall be grounds for revocation of any license issued to such violator pursuant to this article.
- (b) It shall be unlawful for any person, corporation, partnership or association licensed to allow, permit or condone the massage or treatment of any person under the age of eighteen (18) upon the licensed premises, except upon written order by a licensed physician, osteopath, chiropractor, or registered physical therapist, such order being dated, and a true copy of such order being in the possession of the licensee before administration of any massage or treatment. A violation of this subsection shall be grounds for revocation of any license issued to such violator pursuant to this article.

- (c) It shall be unlawful for any person, corporation, partnership or association licensed to employ any person under the age of eighteen (18) years in the operation of a massage business.
- (d) It shall be unlawful for any person under the age of eighteen (18) to patronize any massage parlor or similar establishment licensed hereunder.

SECTION 11.45 – Unnecessary Noise Prohibited

It shall be unlawful for any person, firm or corporation to create or assist in creating any unreasonable loud, disturbing and unnecessary noise in the Town. Noise of such character, intensity and duration as to be detrimental to the public health, welfare, and peace is hereby prohibited.

SECTION 11.46 – Noises Expressly Prohibited

The following acts, among others, are hereby declared to be loud, disturbing and unnecessary noises in violation of this Section, but said enumeration shall not be deemed to be exclusive:

- (1) The sounding of any horn or signal device on any automobile, motorcycle, bus, or other vehicle, except as a danger signal, so as to create any unreasonable loud or harsh sound, or the sounding of such device for an unnecessary and unreasonable period of time.
- (2) The playing of any radio, phonograph or other musical instrument in such manner or with such volume, particularly during hours between 11:00 pm and 7:00 am as to annoy or disturb the quiet, comfort, or repose of any person in any dwelling, hotel, or other type of residence.
- (3) The keeping of any animal or bird, which, by causing frequent or long continued noise, shall disturb the comfort and repose of any person in the vicinity.
- (4) The use of any automobile, motorcycle, or vehicle so out of repair, so loaded, or in such manner as to create loud or unnecessary grating, grinding, rattling or other noise.
- (5) The conducting, operating, or maintaining of any garage or service station in any residential area so as to cause loud or offensive noises to be emitted between the hours of 10:00 pm and 7:00 am on weekdays or on Sundays.
- (6) The erecting (including excavation), demolition, altering the repair of any building in a residential or business area other than between the hours of 7:00 am and 6:00 pm on weekdays, except in the case of urgent necessity in the interest of public safety.
- (7) The creating of any excessive noise on any street adjacent to any school while the same is in session.
- (8) It shall be unlawful for any person to operate any motor vehicle in any manner so as to intentionally spin tires to create a loud and disturbing noise on any street, highway, or public vehicular area within the Town limits of Harmony.

SECTION 11.47 - Skateboarding Ordinance

Skateboards are not allowed on Town property or streets and sidewalks at any time.

ARTICLE 3

ANIMALS

ADOPTED: IREDELL COUNTY ANIMAL ORDINANCE Effective December 7, 2015 (www.co.iredell.nc.us)

REPEALED : Town of Harmony Animal Ordinance except ones listed below effective January 4, 2016

SECTION 11.60 – Domestic Fowl

DEFINITION: A gallinaceous bird kept for its eggs and flesh, a domestic cock or hen

1. Domestic Fowl is allowed in the corporate limits of the Town of Harmony so long as the acreage of the lot upon which they are kept is at least one (1) acre.
2. It shall be unlawful for any person to keep more than ten (10) total of domestic fowl within the corporate limits of the Town of Harmony.
3. Only one (1) cock is allowed in the total of ten (10) domestic fowl.
4. Ten being total of hens, cocks, or baby chicks.
5. Domestic fowl may be kept for personal household use only. No raising and selling of hens, baby chicks, or eggs.
6. No fighting Roosters allowed.
7. All domestic fowl shall be kept in a fenced area, with proper coops, maintained at all times in a clean and healthy condition.
8. Any person found to be in violation of the Ordinance shall be guilty of a misdemeanor punishable by N.C. General Statute 14-4. Each day's violation shall be a separate and continuing offense.
9. The Ordinance may also be enforced by an appropriate equitable remedy to include and injunction and order of abatement from a court of competent jurisdiction.

