

TITLE XI: BUSINESS REGULATIONS

Chapter

- 110. PRIVILEGE LICENSE TAX**
- 111. GAME ROOMS**
- 112. PEDDLERS, ITINERANT MERCHANTS AND SOLICITORS**
- 113. CARNIVALS**
- 114. CHARITABLE ORGANIZATIONS**
- 115. FARMERS DAY**

CHAPTER 110: PRIVILEGE LICENSE TAX

Section

- 110.01 Definitions
- 110.02 License tax levied
- 110.03 Tax Collector; duties
- 110.04 License; due date
- 110.05 Application; false statement thereon
- 110.06 Proration of tax; seasonal businesses
- 110.07 Multiple businesses
- 110.08 Separate places of business
- 110.09 Display of license
- 110.10 Change in place of business
- 110.11 No abatement of tax
- 110.12 Effect of license
- 110.13 Exemptions
- 110.14 Unlawful to conduct business without a license
- 110.15 Collection of unpaid tax
- 110.16 Schedule of license taxes

Statutory reference:

Privilege license taxes, see G.S. ' 160A-211
Specification of whether a city or town may levy
a license tax on businesses taxed under
Schedule B of the Revenue Act of 1939,
see G.S. ' 105, Art. 2

' 110.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BUSINESS. Any trade, occupation, profession, business, franchise or calling of any kind, subject by the provisions of this chapter to a license tax.

ENGAGED OR ENGAGING IN BUSINESS WITHIN THIS TOWN. When a person engages in business activity of any type, either as owner or operator of the business:

- (1) By maintaining a business location within the town;
- (2) By soliciting business within the town; or
- (3) By performing services within the town.

PERSON. Any individual, trustee, executor, other fiduciary, corporation, association, partnership, company, firm or other legal entity or agent thereof.

SEASONAL IN NATURE. When a business is taxed by this chapter on an annual basis, but is operated within the town for less than six months of the year.
(1993 Code, ' 60.01)

' 110.02 LICENSE TAX LEVIED.

A license tax is levied on the privilege of engaging in every business within this town which is listed in the schedule of taxes provided for in ' 110.16 below. Any person so engaged in business shall be responsible for making certain that the applicable license tax is paid.
(1993 Code, ' 60.02)

' 110.03 TAX COLLECTOR; DUTIES.

(A) The Tax Collector is designated as the proper town official to collect license taxes and to issue privilege licenses.

(B) The Tax Collector shall make any investigation necessary to determine the tax liability of persons engaged in business within the town. If necessary, the Tax Collector is authorized to enter on the premises of any business during normal business hours for the purpose of determining whether this chapter has been complied with.
(1993 Code, ' 60.03)

Cross-reference:

Tax Collector=s duties, see ' 31.03

' 110.04 LICENSE; DUE DATE.

(A) Unless otherwise provided in the schedule of license taxes, each privilege license issued shall cover the 12-month period beginning July 1 of each calendar year and ending June 30 of the subsequent calendar year.

(B) The privilege license tax is due on July 1 of each year. If, however, a person begins a business after July 1, the tax for that year must be paid before the business is begun.
(1993 Code, ' 60.04)

' 110.05 APPLICATION; FALSE STATEMENT THEREON.

(A) Every person desiring to obtain a license for the privilege of engaging in a business within this town shall make application therefor in writing to the Tax Collector.

(B) The application, to be made on a form provided by the Tax Collector, shall contain the following information:

- (1) Name and nature of the business for which the license is sought;

- (2) The address where the business is conducted, and a mailing address for the business, if different;
- (3) The name and address of the person filling out the application, and his or her relationship to the business;
- (4) The gross receipts of the business for the most recently completed tax year, if applicable; and
- (5) Any other information which the Tax Collector determines to be necessary.

(C) Any person who willfully makes a false statement on a license application shall be guilty of a misdemeanor.

(1993 Code, ' 60.05) Penalty, see ' 10.99

' 110.06 PRORATION OF TAX; SEASONAL BUSINESSES.

(A) Except when a tax is based on gross receipts, if a business is begun after January 31 but before July 1, the tax shall be one-half of the amount otherwise due.

