

ORDINANCES

OF THE

TOWN OF WALLACE,

NORTH CAROLINA.

JAMES V. JOYNER LIBRARY
EAST CAROLINA UNIVERSITY
GREENVILLE, N.C. 27834

AM
5

ORDINANCES

OF THE

TOWN OF WALLACE,

NORTH CAROLINA.

JAMES W. LLOYD, PRINTER
GREENVILLE, N. C.

ORDINANCES OF THE TOWN
OF
WALLACE, NORTH CAROLINA.

Be it ordained by the Mayor and Board of Commissioners
of the Town of Wallace, and it is hereby ordained by
authority of the same in regular session, as follows:

ORDINANCE 1.

POLICE REGULATIONS.

Section 1. Every person who shall talk in a loud and
boistrous manner, or who shall curse or swear upon the pub-
lic streets, or shall be drunk on the streets, or shall be guilty
of disorderly conduct amounting to a disturbance of the
peace, or of indecent exposure of the person anywhere in
the Town, shall pay a penalty of Ten Dollars.

Sec. 2. That the throwing of stones, sticks or balls or
other missiles, whether from hand or from sling, elastic gun
or other apparatus or instrument, constructed otherwise
than ordinary fire-arms, and intended to propel shot or other
missiles, is prohibited within the corporate limits of the
Town of Wallace under a penalty of Ten Dollars for each
offense.

Sec. 3. That it shall be unlawful for any person to hitch
any animal to a shade tree or fence on the streets or school
house, or to ride, lead or drive any animal or vehicle on the
side walks within the limits of said Town, and any person
violating this Ordinance shall pay a penalty of Five Dollars
for each and every offense.

Sec. 4. That it shall be unlawful for any person to ride a
bicycle, or drive a horse or other animal, or drive any car-
riages, automobile or other vehicle on the streets within the
limits of said Town at a rate exceeding 12 miles per hour,
or in a reckless manner, and any person violating this Ordi-
nance shall upon conviction pay a penalty of Ten Dollars.

Sec. 5. That it shall be unlawful for any person to injure
any shade tree, building, pump, fence, or deface or destroy
any public notice posted within the limits of the Town,
or deface or injure any public building, and any person vio-
lating this Ordinance shall pay a penalty of Five Dollars for
each offense.

293692

4-29-69 N.C. Historical Comm. gift

Sec. 6. It shall be unlawful for any person to sweep or throw paper, straw, glass, fruit rinds or other trash out of the windows, stores, houses or other buildings, or to throw water or spit out of the windows into the streets or on the sidewalks, and any person violating this Ordinance shall upon conviction pay a penalty of Five Dollars nor more than Ten Dollars for each offense.

Sec. 7. That it shall be unlawful to obstruct the free and uninterrupted passage of all persons along the streets, and an assembling or collecting together of any persons on any sidewalk or corner of the street so as to obstruct the free and uninterrupted passage of all persons along the same, is hereby declared a misdemeanor, and any person refusing to leave any such assembly, or disperse and make way for the free passage of persons when requested by the Mayor or Police, or who shall wilfully obstruct or hinder any person from passing on the sidewalks, upon conviction shall pay a penalty of Five Dollars for each offense.

Sec. 8. That it shall be unlawful for any person to place brick, stone wood or other substance upon the sidewalks or within the streets or alleys within the limits of the Town, and any person violating this Ordinance shall pay a penalty of Ten Dollars, PROVIDED, however, that building material may be placed on any street or alley for immediate use, if the same is so placed as to allow the passage of vehicles and a light is kept at such building material at night, and must have a permit from the Building Committee.

Sec. 9. No person or persons shall be allowed to slaughter any beef, sheep, or goat, or to bury the offal or other offensive substance of the same in the corporate limits of the Town under a penalty of Ten Dollars for each offense.

Sec. 10. That it shall be unlawful for any person to dig holes in the streets, or cut in any street, sidewalk or otherwise make any excavation or change direction of ditches, or remove from ditches any dirt, or earth without the written permission of the Mayor; or who after having so cut, excavated or removed any dirt, either shall refuse to put the same in good condition, after notice from the Policeman, shall upon conviction pay a penalty of Ten Dollars for each offense.