SECTION 11.61 Domestic Fowl H5N2 (AVIAN FLU)

1. If your chickens show signs of nasal discharge and decreased appetite, are laying fewer eggs or experiencing unexplained death, call the state veterinarian's office at 919-707-03250 for testing.
2. The state veterinarian has asked all owners of backyard chickens to register their flocks to help state officials alert owners if there is an outbreak of the avian flu. For details on how to register and a Frequently Asked Questions section, go to ncagr.gov/avianflu/Small-Flock-info.htm.

SECTION 11.64 –

SECTION 11.65 – Livestock, and Farm Animals (adopted August 30, 2005)

1. It shall be unlawful for any person to keep any cow, sheep, hog, swine, goat, horse, mule, or other livestock, within the corporate limits of the Town of Harmony, unless authorized pursuant to other specific provisions of this ordinance.
2. Horses are allowed within the Town limits so long as the acreage of the lot upon which they are kept is at least five (5) acres.

3. No person shall keep, maintain, shelter or graze any horse within the Town limits within 150 feet of any residence or business establishments, except the residence or business establishment of the owner of such horse.
4. No person shall erect or keep any stable or other enclosures for horses nearer than 150 feet to any street of the Town.
5. No person shall keep, maintain, shelter or graze horses at a density of more than two (2) horses owned by that person within the Town.
6. Every stable or place where horses may be kept shall be maintained at all times in a clean and healthy condition.
7. The prohibitions concerning livestock shall not apply to any livestock on any premises in the Town where the premises are being used on the date this Ordinance is enacted for the keeping of livestock. However, it shall be unlawful to keep any prohibited livestock on the premises, if for any thirty (30) consecutive days, no livestock is kept on the premises.
Only that type of livestock on the premises at the time this Ordinance is enacted may continue to be kept on the premises.
8. Any person found to be in violation of this Ordinance shall be guilty of a misdemeanor punishable by N. C. General Statute 14-4. Each day's violation shall be a separate and continuing offense.
9. The Ordinance may also be enforced by an appropriate equitable remedy to include an injunction and order of abatement from a court of competent jurisdiction.

SECTION 11.66

SECTION 11.67 – Riding, Driving, Leading Animals

It shall be unlawful to ride, lead or drive any horse or other animal, except dogs, upon any curb, sidewalk, footway or public square, except for the purpose of crossing a sidewalk at the entrance way to adjacent lots, and only for the purpose of going out of and into such lots.

SECTION 11.68 – In Cemeteries

It shall be unlawful for any person to ride any horse or other animal into the cemeteries except on the roadway. No animal shall be ridden or walked across the graves in the cemetery or other grassy places.

SECTION 11.69 – Same – Recklessly

It shall be unlawful for any person to recklessly ride or drive a horse, mule or other animal upon the streets of the city.

ARTICLE 4

ABANDONED, JUNKED AND NUISANCE VEHICLES

The purpose of this ordinance is to ensure the protection of property values, indirect protection of public health and safety, preservation of the character and integrity of the community and the promotion of the comfort, happiness and emotional stability of the area residents.