(B) Except when a tax is based on gross receipts, a person engaged in a business which is seasonal in nature is liable for one-half of the amount of tax otherwise due.

(1993 Code, ' 60.06)

' 110.07 MULTIPLE BUSINESSES.

If a person is engaged in more than one business made subject to a license tax under this chapter, the person shall pay the license tax prescribed in the tax schedule in ' 110.16 below for each business, even if the businesses are conducted at the same business location.

(1993 Code, ' 60.07)

' 110.08 SEPARATE PLACES OF BUSINESS.

(A) Unless otherwise provided by state law or by the tax schedule provided for in ' 110.16 below, if a person engages in a business in two or more separate places, a separate license tax shall be required for each place of business.

(B) For purposes of this section, if a person engages in the same business at two or more locations within the town, which locations are contiguous, communicate with and open directly into each other, and are operated as a unit, the person is liable for only one license tax.

(1993 Code, ' 60.08)

' 110.09 DISPLAY OF LICENSE.

(A) Each person issued a license under this chapter shall post the license in a conspicuous place in his or her regular place of business.

(B) If there is no regular place of business, the license shall be kept where it may be inspected at appropriate

times by the Tax Collector.

(C) If a machine or other item of personal property is licensed, the license shall be affixed to the machine or item.
(1993 Code, ' 60.09)

' 110.10 CHANGE IN PLACE OF BUSINESS.

(A) If a person who has obtained a license for a business taxed under this chapter desires to move from one business location to another within the town, the license which has been issued shall be valid for the remainder of the license year at this new location, and no additional tax need be paid.

(B) Within a reasonable time after the change in location, however, the person shall inform the Tax Collector of the change in address.
(1993 Code, ' 60.10)

' 110.11 NO ABATEMENT OF TAX.

If a licensee discontinues a business before the end of the period for which the license was issued, the license tax shall not be abated nor shall a refund of any part of the license tax be made.
(1993 Code, ' 60.11)

' 110.12 EFFECT OF LICENSE.

The issuance of a license under this chapter does not authorize the carrying on of a business for which additional licenses or qualifications are required by state or local law, nor does the issuance of a license prevent the town from enacting additional regulations applicable to the licensee.
(1993 Code, ' 60.12)

' 110.13 EXEMPTIONS.

Any person who engages in business within this town for religious, educational or charitable purposes shall be exempt from paying any privilege license tax levied by this chapter.
(1993 Code, ' 60.13) (Ord. 219, passed 12-13-2012)

' 110.14 UNLAWFUL TO CONDUCT BUSINESS WITHOUT A LICENSE.

(A) (1) It shall be unlawful for any person to engage in a business within this town on which a privilege license tax is imposed by this chapter, without having paid the license tax specified in ' 110.16 below.

(2) Violators shall be guilty of a mis-demeanor.

(B) The town may seek an injunction against any person engaging in business in violation of this section.

(C) A conviction under this section does not relieve a person of his or her liability for the license tax imposed by this chapter.

(1993 Code, ' 60.14) Penalty, see ' 10.99

' 110.15 COLLECTION OF UNPAID TAX.

(A) If a person begins or continues to engage in a business taxed under this chapter without payment of the required privilege license tax, the Tax Collector may use either of the following methods to collect the unpaid tax:

- (1) The remedy of levy and sale or attachment and garnishment, in accordance with G.S. ' 160A-207;
or
(2) The remedy of levy and sale of real and personal property of the taxpayer in accordance with G.S. ' 105-109(d).

(B) Any person who begins or continues to engage in a business taxed under this chapter without payment of the tax is liable for an additional tax of 5% of the original tax due for each 30 days or portion thereof that the tax is delinquent.

(1993 Code, ' 60.15)

' 110.16 SCHEDULE OF LICENSE TAXES.

Taxes shall be levied and collected on the trades, professions, agencies, business operations and other subjects set out in the schedule of license taxes, hereby made a part hereof, which is on file in the town office. Privilege licenses shall be issued without charge.

