



# Peer City Comparison of Parades, Motorcades, Special Events and Demonstrations Ordinances

*Erin Swinney, Police Attorney  
City Attorney's Office  
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Harassment free use of outdoor dining facilities while respecting individuals' freedom of speech and right to peaceably assemble



<u>Jurisdiction</u>	<u>Is there an ordinance?</u>	<u>Ordinance Number</u>	<u>Does the ordinance differ significantly from COF?</u>
Raleigh	Yes	Sec. 12-1057 Sec. 13-2033	Yes
Winston-Salem	Yes	Sec. 38-5.1	Yes
Greensboro	Yes	Sec. 18-46.2	Yes
Charlotte	Yes	Sec. 19-303	Yes*
Durham	No	N/A	N/A
High Point	Yes	Sec. 10-1-286	No
Concord	Yes	Sec. 50-251	No
Wilmington	Yes	Sec. 6-13	No
Cary	Yes	Sec. 28-205	No

- Standards of conduct for pickets and/or spectators
- Limiting picketing to public ways not primarily used for vehicular parking or moving traffic
- Restricting picketing to the outermost sidewalk nearest the street
- Provisions for carrying placards
- Regulation of competing pickets
- Prohibition on vicious animals
- Law enforcement dispersal powers
- Notice of intent requirements



## 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. 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.
6. It shall be unlawful for a group of ten or more persons to picket without filing a notice as required herein.
7. 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.

**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 or to address profane, indecent, abusive, or threatening language to or at those pickets which would tend to provoke the pickets or others to a breach of the peace.
- b. The police officers of the city may, 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.
- 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.

## Sec. 12-1057. - Standards of Conduct for picketing activities.

- a) Picketing shall be conducted only on portions of the public ways not used primarily for vehicular parking or moving traffic.
- b) Pickets may carry written or printed placards or signs not exceeding thirty-six (36) inches provided the words used would not tend to incite violence.
- c) If pickets promoting different objectives, causes, actions or policies desire to use a sidewalk that is already used for picketing, the Chief of Police or the Chief's designated agents 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.
- d) 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; a driveway serving any building or abutting property; or pedestrian or vehicular traffic.
- e) 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.
- f) It shall be unlawful for a group of ten or more persons to picket without filing a notice as required herein.
- g) The provisions of §§12-1055 through 12-1057 are mandatory, and not merely directory, and failure to comply with the provisions of these sections is hereby declared to be unlawful and punishable as provided by law. Violation of this section is a misdemeanor and may also be enforced through issuance of a civil penalty pursuant to §14-1005, through injunctive or other equitable relief, or a combination of remedies.

## Sec. 13-2033. - Harassment in public spaces prohibited.

### (a) Definitions.

- (1) Public space. The term public space *shall* mean *streets*, sidewalks, alleys, and other public property, as well as *City*-owned and *City*-controlled property.
- (2) Reasonable *person*. The term reasonable *person* means a reasonable *person* in the same or similar circumstances.

### (b) Offense.

- (1) It *shall* be unlawful for any *person* to harass another *person* in or about a public space. A *person* commits harassment in a public space if the *person* knowingly and intentionally and without lawful or legitimate purpose:
  - a. follows another *person* in or about a public space with the intent to threaten or intimidate another *person*, or in a manner that would place a reasonable *person* in fear for that *person*'s safety; or
  - b. surrounds, crowds or corners another *person* or physically interferes with another *person*'s movement through or in a public space with the intent to threaten or intimidate another *person*, or in a manner that would place a reasonable *person* in fear for that *person*'s safety.
- (2) A *person* acts knowingly and intentionally when the *person* continues the conduct described above after the *person* to whom the conduct is directed has made a negative verbal response or taken action that a reasonable *person* would understand as a negative response.
- (3) A violation of this section is a misdemeanor and *may* also be enforced through issuance of a civil penalty pursuant to [§14-1005](#), through injunctive or other equitable relief, or a combination of remedies.

<u>Pros</u>	<u>Cons</u>
Prohibited conduct is clearly laid out.	Requires movement by the person engaging in disruptive behavior.
Definition of reasonable person, knowingly and intentionally.	No definition of the terms surrounds, crowds, or corner.