SECTION 11.80 – DEFINITION OF ABANDONED VEHICLES

As authorized and defined in G.S. #160A-303 an ABANDONED VEHICLE is one that:

- (1) Is left upon a public street or highway in violation of a law or article prohibiting parking;
- (2) Is left upon a public street or highway for longer than seven days or is determined by law enforcement to be a hazard to the motoring public;
- (3) Is left upon property owned or operated by the town for longer than 24 hours; or
- (4) It is left on private property without the consent of the owner, occupant, or lessee thereof for longer than two (2) hours

SECTION 11.81 – DEFINITION OF JUNKED MOTOR VEHICLE

As authorized and defined in G.S. #160A-303.2 the term JUNKED MOTOR VEHICLE means a vehicle that does not display a current license plate lawfully upon that vehicle and that:

- (1) Is partially dismantled or wrecked;
- (2) Cannot be self-propelled or move in the manner in which it originally was intended to move; or
- (3) Is more than five years old and appears to be worth less than \$500.00
- (4) No junked vehicles shall be allowed in any yard that is visible from the street. No more than two junked vehicles may be located in the rear yard of any private residence, outbuilding or commercial establishment, as defined in the Town Ordinances, provided the junked motor vehicles are entirely concealed from public view, from a public street and/or abutting premises by an acceptable covering and provided the junked vehicle(s) are not considered a “nuisance vehicle” as defined in Section 11.82. The covering must remain in good repair and must not be allowed to deteriorate.

SECTION 11.82: DEFINITION OF NUISANCE VEHICLE

A vehicle on public or private property that is determined and declared to be a health or safety hazard, a public nuisance and unlawful, including a vehicle found to be:

A breeding ground or harbor for mosquitoes, other insects, rats or other pests;
A point of heavy growth of weeds or other noxious vegetation which exceeded eight inches in height;

In a condition allowing the collection of pools or ponds of water;

A concentration of gasoline, oil or other flammable or explosive materials as evidenced by odor;

An area of confinement which cannot be operated from the inside, such as, but not limited to trunks or hoods;

So situated or located that there is a danger of it falling or turning over;

A collection of garbage, food waste, animal waste or any other rotten putrescent matter of any kind; or

One which has sharp parts thereof which are jagged or contain sharp edges of metal or glass.

SECTION 11.83: REMEDY

Should the Town determine that there is a violation of this ordinance, the Town will send a NOTICE OF VIOLATION to property (vehicle) owner requesting the owner to remedy the violation and bring the situation into compliance within 30 days of the date of the Notice. Should the violation not be remedied within the 30 day period, the owner may be fined up to \$100.00 per day for the violation which fine could result in a lien against the owner's real or personal property or could result in garnishment of the owner's wages. **Ordinance adopted by the Harmony Town Board on August 12th, 2019.**

CHAPTER 12 – TAXATION

ARTICLE 1

TAXATION

SECTION 12.1-Tax Collector

Iredell County Tax Collection Department shall diligently collect taxes due the Town as required by the charter, ordinances, and laws of the state and make due reports of same and perform such other duties as Tax Collector as required by the charter, ordinances, or the laws of the state and perform such other duties as may from time to time be prescribed by the Town Council.

SECTION 12.2 – Ad Valorem Tax Determined Each Year

The ad valorem tax for the Town shall be determined by the Town Council each year. Such tax rate shall not exceed that prescribed by the North Carolina General Statutes.

CHAPTER 13 - TOWN OF HARMONY PROPERTIES

ARTICLE 1

HARMONY COMMUNITY CENTER

SECTION 13.1 -Rentals

The center is available for rent between the hours of 9:00 a.m. and 10:00 p.m. Rental and deposit amount shall be set by Town Board. Center shall be available for rent at NO CHARGE to community events open to the public, civic, or school events.

SECTION 13.2 - Damage to Community Center Property

Renter shall be responsible for damage to furniture, appliances, or equipment misplaced, destroyed or damaged. Full reimbursement for cost of these items will be charged to renter.

SECTION 13.3 - Damage to Personal Property

In renting, leasing, or making available the Harmony Community Center, the Town of Harmony does not assume any responsibility for the loss of or damages to any personal property placed on the premises by the user or for loss or damage of any property or personal effects, including motor vehicles and their contents of the user, its members, employees, agents, participants, guest, or attendees.