(1993 Code, ' 60.16)

CHAPTER 111: GAME ROOMS

Section

- 111.01 Definition
- 111.02 Licenses required
- 111.03 Criminal history check authorized
- 111.04 Disqualifications
- 111.05 Prohibited conduct
- 111.06 Rules for operation
- 111.07 Removal to another location
- 111.08 Revocation of license

Statutory reference:

*Authority to regulate places of amusement,
see G.S. ' 160A-181*

*Regulation and licensing of businesses,
see G.S. ' 160A -194*

' 111.01 DEFINITION.

For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

GAME ROOM. Any place of business that principally operates mechanical games or pay devices or tables for which charge is made either directly or indirectly. Examples of ***GAME ROOMS***, by way of illustration and not limitation, include electronic gaming operations, pool rooms, billiard halls, amusement centers, video game rooms and the like. These uses are also regulated by the Robbins Unified Development Ordinance.

OPERATOR. Any person, corporation, or other business entity that owns and/or operates a game room. For the purposes of the criminal records background check, the “operator” shall be that person or persons who have primary ownership and control of the business, as well as any person or persons who has primary responsibility for the day-to-day operations of the business.

(Ord. 193, passed 8-14-2008, Amended 12-14-2017)

' 111.02 LICENSES REQUIRED.

(A) Every operator of a game room shall apply for and obtain a license from the Town Manager, or his or her designee, to operate a game room. Application for a license shall be made upon forms provided by the Town Manager or his or her designee.

Robbins - Business Regulations

(C) An application fee of \$50 shall be paid to and collected by the Town Clerk when the application is submitted to cover the cost of administration of this chapter.

(D) The license shall expire on June 30 of each year and shall not be transferable.

(E) A new license must be applied for and obtained, by the operator of the game room, annually, in accordance with divisions (B) and (C) above.

(F) It shall be unlawful to operate a game room within the town without a license as required by division (A) above.

(Ord. 193, passed 8-14-2008, Amended 12-14-2011)

' 111.03 CRIMINAL HISTORY CHECK AUTHORIZED.

(A) Prior to issuance of a license under this chapter, all operators of a game room shall have a criminal records background check performed. If there are multiple operators for a single game room, a criminal records background check shall be conducted for each operator of the business.

(B) The background check shall be conducted by the Town Police Department in conformity with state law.
(Ord. 193, passed 8-14-2008; Amended 12-14-2017)

111.04 DISQUALIFICATIONS.

(A) The Town Manager, or his or her designee, shall not issue a license to any applicant who:

(1) Has been convicted of unlawfully selling alcoholic beverages, intoxicating liquors or narcotic drugs;

(2) Has been convicted of any crime involving dishonesty, including but not limited to fraud, theft, or larceny; or

(3) Has been convicted of a "violent felony," as that term is defined in G.S. 14-7.7(b).

(B) If the Town Manager, or his or her designee, denies a license to an operator, the operator shall be notified, in writing, of the decision within 15 days of the decision and the operator shall be notified of his or her right to appeal the decision to the Board of Commissioners.

(C) If an operator, who has been denied a license, requests an appeal to the Board of Commissioners within 30 days of the date the notification letter was mailed from Town Hall to the applicant, he or she shall be granted a hearing of appeal by the Board of Commissioners. The hearing shall be held by the Board of Commissioners within 30 days of receiving written notice, from the applicant, that a hearing is desired.

(Ord. 193, passed 8-14-2008; Amended 12-14-2017)

' 111.05 PROHIBITED CONDUCT.

Licensees under this chapter shall not, and neither shall their employees:

(A) Suffer or permit any gambling on the licensed premises at any time; nor the sale or use of any racing, football or other parlay cards, or gambling boards or devices;

(B) Suffer or permit the licensed premises to become disorderly; or permit any profane, obscene or indecent language thereon;

(C) Suffer or permit any alcoholic beverages, intoxicating liquors or narcotic drugs to be sold or kept or consumed on the licensed premises, except in accordance with a lawfully issued ABD permit;

(D) Employ any person who has been convicted of any crimes listed in section 111.04, above;

(E) Employ, in carrying on the business, any person who has been convicted of an unlawful sex offense; or

(F) Employ, in carrying on the business, any person who has been convicted of any offense against a minor, as defined by state law.

