



**Proposed Amendments –  
Ch. 24: Parades, Motorcades,  
Special Events and  
Demonstrations Ordinance**

*City Attorney's Office  
April 27, 2026*

<u>Current Ordinance</u>	<u>Proposed Ordinance</u>
Prohibits the use of profane and abusive language to or at pickets	Prohibits the use of fighting words as well as threatening and indecent language by spectators
Permitted police to direct the dispersal of people assembled if the number of people tended to intimidate pickets	Conforms the Code with North Carolina General Statutes as it relates to commands to disperse from police officers



## CHAPTER 24 - STREETS AND SIDEWALKS

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### Article VIII. - Parades, Motorcades, Special Events and Demonstrations

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#### Sec. 24-283. Interference with Pickets Prohibited; Police Authority to Disperse Crowds; Failure to Leave When Ordered Declared Offense.

- a. It shall be unlawful for any person to physically interfere with pickets in the use of the sidewalk. Spectators shall not use fighting words or language that is or to address profane, indecent, abusive, or threatening language to or at those pickets which would tend to provoke the pickets or a reasonable person others to a breach of the peace.
- ~~b. , in the event of the assemblage of persons in such numbers as to tend to intimidate pickets pursuing their lawful objective through numbers alone or through use of inflammatory words, direct the dispersal of persons so assembled and may arrest any person who fails to absent himself from the place of such assemblage when so directed by the police.~~
- b. The police officers of the city may issue a command to disperse in accordance with North Carolina General Statutes § 14-288.5 in the event of a riot or disorderly conduct by an assemblage of three or more persons.
- c. Whenever the free passage of any street or sidewalk in the city shall be obstructed by a crowd, whether or not the crowd assembles as a result of or in connection with picketing, the persons composing such crowd shall disperse or move on when directed to do so by a police officer. It shall be unlawful for any person to refuse to so disperse or move on when so directed by a public officer as provided in this article.

*(Ord. No. S2008-013, § 5, 8-11-2008)*

Effective on: 11/18/2013

<u>Current Ordinance</u>	<u>Proposed Ordinance</u>
Prohibits picketing on public ways or public property	Relocates/removes provisions that are not relevant to the notice of intent to picket
Requires a receipt of notice for pickets of 10 or more people	Requires a receipt of notice for all pickets, not just groups of 10 or more persons



## Sec. 24-285. Notice of Intent to Picket.

Peaceful picketing shall be permitted in the city provided the picketing is done under the following conditions:

1. ~~No picketing shall be conducted on the public ways or public property of this city and No~~ person shall participate in ~~the~~ picketing unless notice of intent to picket has been given to the chief of police or his designated representative and unless a receipt of such notice has been issued.
2. ~~A group of ten or more~~ A persons shall give notice of intent to picket in writing and the notice given shall contain the following information: ~~A group of fewer than ten persons may give written notice of intent to picket but is not required to do so.~~
  - a. The name, if any, of the organization or group sponsoring or proposing to picket unless the group indicates that it intends to picket anonymously, in which case no name is required;
  - b. The location or locations in the city where the pickets propose to assemble and demonstrate;
  - c. The date or dates on which the picketing is to occur;
  - d. The name of the person and organization giving notice of intent to picket unless the person or organization indicates that it intends to picket anonymously, in which case no name is required;
  - e. Whether or not persons below the age of 18 years are expected to participate; and
  - ~~f.~~ The person to be in charge of the activity and who will accompany it and carry any receipt of notice at all times.
- ~~3.f. It is unlawful for any person to engage in picketing before or about the residence or dwelling of any individual.~~
- 4.3. Upon the giving of notice of intent to picket, properly completed as set out in this article, the chief of police or his designated representative shall immediately issue a receipt of notice. The receipt shall contain all information stated in the notice. Notice shall be given