SECTION 13.4 - Alcoholic Beverages, Drugs, or Firearms

It shall be unlawful to possess alcoholic beverages, drugs or firearms on the premises or in parking areas.

SECTION 13.5 - Animals

No animals are allowed in Community Building.

SECTION 13.6 - Noise

No loud music or large stereo systems are allowed. Excessive noise or offensive language is prohibited.

SECTION 13.7 - Smoking

No smoking is allowed in the community center building.

SECTION 13.8 - Attaching Items to Walls

No nails, screws, staples, tape or fixtures of any kind may be driven or applied to the walls, woodwork, floors, or ceiling.

SECTION 13.9 - Building to be Left Clean

After rental, building is to be left clean, including kitchen and restrooms. Remove all personal items from refrigerator, flush all commodes, wash and put away all dishes, sweep all floors, and leave clean (mop if necessary). Remove all trash and garbage from the premises.

SECTION 13.10 - Personal Grills

Bar-B- Que grills are allowed in the shelter at the back of the community center. Concrete is to be left clean and free of grease.

ARTICLE 2

CEMETERY

SECTION 13.20 – Superintendent – Appointed by Town Council

The City Council shall appoint some competent person as superintendent of the cemetery department. He shall at all times be under the control and direction of the Town Council.

SECTION 13.21 – Same – Duties

It shall be the duty of the superintendent of the cemetery department to:

Have the cemeteries kept in good order, worked and cultivated.

See that all lots receive equal attention as to mowing, refilling of graves and the rendering of other services usually performed by the city.

SECTION 13.22 – Sale of Lots – Nonresidents; Double Price

All nonresidents of the city shall pay for any lot or part of a lot double the price established for residents.

SECTION 13.23 – Same - Payment before Interment Conveyance; Records

Upon the payment of the purchase price to the Town Clerk and Treasurer, the Mayor shall execute and deliver to the purchaser a legal deed for the lot. The Town Clerk and Treasurer shall keep a record of each sale of lots or parts of lots, including date of sale, description of lot, name of the purchaser and price paid.

SECTION 13.24 – Same – Payments in Arrears; Resale

In all cases where a lot has been sold and the person to whom such sale has been made neglects or refuses to pay the purchase price for the lot, the Town Council shall have power to sell such lot to any other purchaser, and the Town Council shall have power to sell all remainder of such lot not occupied by a grave upon such terms as they shall deem proper.

SECTION 13.25 – Lot Limitations in Town Cemeteries

It shall be unlawful for any person to build any curbs, wall or fence of any kind on or around any lot in any cemetery in the town except in accordance with the following provisions:

- a) Lots are to be kept flat and level at all times
- b) No mounds or coping shall be allowed

SECTION 13.26 – Willful Picking, Cutting, Injuring Plants

It shall be unlawful for any person to willfully pluck any flowers, shrubs or plants or to cut, destroy, break, remove or injure any tree, shrub or plant that may have been planted or that may be growing in the cemetery.

SECTION 13.27 – Same – Structures, Tombs, Monuments, etc.

No person shall destroy, mutilate, deface, injure or remove any tomb, monument, gravestone or other structure in the cemetery; or any fence, railing or other object for the protection or ornament of any lot, tomb, monument, grave or other structure or built for the protection or ornament of the cemetery.

SECTION 13.28 – Animals – Burial

It shall be unlawful to bury the body of any dog, cat or any other animal, fowl or thing within any cemetery for the interment of human bodies used as a cemetery and place of interment by the Town.

SECTION 13.29 – Same – Killing and Trapping

No person shall kill or trap in any manner whatever any bird or animal in the cemetery in the Town.

SECTION 13.30 –Traffic Lanes and Speed

It shall be unlawful for any person to operate any motor vehicle or other vehicle at a speed faster than fifteen miles per hour in any of the cemeteries of the Town. Vehicles shall be operated only on the main roadways specially built for driving.