(Ord. 193, passed 8-14-2008; Amended 12-14-2017) Penalty, see ' 10.99

' 111.06 RULES FOR OPERATION.

The following rules shall be observed by all operators of game rooms within the town.

(A) All game rooms are allowed to remain open from 7:00 a.m. until 12:00 midnight, seven days per week. Game rooms must stop accepting funds at 11:45 p.m., each night.

(B) No play on any game shall be allowed during the times when game rooms are required by this chapter to remain closed.

(C) All game rooms shall be operated only on the ground floor of a building, and plate glass windows shall be in those parts of the building facing any street, so that a clear view of all gaming operations inside may be had from the street. No portion of the gaming operations may be conducted in an area not visible from the street. No windows shall be so heavily tinted as to obscure a clear view of the inside of the building from the street. Notwithstanding the foregoing, storage, office space, and other nongaming functions may be contained in areas not visible from the street.

(D) No screens, curtains, blinds, partitions, heavily tinted windows, or other obstructions shall be placed between the entrance to the room where games are played and the rear wall of the room, so that a clear view of the interior may be had from the street.

(E) No loud noises shall be allowed to emanate beyond the licensed premises.

(F) All applicable State and local permits and business licenses must be issued to the applicant prior to the opening of the business;

(G) Appropriate signage shall be placed at a conspicuous location at or near the entrance of the game room that clearly states that "No Outside Alcohol Is Allowed Within the Premises."

(H) If food and/or beverages are served, the establishment must meet any State requirements and the requirements of the Moore County Health Department.

(Ord. 193, passed 8-14-2008; Amended 12-14-2017) Penalty, see ' 10.99

' 111.07 REMOVAL TO ANOTHER LOCATION.

(A) The removal, from one location to another, of any business designated above shall require a new and separate license to operate and privilege license.

(B) The owner must apply for and obtain the required licenses prior to relocating the business. All provisions of this chapter shall apply to the business at its new location.

(Ord. 193, passed 8-14-2008)

' 111.08 REVOCATION OF LICENSE.

After giving the operator of a game room adequate notice and an opportunity to be heard, the Board of Commissioners may revoke the license of any game room operator who:

(A) Violates any provision of this chapter; or

(B) Is convicted of unlawfully selling alcoholic beverages or narcotic drugs.

(Ord. 193, passed 8-14-2008) Penalty, see ' 10.99

CHAPTER 112: PEDDLERS, ITINERANT MERCHANTS AND SOLICITORS

Section

- 112.01 Definitions
- 112.02 License requirement
- 112.03 Application procedure
- 112.04 Standards for issuance
- 112.05 Revocation procedure
- 112.06 Standards for revocation
- 112.07 Appeal procedure
- 112.08 Exhibition of identification
- 112.09 Town policy on soliciting
- 112.10 Notice regulating soliciting
- 112.11 Duty of solicitors to ascertain notice
- 112.12 Prohibited solicitation

' 112.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BUSINESS. The business carried on by any person who is an itinerant merchant, peddler or solicitor as defined in this section.

GOODS. Merchandise of any description whatsoever, and includes, but is not restricted to, wares and foodstuffs.

ITINERANT MERCHANT. Any person, whether as owner, agent, or consignee, who engages in a temporary business of selling goods within the town and who, in the furtherance of such business, uses any building, structure, vehicle, or any place within the town.

PEDDLER. Any person, not an itinerant merchant, who:

- (1) Travels from place to place by any means carrying goods for sale, or making sales, or making deliveries; or
- (2) Without traveling from place to place, sells or offers goods for sale from any public place within the town.

SOLICITOR. Any person who travels by any means from place to place, taking or attempting to take orders for sale of goods to be delivered in the future or for services to be performed in the future. A person who is a solicitor is not a peddler.

(Ord. 214, passed 8-9-2012)

' 112.02 LICENSE REQUIREMENT.

(A) Any person who is an itinerant merchant, peddler or solicitor shall obtain a license before engaging in such activity within the town.