## Sec. 19-303. - Picketing regulations.

(a) Picketing may be conducted on public sidewalks, at the Old City Hall lawn, the Charlotte-Mecklenburg Government Center plaza, Polk Park, Independence Square Plaza, Arequipa Park, any other city-controlled park, or other city-owned areas normally used or reserved for pedestrian movement, including easements and rights-of-way, and shall not be conducted on the portion of the public roadway used primarily for vehicular traffic.

(b) Notwithstanding subsection (a), picketing may not be conducted:

1. On a median strip; or
2. At a location directed, focused, or targeted at a particular private residence.

(c) Picketing shall not disrupt, block, obstruct or interfere with pedestrian or vehicular traffic or the free passage of pedestrian or vehicular traffic into any driveway, pedestrian entrance, or other access to buildings, which abut the public sidewalks.

(d) Written or printed placards or signs, flags, or banners carried by individuals engaged in picketing shall be of such a size and/or carried on the sidewalks or other city-owned areas, as to allow safe and unobstructed passage of pedestrian or vehicular traffic. The staff or pole on which a sign, flag, or banner may be carried shall be made of corrugated material, plastic, or wood, and shall not exceed 40 inches in length and shall not be made of metal or metal alloy. If made of wood, the staff or pole shall be no greater than three-fourths inch in diameter at any point. A staff or pole must be blunt at both ends.

(e) If more than one group of picketers desire to picket at the same time at or near the same location, law enforcement officers may, without regard to the purpose or content of the message, assign each group a place to picket in order to preserve the public peace. Members of a group shall not enter an area assigned to another group. Priority of location shall be based upon which group of picketers arrived first.

(f) Spectators of pickets shall not physically interfere with individuals engaged in picketing. Picketers and spectators of pickets shall not speak fighting words or threats that would tend to provoke a reasonable person to a breach of the peace.

(g) Picketers and picketing shall be subject to all applicable local, state and federal laws including, but not limited to:

1. The city's noise ordinance;
2. The city's handbill ordinance;
3. G.S. § 14-225.1 (obstructing justice);
4. G.S. § 14-277.2 (weapons);
5. G.S. § 14-277.4 (health care facilities); and
6. G.S. § 14-288.4 (disorderly conduct).

(h) Nothing in this section prohibits a law enforcement officer from issuing a command to disperse in accordance with North Carolina General Statute § 14-288.5 in the event of a riot or disorderly conduct by an assemblage of three or more persons.

(i) It shall be unlawful for any person to violate any provision of this section.

<u>Pros</u>	<u>Cons</u>
Provides additional protections for pickets and spectators.	



## Sec. 18-46.2. - Harassment in public spaces prohibited

(a) *Purpose and intent.*

- (1) The city is enabled, pursuant to G.S. § 160A-174, to protect the health, safety and welfare of its citizens and to ensure the peace and dignity of the city. It is the intent of council in enacting this ordinance to recognize the rights of all citizens while at the same time protecting the coexistent rights for all citizens to enjoy safe and convenient travel in public spaces free from harassment. In the course of public hearings and debates regarding solicitation and safety in public spaces in Greensboro, the city recognizes that the dangerous effects of harassment may occur in the commission of or completely separate from an act of solicitation, where such conduct occurs in public spaces and includes following a person or cornering a person for the purpose of intimidating that person.
- (2) The current state laws on stalking and harassment do not protect individuals who are harassed in public spaces where such harassment is confined to a single occasion but is also dangerous or intimidating. Such harassment causes intimidation and fear and may result in an interaction with dangerous or violent consequences. Free and safe passage on city sidewalks and streets is necessary. Therefore, the following ordinance intends to address harassment on sidewalks and streets by penalizing the following conduct.

(b) *Definitions.* The following definitions apply in this section:

- (1) *Public space* means streets, sidewalks, alleys, and other public property, as well as city-owned and city-controlled property.
- (2) *Reasonable person* means a reasonable person in the same or similar circumstances.

(c) *Offense.* A person is guilty of harassment in a public space if the person:

- (1) Knowingly and intentionally performs either of the following with no legitimate purpose:
  - i. Following an individual in or about a public space with the intent of threatening, intimidating, or causing fear for personal safety; or
  - ii. Surrounding an individual or intentionally and physically directing the individual's movement through or in a public space with the intent of threatening, intimidating, or causing fear for personal safety. This subsection includes crowding or cornering an individual with the intent of threatening, intimidating, or causing fear for personal safety and without that individual's consent as the individual is actively engaging or attempting to use an automated teller machine or parking meter and the individual must stand within the public space to access the automated teller machine or parking meter;
- (2) The conduct described in subsection (c)(1)(i) or (ii) is directed at an individual in the individual's presence; and
- (3) The person continues the conduct described in subsection (c)(1)(i) or (ii) after the individual to whom the conduct is directed has made a negative verbal response or taken action that a reasonable person would understand as a negative response.