Sec. 11. That all suspicious persons, tramps, vagrants, or persons without visible means of support, male or female,

within the limits of the Town shall be arrested, and upon conviction shall pay a penalty of Ten Dollars.

Sec. 12. It shall be unlawful for any person to fire off or discharge any fire arms, air rifle, fire works, gun or pistol, or any other explosive contrivance in the corporate limits of the Town of Wallace, except by permission of the Mayor. under a penalty of Five Dollars for each offense.

Sec. 13. It shall be unlawful for any person to keep any hog pen with a living hog therein in the corporate limits of the Town of Wallace. Any person violating this Ordinance shall be fined Five Dollars for each offense.

Sec. 14. Every person doing a livery business or hauling persons for a price, shall pay an annual license tax of Wagon Five Dollars to Ten Dollars, Truck Ten Dollars. Any person violating this Ordinance shall be fined Ten Dollars.

Sec. 15. Any person throwing any dead animal, chickens or offal into the ditches or on the streets of the Town, or who shall fail to promptly remove the same from his premises beyond the corporate limits of the Town, shall be fined Five Dollars.

Sec. 16. All persons doing business in the Town shall keep the back lots of their stores, shops and ware houses clean and free from trash, empty boxes and barrels, or other debris. Any person found guilty of violating this Ordinance shall be fined Five Dollars.

Sec. 17. Every itinerant merchant or peddler vending or offering to vander any of his goods, wares or merchandise, shall pay a license tax of Twenty Dollars in advance except such only as sell books, charts, pictures, maps, etc.

Sec. 18. Any person who shall open any shop or store on Sunday for the purpose of buying or selling (except ice) shall be fined Five Dollars, and if any store shall be found open it shall be prima facie evidence that the same was opened by the proprietor for the purpose of selling. Drug Stores may be opened at any time on Sunday for the sale of Drugs and Medicines only.

If any person shall violate an Ordinance, Rule or Regulation of the Town of Wallace he shall be guilty of a misdemeanor, and shall be fined not exceeding Five Dollars or imprisoned not exceeding thirty days.

ORDINANCE II.

TAXATION.

Section 1. That the following taxes shall be levied and collected, and are hereby levied on Real and Personal Property and Poles, and on Business, Trades, Professions and Occupations carried on in the Town of Wallace.

Sec. 2. On each taxable Poll or male residing within the corporate limits of the Town between the ages of twenty-one and fifty years there shall be levied and collected a tax of 75 cts., and on real and personal property of every kind and description taxed by the Laws of the State within the corporate limits of said Town, there shall be levied and collected a tax of 25 cents on every \$100.00 valuation thereof for general purposes.

Sec. 3. On the following persons and subjects of taxation there shall be imposed and collected a license tax for the privilege of carrying on the business, trade, occupation or profession or doing the acts named taxed as follows, to wit:

Sec. 4. On every traveling theatre company, giving exhibitions or performances in any hall, tent or other place not licensed as provided in the preceding section shall pay \$5.00 for each day or part of the day's exhibition or performance, and the owner of the hall, tent or other place shall be responsible for the tax.

Sec. 5. On each room, hall or tent used as a moving picture or vaudeville show to pay a license tax of \$10.00 per annum.

Sec. 6. For every exhibition of a circus, menagerie, wild-west show, and dog and pony show, and every other show not licensed in the preceeding sections shall pay a license for each day or part of the day:

Shows transported by wagons,	\$ 5.00
15 car trains and less,	12.00
16 to 25 car trains,	37.00
25 to 40 car trains,	50.00
40 to 50 car trains,	75.00
Over 50 car trains,	100.00
On every side show,	5.00

Sec. 7. On all carnival companies, traveling circuses and shows of like character, moving picture and vaudeville

shows, museums, menageries, merry go-rounds, ferris wheels and other like amusement enterprises conducted for profit under the same general management and filling weekly engagements, or in giving week-stand exhibitions, whether under canvas or not, consisting of not more than six distinct attractions conducted for profit, a license tax of \$25.00.

Sec. 8. Every individual or firm, or his or their agents acting as agent in buying and selling real estate of any and every description, or collecting rent for compensation, shall pay a license tax of \$10.00.

Sec. 9. Any person firm or corporation that conducts sales of real estate for profit shall pay a license tax of \$10.00 per day, on which auction sales of real estate are held.