(B) The fee for the license required by this chapter shall be as set from time to time by the Board of Commissioners.

(C) No license issued under this chapter shall be transferable.

(D) All licenses issued under this chapter shall expire 90 days after the date of issuance thereof. (Ord. 214, passed 8-9-2012) Penalty, see ' 10.99

' 112.03 APPLICATION PROCEDURE.

(A) All applicants for licenses required by this chapter shall file an application with the Clerk. This application shall be signed by the applicant if an individual, or by all partners if a partnership, or by the president if a corporation. The applicant may be requested to provide information concerning the following items:

(1) The name and address of the applicant;

(2) (a) The name of the individual having management authority or supervision of the applicant=s business during the time that it is proposed to be carried on in the town;

(b) The local address of such individual;

(c) The permanent address of such individual;

(d) The capacity in which such individual will act;

(3) The name and address of the person, if any, for whose purpose the business will be carried on, and, if a corporation, the state of incorporation;

(4) The time period or periods during which it is proposed to carry on applicant=s business;

(5) (a) The nature, character, and quality of the goods or services to be offered for sale or delivered;

(b) If goods, their invoice value and whether they are to be sold by sample as well as from stock;

(c) If goods, where and by whom such goods are manufactured or grown, and where such goods are at the time of application;

(6) The nature of the advertising proposed to be done for the business;

(7) Whether or not the applicant, or the individual identified in division (A)(2)(a) above, or the person identified in division (A)(3) has been convicted of any crime or misdemeanor and, if so, the nature of each offense and the penalty assessed for each offense.

(B) Applicants for peddler or solicitor licenses may be required to provide further information concerning the following items, in addition to that requested under division (A) above:

- (1) A description of the applicant;
- (2) A description of any vehicle proposed to be used in the business, including its registration number, if any.

(C) All applicants for licenses required by this chapter shall attach to their application, if required by the town, credentials from the person, if any, for which the applicant proposes to do business, authorizing the applicant to act as such representative.

(D) Applicants who propose to handle foodstuffs shall also attach to their application, in addition to any attachments required under division (C), a statement from a licensed physician, dated not more than ten days prior to the date of application, certifying the applicant to be free of contagious or communicable disease.
(Ord. 214, passed 8-9-2012) Penalty, see ' 10.99

' 112.04 STANDARDS FOR ISSUANCE.

(A) Upon receipt of an application, an investigation of the applicant=s business reputation and moral character shall be made.

(B) The application shall be approved unless such investigation discloses tangible evidence that the conduct of the applicant=s business would pose a substantial threat to the public health, safety, morals, or general welfare. In particular, tangible evidence that the applicant:

- (1) Has been convicted of a crime of moral turpitude;
- (2) Has made willful misstatements in the application;
- (3) Has committed prior violations of ordinances pertaining to itinerant merchants, peddlers, solicitors, and the like;
- (4) Has committed prior fraudulent acts; or
- (5) Has a record of continual breaches of solicited contracts, will constitute valid reasons for disapproval of an application.
(Ord. 214, passed 8-9-2012)

' 112.05 REVOCATION PROCEDURE.

Any license or permit granted under this chapter may be revoked by the Clerk after notice and hearing, pursuant to the standards in ' 112.06. Notice of hearing for revocation shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be mailed to the licensee at his or her last known address, at least ten days prior to the date set for the hearing.
(Ord. 214, passed 8-9-2012)

' 112.06 STANDARDS FOR REVOCATION.

A license granted under this chapter may be revoked for any of the following reasons:

(A) Any fraud or misrepresentation contained in the license application;

(B) Any fraud, misrepresentation or false statement made in connection with the business being conducted under the license;

(C) Any violation of this chapter;

(D) Conviction of the licensee of any felony, or conviction of the licensee of any misdemeanor involving moral turpitude; or

(E) Conducting the business licensed in an unlawful manner or in such a way as to constitute a menace to the health, safety, morals or general welfare of the public.

(Ord. 214, passed 8-9-2012)

' 112.07 APPEAL PROCEDURE.