(d) *Penalty.* Pursuant to G.S. § 14-4, a violation of this section shall be a class 3 misdemeanor punishable by a fine of up to fifty dollars (\$50.00).

<u>Pros</u>	<u>Cons</u>
Purpose and Intent Statement matches stated goal of Council.	Requires movement by the person engaging in disruptive behavior.



## Sec. 38-5.1. - Picketing

(f) 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.

(g) It shall be unlawful for any person to conduct or participate in any picket or to unreasonably hamper, obstruct, or interfere with any picket so as to create a public nuisance or endanger the public peace or constitute a substantial hazard to public safety.

(h) All spectators, participants and persons affiliated or associated with a picket must comply with G.S. 14-277.2.

(i) If any subsection, sentence, clause or phrase of this section is for any reason held invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this section.

(j) A violation of [section 38-5.1](#), or any part thereof, shall constitute a class 3 misdemeanor, as provided by G.S. 14-4, and shall subject the offender to a fine of not more than \$500.00.

<u>Pros</u>	<u>Cons</u>
Partially uses a public nuisance analysis which could be a less subjective approach.	Does not define what would constitute a public nuisance.
Language that invalidation of one provision does not invalidate the entire ordinance.	



## Sec. 28-205. - Same—Standards of conduct for activities

- (a) Picketing shall be conducted only on the sidewalks or portions of the public ways not used primarily for vehicular parking or moving traffic.
- (b) Picketers may carry written or printed placards or signs, provided such signs meet the requirements set forth in section [28-200](#) above.
- (c) If pickets promoting different objectives, causes, actions, or policies desire to use a sidewalk that is already used for picketing, the chief of police shall allot time to each group of pickets for the use of the sidewalk on an equitable basis.
- (d) Pickets shall use 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:
1. Persons entering or exiting from vehicles;
  2. Persons crossing streets or otherwise using the public way;
  3. The entrance or exit of any building or access to property; or
  4. Pedestrian or vehicular traffic.
- (f) No person picketing, or observing or assisting pickets, shall bring to the picket, or allow to remain in the area of the picket, any vicious animal.
- (g) It shall be unlawful for any person engaging in picketing to carry, possess, or have in his or her immediate access any dangerous weapon, as such term is defined in G.S. 14-269, 14-269.2, 14-284.1 and 14-288.8.
- (h) The town reserves the right and authority to have police officials on the scene to further designate (expand or limit) permitted area(s) in furtherance of the ordinance in the best interest of all parties involved

## Sec. 10-1-286. - Standards of conduct for picketing activity.

Sec. 10-1-286. - Standards of conduct for picketing activity.

- a) Picketing shall be conducted only on portions of the public street and sidewalk not used primarily for vehicular parking or moving traffic.
- b) Picketers may carry written or printed placards or signs not exceeding 40 inches provided the words used are not fighting words or threats that would tend to provoke a reasonable person to breach the peace.
- c) If picketers promoting different objectives, causes, actions or policies desire to use a sidewalk that is already used for picketing, the second in time picketers shall maintain a minimum of 20 feet of space from the first in time pickets at all times and at all adjacent points of potential contact. The chief of police or designee shall aid picketers in creating a minimum of 20 feet of space between the picketers in order to ensure safety for all picketers promoting different objectives, law enforcement, and the public, without regard to the purpose or content of objectives promoted by either picketers.
- d) Picketers 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 street and/or sidewalk; the entrance or exit to any building or access to property abutting the street or sidewalk; or pedestrian or vehicular traffic.
- e) 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.
- f) It shall be unlawful for a group of 15 or more persons to picket without filing a notice as required herein.
- g) Any violation of this section is punishable as a misdemeanor.

