

ORDINANCE NO. 832

AN ORDINANCE AMENDING CHAPTER 13, ARTICLE I, OF THE CODE OF THE CITY OF CHARLOTTE.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina:

Section 1. Chapter 13, Article I, of the Code of the City of Charlotte is hereby amended by the addition of a new section to read as follows:

"Sec. 13-43. State of emergency; curfew authorized.

(a) A state of emergency shall be deemed to exist whenever, during times of great public crisis, disaster, rioting, catastrophe, or similar public emergency, for any reason, municipal public safety authorities are unable to maintain public order or afford adequate protection for lives, safety or property.

(b) In the event of an existing or threatened state of emergency endangering the lives, safety, health and welfare of the people within the City of Charlotte, North Carolina, or threatening damage to or destruction of property, the Mayor of the City of Charlotte is hereby authorized and empowered to issue a public proclamation declaring to all persons the existence of such a state of emergency, and, in order more effectively to protect the lives, safety and property of people within the City of Charlotte, to define and impose a curfew applicable to all persons within the jurisdiction of the City.

(c) The Mayor is hereby authorized and empowered to limit the application of such a curfew to any area specifically designated and described within the corporate limits of the City of Charlotte and to specific hours of the day or night; and to exempt from the curfew policemen, firemen, doctors, nurses, and such other classes of persons as may be essential to the preservation of public order and immediately necessary to serve the safety, health and welfare needs of the people within the City.

(d) The Mayor shall proclaim the end of such state and curfew as soon as circumstances warrant or when directed to do so by the City Council.

(e) During the existence of a proclaimed state of emergency when a curfew has been imposed, it shall be unlawful for anyone subject to such curfew:

(1) to be or travel upon any public street, alley or roadway or upon public property, unless in search of medical assistance, food, or other commodity or service necessary to sustain the well-being of himself or his family or some member thereof;

(2) to possess off one's own premises, buy, sell, give away, or otherwise transfer or dispose of any explosives, firearms, ammunition, or dangerous weapon of any kind;

(3) to sell beer, wines, or intoxicating beverages of any kind; or to possess or consume the same off one's own premises;

(4) to sell gasoline or any other similar petroleum products, or any other inflammable substances, except as expressly authorized by the provisions of the curfew imposed.

(f) Any person violating any provision of this ordinance shall be guilty of a misdemeanor, punishable upon conviction by a fine not exceeding fifty dollars (\$50) or imprisonment not exceeding thirty (30) days, as provided by G.S. 14-4."

Section 2. All ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. This ordinance shall be effective upon its adoption.

Approved as to form:

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in special meeting on the 7th day of April, 1968, the reference having been made in Minute Book 50, Pages 194-196, and recorded in full in Ordinance Book 15, Pages 250-251.

Ruth Armstrong
City Clerk