(A) Any person aggrieved by a decision under " 112.04 or 112.06 shall have the right to appeal to the Board of Commissioners. The appeal shall be taken by filing with the Board of Commissioners, within 14 days after notice of the decision has been mailed to such person=s last known address, a written statement setting forth the grounds for appeal. The Board of Commissioners shall set the time and place for a hearing, and notice for such hearing shall be given to such person in the same manner as provided in ' 112.05.

(B) The order of the Board of Commissioners after the hearing shall be final.

(Ord. 214, passed 8-9-2012)

' 112.08 EXHIBITION OF IDENTIFICATION.

(A) Any license issued to an itinerant merchant under this chapter shall be posted conspicuously in or at the place named therein. In the event more than one place within the town shall be used to conduct the business licensed, separate licenses shall be issued for each place.

(B) The Clerk shall issue a license to each peddler or solicitor licensed under this chapter. The license shall contain the words ALicensed Peddler@ or ALicensed Solicitor,@ the expiration date of the license, and the number of the license. The license shall be kept with the licensee during such time as he or she is engaged in the business licensed.

(Ord. 214, passed 8-9-2012) Penalty, see ' 10.99

' 112.09 TOWN POLICY ON SOLICITING.

It is hereby declared to be the policy of the town that the occupants of the residences in the town shall make the determination of whether solicitors shall be, or shall not be, invited to their respective residences.

(Ord. 214, passed 8-9-2012)

' 112.10 NOTICE REGULATING SOLICITING.

(A) Notice of the refusal of invitation to solicitors, to any residence, shall be given on a weatherproof card, approximately three inches by four inches in size, exhibited upon or near the main entrance door to the residence, indicating the determination by the occupant, containing the applicable words, as follows:

ANO SOLICITORS INVITED@

(B) The letters shall be at least 1/3-inch in height. For the purpose of uniformity, the cards shall be provided by the Chief of Police to persons requesting, at the cost thereof.

(C) The card so exhibited shall constitute sufficient notice to any solicitor of the determination by the occupant of the residence of the information contained thereon.
(Ord. 214, passed 8-9-2012)

' 112.11 DUTY OF SOLICITORS TO ASCERTAIN NOTICE.

(A) It shall be the duty of every solicitor upon going onto any premises in the town upon which a residence is located to first examine the notice provided for in ' 112.10 if any is attached, and be governed by the statement contained on the notice. If the notice states ANO SOLICITORS INVITED,@ then the solicitor, whether registered or not, shall immediately and peacefully depart from the premises.

(B) Any solicitor who has gained entrance to any residence, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.
(Ord. 214, passed 8-9-2012) Penalty, see ' 10.99

' 62.12 PROHIBITED SOLICITATION.

It is hereby declared to be unlawful and shall constitute a nuisance for any person to go upon any premises and ring the doorbell upon or near any door, or create any sound in any manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof and engage in soliciting in defiance of the notice exhibited at the residence in accordance with the provisions of ' 112.10 above.
(Ord. 214, passed 8-9-2012) Penalty, see ' 10.99

CHAPTER 113: CARNIVALS

Section

113.01 Permits to be approved by Board

' 113.01 PERMITS TO BE APPROVED BY BOARD.

No permits shall be issued for carnivals, regardless of the sponsor, until approved by the Board of Commissioners.

(1993 Code, ' 63.01) (Ord. 55, passed - -)

CHAPTER 114: CHARITABLE ORGANIZATIONS

Section

114.01 No charge for special permits

' 114.01 NO CHARGE FOR SPECIAL PERMITS.

Any school, church or other charitable organizations of the town shall be allowed special permits for booths, distributing circulars or for other special privileges without charge.
(1993 Code, ' 65.01) (Ord. 26, passed - -)

CHAPTER 115: FARMERS DAY

Section

- 115.01 Appointment of Committee; duties
- 115.02 Permit required
- 115.03 Affirmative defense to violation
- 115.04 Startling livestock
- 115.05 Horses and livestock subject to be treated as vehicles
- 115.06 Street Closure

Cross-reference:

Farmers Day Committee, see ' 34.40

' 115.01 APPOINTMENT OF COMMITTEE; DUTIES.