## Sec. 6-13. - Picketing—Notice of intent; receipt of notice

- (a) No picketing shall be conducted on the public ways of this city and no person shall participate in the same 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.
- (b) A group of more than ten (10) persons shall give notice of intent to picket in writing and the notice given shall contain the following information. A group of ten (10) or fewer persons may give written notice of intent to picket but is not required to do so.
  - (1) 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;
  - (2) The location or locations in the city where the pickets propose to assemble and demonstrate;
  - (3) The date or dates on which the picketing is to occur;
  - (4) 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;
  - (5) Whether or not persons below the age of eighteen (18) years are expected to participate; and
  - (6) The person or persons to be in charge of the activity and who will accompany it and carry any receipt of notice at all times.
- (c) Upon the giving of notice of intent to picket, properly completed as hereinabove set out, the designated officer shall immediately issue a receipt of notice. The receipt shall contain all information stated in the notice. Notice shall be given by the holder of a receipt of notice to the chief of police or his designated representative immediately upon the cessation of such picketing for a period of twenty-four (24) hours or more. Before resumption of picketing interrupted for any such period, a new notice shall be given and a new receipt issued.
- (d) Picketing shall be conducted only on portions of the public ways not used primarily for vehicular parking or moving traffic. Any violation of [section 6-13\(d\)](#), [section 6-13\(h\)](#), or [section 6-13\(j\)](#) shall constitute a misdemeanor.
- (e) Such pickets may carry written or printed placards or signs not exceeding twenty-four (24) inches in width promoting the objective for which picketing is done provided the words used are not obscene or libelous.
- (f) Pickets must, if marching, march in single, file, not abreast, and may not march closer together than fifteen (15) feet, except in passing one another. Pickets not marching shall remain at least fifteen (15) feet apart.
- (g) If pickets promoting different objectives, causes, actions or policies desire to use a sidewalk that is already used for picketing, the chief of police or his designated agents 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.
- (h) Pickets shall be restricted to use the outermost half of the sidewalk or other public way nearest the street and shall not at any time or 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.
- (i) The terms "picket," "pickets" and "picketing" as used in this section or [section 6-14](#) include "demonstrators," persons participating in vigils and any action primarily promoting or objecting to a policy upon those portions of the public ways not used primarily for vehicular parking and moving traffic and not constituting a parade.
- (j) 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.

## Sec. 50-251. - Picketing—Notice of intent; receipt of notice

- A. For purposes of this section, the following definitions shall apply:
1. *Private residence* means a single-family dwelling, duplex, or multi-family dwelling within the city;
  2. *Directed, focused, or targeted at* means that a particular private residence is being made the sole object of picketing, and the picketing takes place solely on that portion of the street or sidewalk that abuts on the property upon which the targeted residence is located or solely on that portion of any street or sidewalk that abuts on property within 50 feet (measured from the lot line) of the property upon which the particular private residence is located, except the sidewalk on the opposite side of the street from the targeted residence.
- B. It shall be unlawful for any person to engage in picketing that is directed, focused, or targeted at a particular private residence.
- C. It shall be unlawful for any person participating in any picket to carry or possess any staff or pole for purposes of displaying any sign, poster, flag, banner, plaque or notice unless the staff or pole (i) is made of corrugated material, plastic, or wood (and not made of metal or metal alloy); (ii) is less than 41 inches in length; (iii) is one-fourth inch or less in thickness and two inches or less in width, or if not generally rectangular in shape, does not exceed three-fourths inch in its thickest dimension; and (iv) is blunt at both ends.
- D. It shall be unlawful for any person participating in any picket to carry or possess any sign, poster, flag, banner, plaque or notice, whether or not mounted on a length of material as specified in paragraph (c) of this section, unless such sign, poster, flag, banner, plaque, or notice is constructed or made of a cloth, paper, cardboard, rubber, or plastic material.
- E. Picketers, pickets, and picketing shall be subject to all other applicable local, state and federal laws.
- F. Picketing shall not take place within any "safety zone" as defined in N.C.G.S. § 20-4.01(39), nor within any portion of a street right-of-way that lies between the travel lanes of a single street or highway.
- G. A picket or picketing that is not prohibited by this section and that otherwise fits the definition of a parade or public assembly shall be subject to the regulations for parades and public assemblies in sections 50-252 through 50-262 of this article.