SECTION 13.31 – Noise and Improper Conduct

It shall be unlawful for any person to disturb the quiet and good order of any cemetery by noise of any kind, or other improper conduct; or to refuse to leave the cemetery when notified to do so, for any disturbance, improper conduct or other violations of the regulations. Any person violating this section may be ejected from the grounds.

SECTION 13.32 – Trespassing

It shall be unlawful for any person to trespass by entering upon the premises of Harmony Town Cemetery between the hours of 9:00 p.m. and 6:00 a.m.

SECTION 13.33 – Cleanliness

No person shall deposit any rubbish, filth, waste, or other unclean or unsightly substance in said cemetery, and all materials carried within said cemetery and not used in the erection of monuments, markers or other lawful structures authorized herein, shall be promptly removed by the owner of the lot upon which such monument, marker or structure shall be located.

SECTION 13.34 – Rules and Regulations

Harmony Cemetery has four reserved sections – Upright Monument Section, Flat Marker Section, Mausoleum Section and the Old Section. Rules and regulations apply to all sections where applicable.

Everyone buying grave space(s) in the Harmony Cemetery shall receive a copy of the Rules and Regulations.

No deed will be issued until the bill is paid in full.

Grave space(s) sold on strictly cash basis. If payments are desired, they can be made 50% down and 50% last payment. Payment must be made in full prior to opening of grave. Deeds for grave space(s) are to be issued with the understanding that the purchaser of said plot agrees to abide by all cemetery rules and regulations now in effect or any rules or regulations passed by the Town Council at a future date.

No graves dug without permission from the person(s) in charge of cemetery. All graves are to be kept at ground level – no mounds allowed.

Grass sod to be removed before opening grave and placed back on grave. Fill dirt must be packed in a reasonable manner. All excess dirt must be removed from cemetery the day of burial if practical. If not, arrangements may be made with the person(s) in charge.

No burial allowed unless steel or concrete vault or liner is used. Pauper cases to be referred to the person(s) in charge.

All cremation burials must be placed in a steel or concrete urn vault.

No monument installed in cemetery without permission from the person(s) in charge. Markers erected must have a concrete foundation of at least 6” deep including the 6” border. Markers must have a 6” border. All markers must be kept in line following instructions from the person(s) in charge. No footstone(s) allowed with an upright monument. Flat markers shall be kept at ground level with foundation and border as described above in the Memorial Section. In other sections may be placed above ground level and used as a headstone with foundation and border. No coping of concrete, stone, brick or any such materials shall be allowed. No sand, gravel, crushed stone or similar materials shall be allowed on lot or grounds.

No truck hauling monument or vehicles of any kind allowed to drive on the ground except on driveways provided.

There shall be no flowers or shrubs planted around, on, or near any graves. No wire or rocks shall be placed in the cemetery. No solar lights, statues/figurines or knick knacks are allowed. All flowers are to be removed from graves after they cease to be functional. The person(s) in charge will have the authorization to remove any flowers of any variety after they cease to be functional. This includes artificial flowers. Live flowers without water will be removed around one week and other varieties when they have lost their beauty. The decision rests with the person(s) in charge. Grave sited will be cleaned two (2) times per year.

Family members are responsible for marking graves with a permanent marker or cutting death date on present marker within six months of burial. If not, the person(s) in charge or the Town Council may contact the next of kin to remind them. (This ordinance voted on and approved (4-0) by Town Council on April 3, 2018)

SECTION 13.35 – Quarterly Cemetery Clean Up

Article 2 of the Harmony Town Ordinance outlines the operations, maintenance, and authority of the Town Cemetery, including identifying what items are/are not allowed. It is the Town of Harmony's privilege and responsibility to look after the graves of your loved ones in perpetuity.