Sec. 10. On every individual, corporation or firm, or association of persons engaged in and conducting the business of selling coal at retail an annual license tax of \$5.00.

Sec. 11. Each and all undertakers and embalmers and retail dealers in Coffins, shall pay an annual license tax of \$10.00.

Sec. 12. On every commission merchant, broker or dealer buying or selling goods and merchandise on commission a license tax of \$10.00 per annum,

Sec. 13. On every person, individual, firm or corporation selling or offering for sale stock in a foreign corporation, an annual tax of \$50.00.

Sec. 14. Every company of Gypsies or strolling bands of persons living in wagons or tents, or otherwise who trade horses and mules, or receive rewards for pretending to tell fortunes, shall pay a license tax of \$25.00 for each day.

Sec. 15. On each bagatelle table, merry-go-round, hobby horse, switch-board, railway, shooting gallery or place for other games, or place with or without a name (unless used for private amusements or exercises alone) shall pay a license tax of \$10.00 per day.

Sec. 16. Every person, firm or corporation manufacturing or bottling soda water, ginger ale and like-preparations, and every wholesale dealer in such preparations shall pay an annual license tax of \$20.00,

Sec. 17. Every billiard or pool table, bowling alley or

place of like kind for public use, shall pay an annual license tax of \$50.00 in advance, and dance halls shall pay a license tax of \$10.00 per day.

Sec. 18. On each soda fountain operated by any person, firm or corporation an annual license tax of \$5.00.

Sec. 19. Every merchant, store-keeper or dealer who shall keep in stock, sell, or offer for sale, any pistol or metallic pistol cartridges, or cartridges used in pistols, shall pay an annual tax of \$25.00, and every such dealer who shall keep in stock any bowie knife, dirk, dagger, slungshot, loaded cane, or brass, iron and metallic knuckles, shall pay an annual license tax of \$100.00, and every merchant, store-keeper or dealer selling or offering for sale cap pistols, fire crackers or other fire works, shall pay an annual license tax of \$100.00; a separate license shall be secured for each place where sales are made.

Sec. 20. Every person, firm or corporation retailing cigarettes shall pay a license tax of \$5.00 per annum.

Sec. 21. That each and every Express Company doing business in the Town of Wallace, shall pay a privilege license tax in the sum of \$10.00.

TELEGRAPH AND TELEPHONE COMPANIES.

Sec. 22. Each and every person, firm or corporation, within the Town of Wallace with an apparatus necessary to communicate by telegraph or telephone shall pay a privilege tax of \$10.00.

Sec. 23. Every person, firm or corporation dealing in lightning rods, and have a general office for selling from any receiving point, shall pay a license or privilege tax of \$20.00.

WHOLESALE DEALERS.

Sec. 24. Every person, firm or corporation selling Illuminating Oil, Lubricating Oil, Benzine, Naphtha or Gasoline, and who have an agency, station or warehouse for the distribution and sale of such oils, located in said Town, shall pay a license or privilege tax of \$20.00.

Sec. 25. Every person, firm or corporation, who shall operate any slot machine, wherein is kept any article to be purchased by depositing therein any coin or thing of value and for which may be had an article of merchandise what-

soever, or whether that can be exchanged for any article of merchandise shall pay a license or privilege tax of \$1.00. Provided that this section shall apply only to such slot machines where return is in all cases fixed or certain.

Provided further that said machine is not operated in violation of the law.

Sec. 26. Each and every merchant shall pay annually a license tax of \$2.50 on each \$1000 or fractional part thereof of stock carried in advance.

Sec. 27. Each person, firm or corporation selling fresh fish or oysters on the street or store-houses shall pay a tax of \$2.50 per year in advance.

Sec. 28. Each Barber Shop shall pay a tax of \$2.50 for each chair per year in advance.

Sec. 29. Each person, firm or corporation selling beef or fresh meats in quantities less than a quarter on the streets or in store-houses shall pay a tax of \$10.00 per year in advance.

Sec. 30. Each dealer in Fertilizers shall pay an annual license tax of \$10.00 in advance.

Sec. 31. Each cotton buyer shall pay a license tax per annum of \$10.00 in advance.

Sec. 32. Every person, firm or corporation operating a restaurant, cafe or cook shop shall pay an annual license tax of \$5.00 in advance for each shop.

Sec. 33. Every tobacco buyer shall pay an annual license tax of \$10.00 in advance.