## 24-282 - Picketing Permitted; Standards of Conduct for Picketing Activities:

<u>Current Ordinance</u>	<u>Proposed Ordinance</u>
None	Creates a buffer limiting demonstrations near outdoor dining areas
Exists in 24-285	Relocates a provision from Section 24-285 prohibiting demonstrations at residences
None	Prohibits the use of fighting words as well as threatening and indecent language by pickets
States that failure to comply is a violation of the section	Clarifies enforceability with a reference to 24-312

## CHAPTER 24 - STREETS AND SIDEWALKS

### Article VIII. - Parades, Motorcades, Special Events and Demonstrations

#### Sec. 24-282. Picketing Permitted; Standards of Conduct for Picketing Activities.

Peaceful picketing shall be permitted in the city, provided the picketing is done under the following conditions:

1. Picketing shall be conducted only on portions of the public ways not used primarily for vehicular parking or moving traffic.
2. Pickets may carry written or printed placards or signs not exceeding 36 inches promoting the objective for which picketing is done provided they do not contain profane language or the words used would not tend to incite violence.
3. If pickets promoting different objectives, causes, actions or policies desire to use a sidewalk that is already used for picketing, the city manager, or his designee, shall allot a number of pickets promoting each objective, to use such sidewalk, on an equitable basis, proportionate to the number of objectives being promoted.
4. Pickets shall be restricted to the use of the outermost half of the sidewalk or other public way nearest the street and shall not at any time nor in any way obstruct, interfere with, or block persons entering or exiting from vehicles; persons crossing streets or otherwise using the public way; the entrance or exit to any building or access to property abutting the street or sidewalk; or pedestrian or vehicular traffic.
5. Within a radius of 10 feet from the perimeter of any outdoor dining area, no person shall knowingly approach to engage in the following activities within eight (8) feet of another person that is making use of an outdoor dining area, without that person's consent:
  - a. passing a leaflet or handbill to;
  - b. displaying a sign to; or
  - c. engaging in oral protest, education, or counseling.

An outdoor dining area means an area in front of or adjacent to a restaurant and located on a public sidewalk or square whereon tables, chairs or benches are placed for dining purposes.
- 4-6. It shall be unlawful for any person to engage in picketing in front of or around the residence or dwelling of any individual.



## 24-282 - Picketing Permitted; Standards of Conduct for Picketing Activities (cont.):

7. No person observing, engaging in, or assisting in picketing shall bring to or allow to remain in the immediate area of picketing any vicious animal.
- ~~5.8.~~ Pickets shall not use fighting words or language that is indecent or threatening which would tend to provoke a reasonable person to a breach of the peace.
- ~~6.9.~~ It shall be unlawful for a ~~group of ten or more persons~~ to picket without filing a notice as required by Section 24-285 herein.
- ~~7.10.~~ The provisions of this section are mandatory and not merely directory, and failure to comply with the provisions of these sections is hereby declared to be a violation of this chapter and enforceable in accordance with Section 24-312 of this Code.;