SECTION 13.36 - Rules – The items that have been prohibited were a part of the original ordinance. An amendment to the ordinance was adopted on April 3, 2018 defining which items are allowed and which are prohibited. While the items you put on your plots have a special meaning to you, an over-abundance of these items does take away from the beauty of the cemetery as a whole or may even go as far as being offensive to some other visitors. An additional reality of this responsibility is that the Town is also obligated to be a good steward of the citizen's tax dollars. The enforcement of the existing ordinances is a way to help control maintenance costs within the Town.

Section 13.37 – “Leniency Period” – Special memorial displays (Metal emblems or markers, flags or guidons) are permitted during the times shown below but must be removed by the end date shown or such displays will be removed in accordance with this ordinance.

- (a) Christmas/Holiday Decorations: December 1 – January 7
- (b) Easter: Sunday immediately before Easter – Saturday immediately following Easter
- (c) Memorial Day: Saturday immediately before Memorial Day – Saturday immediately following Memorial Day.

Flowers, baskets designs and frames may be removed from grave or plot at any time at the discretion of the superintendent. The family, or other responsible party, shall remove any wanted prohibited items from the grave or plot within one week of the day of burial. Any remaining items will be removed in accordance with this ordinance.

Section 13.38 – Quarterly Clean-up – The enforcement of the ordinances will occur at a minimum of 4 times per year and will try to coincide with the leniency periods that were mentioned above. The town currently plants on starting clean-ups at a minimum on:

- 1st Monday after January 7th
- 2nd Monday after Easter
- 1st Monday after July 4th
- 1st Monday in October

For further clarification or questions, please contact the Harmony Town Hall at 704-546-2339 or by email at: harmonync@yadtel.net. A copy of the ordinance may be viewed online at the Town of Harmony website. (Adopted 2/04/2019)

ARTICLE 3

TOMLINSON-MOORE FAMILY PARK

SECTION 13.40- Park Hours

It shall be unlawful for any person to be on park property between the hours of dusk and dawn

SECTION 13.41- Reservation of Picnic Shelter

No fee charged for use of picnic shelter. Reservations must be made 30 days in advance. Only 6 tables make be reserved.

SECTION 13.42- Weapons, Illegal Drugs, or Fireworks

It shall be unlawful for any person to possess any weapons, illegal drugs or fireworks on park premises or in parking area

SECTION 13.43- Alcoholic Beverages

It shall be unlawful for any person to possess any alcoholic beverages on park premises or in parking area

SECTION 13.44-Bikes, Skates, Skateboards, Rollerblades or Scooters

No bikes, skates, skateboards, rollerblades or scooters are allowed in fenced area of park

SECTIONS 13.45- Motorized Vehicles

No motorized vehicles are allowed inside fenced area of park

SECTION 13.46- Animals

No dogs, cats, horses or other animals are allowed in fenced area of park

SECTION 13.47- Trespassing

It shall be unlawful for any person to trespass by entering upon the premises of Tomlinson –Moore Family Park between the hours of dusk to dawn

SECTION 13.48- Smoking

Smoking allowed in designated areas

SECTION 13.49- Cleanliness

No person shall deposit any rubbish, filth, waste or other unclean or unsightly substance in park area. All rubbish or trash should be placed in trash cans for disposal.

SECTION 13.50-Noise and Improper Conduct

It shall be unlawful for any person to disturb the good order of the park by unnecessarily loud noise or other improper conduct; or to refuse to leave the park when notified to do so, for any disturbance, improper conduct or other violations of the regulations. Any person violating this section may be ejected from the grounds.

SECTION 13.51- Willful Picking, Cutting, Injuring Plants

It shall be unlawful for any person to willfully pluck any flowers, shrubs or plants or to cut, destroy, break, remove, or injure any tree, shrub or plant that may have been planted or that may be growing in the park.

CHAPTER 14 - TOWN APPEARANCE

ARTICLE 1

APPEARANCE

SECTION 14.1- FURNITURE NOT MANUFACTURED FOR OUTDOOR USE

Any furniture not manufactured for outdoor use, including, but not limited to, upholstered chairs, couches and mattresses placed in any front yard, or side yard or rear yard abutting a street or on any open porch exposed to the elements, shall constitute a nuisance condition.