Sec. 34. Each and every person, firm or corporation operating a cotton gin shall pay an annual license tax of \$5.00.

Sec. 35. Each and every person, firm or corporation operating a publishing house shall pay a license or privilege tax of \$20.00.

Sec. 36. Each person, firm or corporation conducting a pressing club, or engaged in the business of pressing clothes, or delivering clothes, shall pay an annual tax of \$10.00.

Sec. 37. Each and every person, firm or corporation who shall buy or barter for old papers, rags, bones, old iron, brass or metal for speculation shall be deemed a junk dealer, and such junk dealers shall keep a record of all names and articles purchased from minors, and such record shall be filed monthly

with the Town Clerk, and always be open for inspection, and any such intended shipment as well as other stock of junk shall be always kept open for inspection by any person who may choose to inspect the same. And every junk dealer shall pay a license tax of \$10.00.

Sec. 38. Each blacksmith shop, or work shop, shall pay a license tax of \$5.00.

Sec. 39. Each person, firm or corporation operating a Garage, or place for repairing or storing Automobiles, shall pay a license tax of \$20.00.

Sec. 40. Each and every person, firm or corporation operating a tobacco warehouse, shall pay a license or privilege tax of \$20.00 per annum.

Sec. 41. Each person, firm or corporation within the Town, operating a wood and coal yard, or either of them, shall pay a license tax of \$5.00 per annum.

Sec. 42. Each and every person, firm or corporation operating a Tin Shop shall pay an annual license tax of \$5.00 per annum.

Sec. 43. On each hotel charging for transit custom more than \$1.00 and less than \$2.00 per day, an annual tax of 25 cents for each and every room. Hotels charging not less than \$2.00 and more than \$3.00 per day, 50 cents per room. The office, dining-room, one parlor, the kitchen and two other rooms shall not be counted when calculating the number of rooms in the hotel.

Sec. 44. All persons, firms or corporations engaged in the business of electric light wiring, shall pay a license tax of \$5.00 per annum, and shall give a good and sufficient bond in the sum of \$500.00 to be approved by the Board, conditioned upon the observance of all Town regulations.

Sec. 45. Each person, firm or corporation engaged in the business of plumbing \$10.00, but such license may be withheld upon any person, firm or corporation until he, they or it shall furnish satisfactory evidence of their competency.

Sec. 46. Every person residing in the Town of Wallace who shall own or keep therein any dog, shall return the same for taxation to the tax-lister at the time other property is required to be listed by law, and pay the sum of \$1.00 as a tax; any person failing to return their dog or dogs, for taxation and failing to pay the same, shall be liable for a double tax, and upon default of the payment of said tax, the Con-

stable or Marshal of the Town, is hereby ordered and directed and authorized to kill the dog or dogs which have not been paid.

The tax shall be paid within the month of June annually.

ORDINANCE III.

HEALTH AND SANITARY.

Section 1. Be it ordained by the Board of Commissioners and Mayor of the Town of Wallace that it shall be unlawful for any person, firm or corporation to suffer or permit, or have upon their premises, whether owned or leased by them, any one or more of the following unsanitary fly-producing diseases, causing conditions, to-wit:

(1) Animal manure in any quantity which is not securely protected from flies.

(2) Privies vaults, cesspools, pits or like places which are not securely protected from flies.

(3) Garbage in any quantity which is not securely protected from flies.

(4) Privies, vaults, cesspools or like places which may be near or in such position will contaminate the drinking water or wells of any inhabitant of the Town.

(5) Trash, litter, rags or any thing whatsoever in which flies may breed or multiply.

Sec. 2. It shall be the duty of the Police and Health officers upon learning in any way whatever of the existence of one or more of the unlawful conditions described in Section 1 of this Ordinance to notify the offender in writing upon order blank provided by the Town to remove or abate said unlawful conditions, stating the shortest reasonable time for such removal or abatement. In the event of refusal or neglect on the part of the notified offender to obey such order, the Marshal, Police or Health Officer shall have power and authority to remove and abate the reported unlawful conditions, and he shall keep an accurate account of the cost and expenses thereof, which shall be paid from the Town Treasury upon the sworn vouchers of the Street Commissioner, and said cost and expenses shall be a lien upon the property, and shall be collected by law as taxes are collected and duly paid into the Town Treasury,

Sec. 3. Any person, firm or corporation found guilty of having created or suffered to exist on premises owned or

leased by them, and one or more of the unlawful conditions named in Section 1 of this Ordinance shall be punished by a fine.