- (A) The Board of Commissioners annually shall appoint a Farmers Day Committee.
- (B) The Farmers Day Committee shall, with the advice and consent of the Board of Commissioners:
 - (1) Designate the route and time of any parade;
 - (2) Designate areas where livestock may be kept within the town during Farmers Day;
 - (3) Designate the locations and times of operation for vendors, booths, displays, entertainment and other activities during Farmers Day;
 - (4) Establish fees for and criteria for the issuance of permits for vendors, booths, displays, entertainment and other activities during Farmers Day; and
 - (5) Provide reasonable measures to prevent the sale of or provision of noisemakers or other devices likely to be used to startle, spook or otherwise cause livestock present at Farmers Day to become unmanageable.
- (C) Robbins Fire Rescue Association shall issue permits and collect fees for vendors, displays, booths, entertainment and other activities, as established by the Farmers Day Committee.
- (D) The Town Manager, or his or her designee, shall review and collect fees for any other zoning or special permit matters.
- (F) Robbins Fire Rescue Association and Fire Department shall present a report detailing all expenditures and revenues collected by the Fire Department and the Fire Department Association will be submitted to the Town Finance Officer. The Public Services Department and all other Town Departments, where appropriate, will submit any financial expenditure or revenue report to the clerk as

well.

(Ordinance Passed 4-19-2018)

' 115.02 PERMIT REQUIRED.

No person may establish or participate in outdoor booths, display, entertainment or vending in the town during Farmers Day unless a permit for that activity has been issued. The Town of Robbins, its departments, and the Robbins Fire Rescue Association are exempt from this requirement.

(1993 Code, ' 66.02) (Ord. 150, passed 6-1-1992; amended 4-19-2018) Penalty, see ' 10.99

' 115.03 AFFIRMATIVE DEFENSE TO VIOLATION.

It is an affirmative defense to a violation of the town's livestock ordinance that the livestock was present in the town only while properly participating in a Farmers Day Parade designated by the Farmers Day Committee or while in an area designated for livestock by the Committee. However, signs indicating "No livestock beyond this point" shall be posted to identify areas restricted to horses and other livestock. After 8:00 p.m., the riding or leading of horses or other livestock is prohibited in every area of the town. 1993 Code, ' 66.03) (Ord. 150, passed 6-1-1992; amended 4-19-2018)

' 115.04 STARTLING LIVESTOCK.

No person may make any noise or take any action either for the purpose of startling, spooking or otherwise causing livestock to become unmanageable, or with a reasonable likelihood of causing such a reaction.

(1993 Code, ' 66.04) (Ord. 150, passed 6-1-1992; amended 4-19-2018) Penalty, see ' 10.99

' 115.05 HORSES AND LIVESTOCK SUBJECT TO BE TREATED AS VEHICLES.

A person riding or otherwise controlling or attempting to control a horse or other livestock within the town is subject to the same laws and ordinances that apply to the operation of any vehicle.

(1993 Code, ' 66.05) (Ord. 150, passed 6-1-1992; amended 4-19-2018)

' 115.06 STREET CLOSURE

N.C. Highway 705 is to be temporarily closed to all motor vehicle traffic pursuant to N.C.G.S § 20-169. All motor vehicle traffic from Rockingham Street to Elm street shall be closed from 2:00 P.M. on the first Friday of Farmers day until 12:01 A.M. Sunday, the day after Farmers Day. Upon recommendation by the Farmers Day Committee, the Town Board may extend or limit the street closure

for a given year through a subsequent resolution. The Town may also close additional town streets for the festival as ordered by the Town Manager. The Town Manger or his or her designee shall inform the North Carolina Department of Transportation of all street closures within appropriate time frames. (Ordinance Passed 4-19-2018)

' 115.07 ORGANIZATION

Farmers Day is an event put on by the Town of Robbins and the Robbins Fire Rescue Association. The Farmers Day Committee shall have the responsibility of planning and organizing Farmers Day as described in 115.01. The Robbins Fire Rescue Association will be responsible for reporting all expenditures and the event will be covered under the Town of Robbins Liability Policy. (passed 4-19-2018)