SECTION 14.2- YARD SALES

All items place in yard or porch for yard sale must be removed the day after the sale. No items shall be left longer than three days.

SECTION 14.3- YARD WASTE

Yard waste should be disposed of properly. If yard waste is composted, it must be maintained properly, and kept in the rear yard, so as to not create a nuisance for adjacent properties. Dumping of grass and weed clippings, tree limbs or other debris on private or town property is prohibited.

SECTION 14.3- TRASH CONTAINERS

Trash containers must be placed and removed from the curb within 24 hours of trash collection. The containers should be stored inside the property (garage) or at the rear of the home

SECTION 14.4- TRAILERS, RVS, AND RECREATIONAL EQUIPMENT

In all residential zoning districts, recreational equipment including, but not limited to, boats, personal watercrafts, snowmobiles, all-terrain vehicles, travel trailers, pop-up campers, and motor homes, shall be permitted if the equipment is stored or parked a minimum of 20 feet from any and all property lines. They cannot be located within any front yard or any required street side yard except for designated parking spaces. No on-street parking. At no time shall a recreational vehicle be used for permanent living, sleeping, materials storage or other purpose. No recreational vehicle shall be permanently connected to water, gas, and electric or sanitary sewer service.

CHAPTER 15 – CHRISTMAS PARADE

ORDINANCE 2015-14

AN ORDINANCE TO ESTABLISH POLICIES FOR CHRISTMAS PARADES

WHEREAS, THE Town of Harmony desires to conduct a Christmas Parade for its citizens in Harmony, North Carolina; and

WHEREAS, THE Town of Harmony wishes to ensure that parades are conducted in a manner that is safe to all persons involved in the parade and to the public; and

WHEREAS, The Town of Harmony desires to promote the health, safety and welfare of the Citizens of Harmony and their guest by ensuring that all parade activities occur in an orderly manner;

NOW, THEREFORE, BE IT ORDANINED BY THE MAYOR AND TOWN ALDERMEN OF THE TOWN OF HARMONY, NORTH CAROLINA AS FOLLOWS:

SECTION 15.1 – Definitions

Christmas Parade- a parade or procession consisting of floats, groups, vehicle, bands or other approved entertainment following a designated route and follows the requirements listed below:

1. The purpose of the Christmas Parade is for children and is dedicated to Christmas
2. The Christmas Parade is “family-focused” – and adult behavior or themes are NOT acceptable
3. Christmas Parade starting time: 2:00PM
4. Minimum Speed: **3mph**
5. Maximum Speed: **3 mph**
6. Minimum interval of Space to be maintained between the floats, groups, and vehicles: **10 feet**

SECTION 15.2 - Christmas Parade Participants & Entities:

1. All Christmas Parade applications, floats, entries and participants are subject to approvals by the Town’s Christmas Parade Coordinator.
2. All vehicles in the Christmas Parade must be driven by a licensed driver.

3. Parade participants are not permitted to leave vehicles to demonstrate in any street or to stop or slow the forward movement of the parade in any way.
4. In keeping with the purpose of the Christmas Parade, all participants, floats, groups, vehicles, etc. must have a Christmas theme, Christmas music and /or Christmas attire.
5. Approved floats must be in line at Harmony Elem. School by 1:45 PM on the day of the parade.
6. Any group (vehicles, walkers, dancers, floats, animals, or entity, etc.) can be removed from the Christmas Parade anytime, prior to or during the parade, for lewd or inappropriate behavior as determined by a Parade Marshall, Iredell County Sheriff's Office Deputy or Town of Harmony Official.
7. There shall be only ONE live Santa in the Christmas Parade which will be designated by the Town's Christmas Parade Coordinator, so as not to confuse small children.