Sec. 4. The Town Constable, or person under his direction, shall have the right at any time to enter upon the premises of any person within the Town, and clean and disinfect any privy, and any person obstructing him in his duty shall be fined \$5.00.

Sec. 5. That it shall be unlawful for any person or persons to expectorate or spit upon any sidewalk or any floor of any public building in the Town, and any person violating this Ordinance, upon conviction, shall be fined \$1.00.

ORDINANCE IV.

FIRE LIMITS.

Section 1. The Mayor of the Town of Wallace shall be its Chief of the Fire Department and Inspector of Buildings.

Sec. 2. That no building or structure of any kind, except the same be built of brick or stone, shall be erected, added to or repaired within the fire limits of the Town of Wallace. Any person violating the provisions of this Ordinance shall, on conviction, pay a fine of \$25.00, and each and every day that any building or structure prohibited by this Ordinance, shall be allowed to remain within said fire limits shall constitute a separate offense.

Sec. 3. Before a building is begun within the fire limits, the owner of the property shall apply to the Committee for a permit to build. This permit shall be given in writing, and shall contain a provision that the building is to be constructed in accordance with the requirements of the preceding Section. As the building progresses the committee shall make as many inspections as may be necessary to satisfy them that the building is being constructed in accordance with Section 2. Any person building within the fire limits, described in Section 2. without first having obtained a permit, as aforesaid, shall pay a penalty of \$50.00. Dwelling houses included.

ORDINANCE V.

RAILROADS AND RAILROAD TRAINS.

Section 1. That it shall be unlawful for any person, except railroad employees, in the discharge of their duty, to wantonly and idly jump on and off, or go on and off any rail-

road train while the same is in motion, any person violating this Section shall pay a penalty of \$1.00 for each offense.

Sec. 2. That it shall be unlawful for any Railroad Company, or its agents or employees, to permit a train of cars to be stopped across the street for a longer period than eight (8) minutes, hindering the free passage of vehicles or persons, and any person violating this Ordinance shall pay a penalty of \$5.00 for each offense.

ORDINANCE VI.

SUNDAY AND ITS OBSERVANCE.

Section 1. That no barber shop shall be kept open on Sunday for the accommodation of customers under a penalty of \$10.00 for each offense.

Sec. 2. That it shall be unlawful for any person to keep open any shop, store or other place of business, or sell any article of merchandise whatsoever on Sunday. Any person violating this Ordinance shall be fined \$10.00, provided that this shall not apply to the sale of drugs, ice or burial clothes for the dead.

ORDINANCE VII.

MISCELLANEOUS.

Section 1. It shall be unlawful for the owner, keeper or persons having any bull dog or bull terrier, either of the whole or half breed, or for the owner, keeper or person having custody of any other fierce, vicious or dangerous dog, to suffer the same to go at large, or to be upon the streets, alleys or other public places of the Town of Wallace at any time, without providing such a dog at such times with a good and sufficient muzzle, so constructed and worn as to render it impossible for such a dog to bite or snap, or unless such a dog at such times is under control, secured by a good and sufficient cord or chain, and one end thereof is held by some proper person.

Sec. 2. It shall be unlawful for any person to mark, write on, or deface the walls, doors, columns of any public building, of the Post Office or the Waiting Room of any Railroad Company in the Town of Wallace.

Sec. 3. It shall be unlawful for any person to injure, break, cut, move or obstruct any electric light or telephone wire, or in any other way injure any part of the electric light or telephone system in said Town.

Sec. 4. Any violation of the Ordinances of the Article where no specific penalty is provided shall subject the offender to the fine of \$10.00.

Sec. 5. That it shall be unlawful for any person to play ball in any manner within the Town of Wallace, and any person violating this Ordinance shall be fined \$5.00.

