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## PART II - CODE OF ORDINANCES

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### CHAPTER 17 - OFFENSES AND MISCELLANEOUS PROVISIONS

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#### Sec. 17-22. Loitering for the Purpose of Engaging in Drug-Related Activity.

- a. For the purposes of this section, the term "public place" means any street, sidewalk, bridge, alley or alleyway, plaza, park, driveway, parking lot or transportation facility, or the doorways and entranceways to any building which fronts on any of those places, or a motor vehicle in or on any of those places, or any property owned by the city.
- b. For the purposes of this section, a person defined as a "known unlawful drug user, possessor, or seller" is a person who has, within the knowledge of the arresting office, been convicted in any court within this state of any violation involving the use, possession or sale of any of the substances referred to in G.S. 90-86 et seq., or has been convicted of any violation of any substantially similar laws of any political subdivision of this state or of any other state or of federal law.
- c. It shall be unlawful for a person to remain or wander about in a public place in a manner and under circumstances manifesting the purpose to engage in a violation of any subdivision of the North Carolina Controlled Substances Act, G.S. 90-86 et seq. Such circumstances shall include:
  1. Repeatedly beckoning to, stopping, or attempting to stop passersby, or repeatedly attempting to engage passersby in conversation;
  2. Repeatedly stopping or attempting to stop motor vehicles;
  3. Repeatedly interfering with the free passage of other persons;
  4. Such person is a known unlawful drug user, possessor, or seller;
  5. Such person behaves in such a manner as to raise a reasonable suspicion that he is about to engage in or is engaged in an unlawful drug-related activity;
  6. Such person repeatedly passes to or receives from passersby, whether on foot or in a vehicle, money or objects;
  7. Such person takes flight upon the approach or appearance of a police officer;
  8. Such person is at a location frequented by persons who use, possess, or sell drugs; or
  9. Any vehicle involved is registered to a known unlawful drug user, possessor, or seller, or is known to be or have been involved in drug-related activities.
- d. A violation of any provision of this Article is punishable as a misdemeanor with a fine greater than \$50.00 but not more than \$500.00, pursuant to N.C.G.S. 14-4. Each day's continuing violation shall constitute a separate offense.

(Code 1961, § 21-55; Ord. No. S2023-003, § 13, 03/13/2023)

Effective on: 11/18/2013