SECTION 15.3 – Applications

Applications:

Must be submitted 5 days prior to the parade date and completed in full to be considered for approval.

SECTION 15.4 – Parade Route

That the Iredell County Sheriff's Office, in coordination with the Town of Harmony parade director, shall establish the parade route and the time for the parade to commence and end. "No Parking on Parade Route Roadway" signs shall be placed along the parade route. Barricades shall be placed along the parade route as the Town of Harmony deems necessary for public safety and protection.

SECTION 15.5 – Floats

All floats/vehicles:

1. Must have an adult (21 years or age or older) for every 5 children (under the age of 18 years of age) on each float or trailer – adults walking beside the float do not fill this requirement
2. Anyone under the age of 16 years of age must be seated on the float (no standing)
3. Adults must have control of children on float at all times
4. Any reports of participants throwing candy or other items in a manner of being aggressive will result in the float being removed from the parade by the nearest Parade Marshall, Iredell County Sheriff's Office Deputy or Town of Harmony Official.
5. ATVs, go carts and dirt bikes are not permitted in the parade.

SECTION 15.6 – Trash

That all trash shall be kept on the float until the end of the parade. The float shall be clean and free of debris prior to transporting said float to its place of storage. While in float, riders shall not throw trash from the float before or during the parade.

SECTION 15.7 – Animals

1. That any animal not in the end of parade with other animals, must wear an appropriate fitting diaper or other similar device or be followed by cleanup personnel who shall remove all waste and excrement from the streets during the course of the parade. Cleanup personnel shall follow

immediately behind all animals or grouping thereof and shall remove all waste and excrement to prevent same from being spread about the street. Any animal not properly fitted with a diaper or followed by cleanup personnel shall not be allowed to participate in the parade and shall immediately be removed from the parade by the nearest Parade Marshall, Iredell County Sheriff's Office Deputy or Town of Harmony Official.

2. NO horses on parade route before parade.
3. All pets must be on leashes (both those in Christmas Parade as well as spectators).

SECTION 15.8 – Public Conduct During Parade

1. It shall be unlawful for any person to possess or consume alcoholic beverages along any right-of-way along the parade route.
2. It shall be unlawful for any person to unreasonably hamper, obstruct, impede or interfere with any parade or parade assembly or with any person, vehicle, or animal participating in or used in a parade. No driver of a vehicle of any type shall drive between the vehicles, floats, or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated a parade.
3. The Parade Marshall, Iredell County Sheriff's Office Deputy or Town of Harmony Official shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a public road, highway or right-of-way or part thereof constituting a part of the route of the Christmas Parade.
4. The parade attendees shall not interfere with the movement of Fire Fighters, EMS, Sheriff's Office or any other Public Safety official in route to an emergency that would prevent normal Public Safety response for the protection of the citizens of the Town of Harmony and its jurisdictions.

SECTION 15.9 – Parade Day Information

1. Registration/Float Sign-In will be at Harmony Elem. School. All floats must be in line by 1:45 PM on the day of parade.
2. Please be on time. The parade will start promptly at 2:00 PM
3. Parade staging will be at entrance to Harmony Elem. School. The parade will go south on Harmony Hwy. The parade will disband at Alexander Farm Road.

SECTION 15.10 – Alternate Date

The town's designated Christmas Parade Coordinator will make the determination of moving the Christmas Parade to the following Sunday in the event of inclement weather or any other reason that might arise.

SECTION 15.11 – Severability

When the requirements imposed by this Ordinance are either more or less restrictive than comparable requirement in any other applicable ordinance, code or regulation, the provisions that are more restrictive or impose higher standards shall apply. Each phrase, sentence, paragraph, section, sentences, paragraphs, sections and provisions. Should any phrase, sentence, paragraph, section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such declaration shall not affect any other portion or provision of this Ordinance.

SECTION 15.12 – Effective Date

That the provisions of this ordinance shall become effective upon the approval and publication as prescribed by law.