Sec. 6. No cow, ox, sheep, goat, hog, horse, mule or goose shall be allowed to run at large in any of the streets, or on any of the uninclosed lots of the Town within the corporate limits. It shall be the duty of the Constable or Policeman to take up and impound any such animal or goose so at large until the penalty, fine and cost for such taking, keeping and impounding shall be paid by the owner or claimant. There shall be paid for each goose so impounded or found running at large the sum of 25 cents, and for each cow, ox, sheep, goat, hog, horse or mule \$1.00. One-half of said fine shall go to the Constable, and the other half to the Town; Provided, that after one week if any of said animals shall have been impounded no claimant shall appear and pay the fine and cost of keeping, the same shall be sold after three days advertising by the Constable to the highest bidder for cash. Proceeds of sale shall be applied to the payment of fine and cost of keeping and \$1.00 to the Constable for taking and posting the advertisements, excess, if any there be, shall be paid to the Treasurer of the Town.

Sec. 7. It shall be unlawful for any cow, ox, sheep, goat, hog, horse, mule or goose to run at large within the corporate limits of the Town of Wallace. Any person violating this Ordinance shall be fined \$5.00. Provided, any person may take up any live stock running at large within said Town and impound the same, and such impounder may demand fifty cents for each animal so taken up, and 25 cents for each animal for every day such stock is kept impounded, and may retain the same, with the right to use it under proper care until all legal charges for impounding said stock, and for damages caused by the same are paid, said damages to be ascertained by two disinterested freeholders to be selected by the owner and said impounder, said freeholders to select an umpire, if they cannot agree, and their decision to be final. Provided further, If the owner of said stock be known to such impounder, he shall immediately inform such owner where his stock is impounded, and if said owner shall for two days after such notice, wilfully refuse or neglect to redeem his stock, then the impounder after ten days written

notice posted at the Court House door and two other public places within the Town, and describing the said stock, and stating the place, day and hour of sale; or if the owner be not known, after 20 days notice, in the same manner sell the stock at public auction, and apply the proceeds in accordance with the preceding Section, and the balance shall be turned over to the owner if known; and if the owner be not known to the Treasurer of the Town, subject in their hands for six months to the call of the legally entitled owner.

Sec. 8. That it shall be unlawful for any person, firm or corporation to advertise any goods, wares or merchandise of any description whatever on the streets or alleys of the Town of Wallace, by traveling agents or any other person, either on box, wagon, platform or otherwise, without first paying a tax of \$5.00 in advance, and any one violating this Ordinance shall pay a fine of \$5 00 for each offense.

ORDINANCE VIII.

FINES AND IMPRISONMENTS.

Section 1. Any person adjudged by the Mayor to pay a fine or be imprisoned according to the Laws and Ordinances of this Town, and any person against whom the Judgment or sentence is rendered refuses, or is unable to pay such judgment, it shall be lawful for the Mayor to order and require such person so convicted to work on the streets or other public works until at a rate of wages such person shall have worked out the full amount of the judgment and costs of the prosecution, but no woman shall be required to work on the streets.

Sec. 2. Any person so required to work on the streets or public works of the Town, shall be credited upon the fine and costs at the rate of \$1.00 per day for every faithful and diligent day's work so done, and any person so required to labor who shall not work with reasonable diligence and industry, shall only be credited with the value of the labor performed upon the basis of \$1.00 per day.

Sec. 3. The Police shall keep a record of all persons so required to work out fines and costs, and the time each shall labor, and report to the Mayor each day the manner in which each person shall work, and when such labor shall have amounted to the sum for which such person is held, he shall be discharged.

ORDINANCE IX.

ORDINANCES—WHEN IN FORCE.

Section 1: Any person who shall violate an Ordinance, Rule or Regulation of the Town of Wallace shall be guilty of a misdemeanor, and shall be fined not exceeding \$50.00 or imprisoned not more than 30 days.

Sec. 2. The Mayor after the conviction of any offender may remit or reduce the fine and the penalty imposed upon such offender in view of any extenuating circumstances which may appear to him.

Sec. 3. Resolved, That all Ordinances or parts of Ordinances in conflict with the foregoing are hereby repealed, and that the foregoing Ordinance be and the same is hereby ratified and adopted by the Board of Commissioners of the Town of Wallace, at their regular meeting on the 5th day of July, 1921, and shall be in full force and effect from that date.

A. J. BLANTON, MAYOR.

J. A. HARRELL, }
T. F. JOHNSON, }
W. D. CAMPBELL, } Commissioners.
J. A. CAVANAUGH, }
N. H. CARTER, }