Jurisdiction	Punishment	Provision
Fayetteville	Civil 24-282(7)	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.
Raleigh	Criminal and Civil. 12-1057(g) and 13-2033(b)(3):	Violation of this section is a misdemeanor and <i>may</i> also be enforced through issuance of a civil penalty pursuant to <a href="#">§14-1005</a> , through injunctive or other equitable relief, or a combination of remedies
Charlotte	Civil 19-303(i) and 19-302(c)	It shall be unlawful for any person to violate any provision of this section.
Greensboro	Criminal 18-46.2	Pursuant to G.S. § 14-4, a violation of this section shall be a class 3 misdemeanor punishable by a fine of up to fifty dollars (\$50.00).
Winston-Salem	Criminal 38-5.1(j)	A violation of <a href="#">section 38-5.1</a> , or any part thereof, shall constitute a class 3 misdemeanor, as provided by G.S. 14-4, and shall subject the offender to a fine of not more than \$500.00.
Cary	Criminal and Civil 28-207	(1) <i>Criminal enforcement.</i> By treating the violation thereof as a criminal misdemeanor, punishable as provided in section <a href="#">1-9</a> . (2) <i>Civil enforcement.</i> By the levy of a civil penalty in the amount of \$300.00. Civil penalties remaining unpaid after seven days may be collected by means of a civil action in the nature of debt. (3) <i>Equitable remedies.</i> By pursuing equitable remedies that will issue from a court of competent jurisdiction.
High Point	Criminal 10-1-285(e) and 10-1-286(g)	Any violation of this section is punishable as a misdemeanor.
Wilmington	Criminal 6-13(d)*	Picketing shall be conducted only on portions of the public ways not used primarily for vehicular parking or moving traffic. Any violation of section 6-13(d), section 6-13(h), or section 6-13(j) shall constitute a misdemeanor.
Concord	Civil or Criminal 50-263	A violation of any section or subsection of this article shall be subject to a civil penalty of \$500.00 to be recovered in the nature of a debt as allowed in <a href="#">section 1-6</a> of this Code or by a misdemeanor punishable by up to a \$500.00 fine as provided in G.S. 14-4.



**1**

Add Winston-Salem's section 38-5.1(g) to section 24-282 of Fayetteville's current ordinance



**2**

Draft and add a definition of behavior constituting a public nuisance based on current NC law to supplement Winston-Salem's section 38-5.1(g)



**3**

Add Charlotte's Section. 19-303. to section 24-282 of Fayetteville's current ordinance



**4**

Amend section 24-283 of Fayetteville's current ordinance to mimic Charlotte's Section 19-303(f)

### WINSTON-SALEM: 38-5.1(g)

It shall be unlawful for any person to conduct or participate in any picket or to unreasonably hamper, obstruct, or interfere with any picket so as to create a public nuisance or endanger the public peace or constitute a substantial hazard to public safety.

### CHARLOTTE: SECTION 19-303

Pickers and picketing shall be subject to all applicable local, state and federal laws including, but not limited to:

1. The city's noise ordinance;
2. The city's handbill ordinance;
3. G.S. § 14-225.1 (obstructing justice);
4. G.S. § 14-277.2 (weapons);
5. G.S. § 14-277.4 (health care facilities); and
6. G.S. § 14-288.4 (disorderly conduct).

### CHARLOTTE: SECTION 19-303(f)

Pickers and spectators of pickets shall not speak fighting words or threats that would tend to provoke a reasonable person to a breach of the peace.

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. 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.
6. It shall be unlawful for a group of ten or more persons to picket without filing a notice as required herein.
7. It shall be unlawful for any person to conduct or participate in any picket or to unreasonably hamper, obstruct, or interfere with any picket so as to create a public nuisance or endanger the public peace or constitute a substantial hazard to public safety. [Winston-Salem]. This shall include any act or conduct that is plainly likely to provoke violent retaliation by a reasonable person.
8. Picketers and picketing shall be subject to all applicable local, state and federal laws including, but not limited to:
  - a) The city's noise ordinance;
  - b) G.S. § 14-225.1 (obstructing justice);
  - c) G.S. § 14-277.2 (weapons);
  - d) G.S. § 14-277.4 (health care facilities); and
  - e) G.S. § 14-288.4 (disorderly conduct). [Charlotte]

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

1. It shall be unlawful for any person to physically interfere with pickets in the use of the sidewalk. ~~or to address profane, indecent, abusive, or threatening language to or at those pickets which would tend to provoke the pickets or others to a breach of the peace.~~ Picketers and spectators of pickets shall not speak fighting words or threats that would tend to provoke a reasonable person to a breach of the peace. [Charlotte]
2. The police officers of the city may, 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.
3. 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.





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

[FayettevilleNC.gov](http://FayettevilleNC.gov)