*(Ord. No. S2008-013, § 5, 8-11-2008)*

Effective on: 11/18/2013

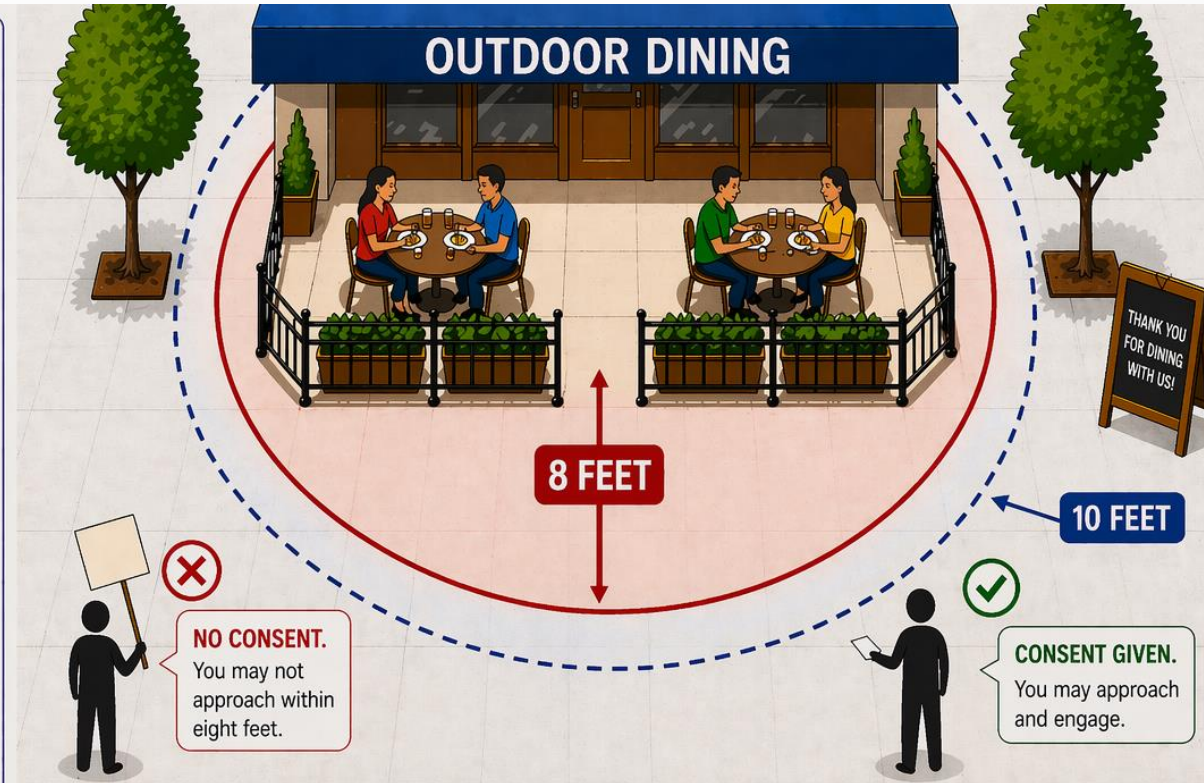


# 24-282 - Picketing Permitted; Standards of Conduct for Picketing Activities (cont.):

## BUFFER ZONE OUTDOOR DINING

WITHIN TEN FEET OF ANY OUTDOOR DINING AREA, NO PERSON SHALL KNOWINGLY APPROACH TO ENGAGE IN THE FOLLOWING ACTIVITIES WITHIN **EIGHT FEET** OF ANOTHER PERSON THAT IS MAKING USE OF AN OUTDOOR DINING AREA **WITHOUT THAT PERSON'S CONSENT.**

-  **TEN-FOOT BUFFER ZONE**  
(OUTSIDE OF THE EIGHT-FOOT RESTRICTED ZONE)
-  **EIGHT-FOOT RESTRICTED ZONE**  
(NO APPROACH OR ENGAGEMENT WITHOUT CONSENT)
-  **OUTSIDE THE BUFFER ZONE**  
— YOU MAY APPROACH AND ENGAGE IN ACTIVITIES.



### PROHIBITED ACTIVITIES WITHIN EIGHT FEET (WITHOUT CONSENT)



PASSING A LEAFLET OR HANDBILL



DISPLAYING A SIGN TO DINERS



ENGAGING IN ORAL PROTEST, EDUCATION, OR COUNSELING

### CONSENT MATTERS



These activities are allowed within eight feet only if the person dining gives clear consent.



THE RIGHT TO EXPRESS YOUR VIEWS DOES NOT INCLUDE APPROACHING INDIVIDUALS TO ENGAGE IN PROHIBITED ACTIVITIES WITHIN THE BUFFER ZONE WITHOUT CONSENT.



BE RESPECTFUL.  
BE AWARE. FOLLOW THE LAW.



 **FAYETTEVILLE** <sup>NC</sup>  
AMERICA'S CAN DO CITY

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