

Sample Ordinance Language A

This language is merely an example, and leaders have flexibility to target different activities or behaviors as may be needed in their communities, and increase or decrease fine amounts or numbers of citations as appropriate to the needs of their community

- A. It shall be unlawful for any Mass Gathering to occur.
- B. "Mass Gathering" means an event or convening that brings together more than **ten (10) people indoors or more than twenty-five (25) people outdoors** at the same time in a single confined indoor or outdoor space. This includes parades, fairs, and festivals. In publicly accessible indoor facilities, the Mass Gathering limit applies per room of the facility.
- C. A violation of any of the provisions of subsection A shall subject the offender to the issuance of a citation inclusive of the following civil penalties:
 - i. The first violation on a civil citation within a rolling one (1) year period subjects the violator to a civil penalty of two hundred dollars (\$200.00).
 - ii. A second violation on a civil citation by the same person or business or at the same location within a rolling one (1) year period of the first violation shall subject the violator to a penalty of three hundred fifty dollars (\$350.00).
 - iii. A third violation on a civil citation by the same person or business or at the same location within a rolling one (1) year period of the first violation shall subject both the violator and any non-occupant owner of the premises to a civil penalty of five hundred dollars (\$500.00).
 - iv. All fourth and subsequent violations on a civil citation by the same person or business or at the same location within a rolling one (1) year period of the first violation shall subject both the violator and any non-occupant owner of the premises to a civil penalty of one thousand dollars (\$1,000.00).
 - v. A written warning is not required to be given prior to the issuance of a civil citation but may be used in the officer's discretion.
 - vi. No more than one (1) warning may be given within a rolling one (1) year period.
 - vii. Failure to pay a civil penalty imposed under article II within ten (10) business days shall subject the offender to an additional fifty dollars (\$50.00) delinquency charge.
 - viii. Each separate time that an officer responds to the same location to assess a violation of Executive Order shall be a separate and distinct offense and shall give rise to a separate and distinct penalty.
- D. A citation shall:
 - i. Give notice of the violation(s) alleged of the individual or business;
 - ii. State the civil penalties for such violation(s);
 - iii. State the date by which any civil penalties for such violation(s) must be paid; and
 - iv. State that the County/City may initiate after such date a civil action to collect the civil penalties which are and may become due.
- E. This ordinance is effective so long as the State of North Carolina is under a declared State of Emergency in response to the COVID-19 Pandemic.

Sample Ordinance Language B

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- A. Any businesses or organizations that sell or serve alcoholic beverages for onsite consumption shall cease the sale and service of alcoholic beverages for onsite consumption between **9:00 pm and 7:00 am**. The agents or employees of establishments that are permitted to sell or serve alcoholic beverages for onsite consumption shall likewise not sell or serve alcoholic beverages for onsite consumption between **9:00 pm and 7:00 am**.
- B. Businesses or organizations otherwise authorized to remain open after **9:00 pm** under existing law may continue to do so under this ordinance so long as there is no sale or service of alcohol for onsite consumption.
- C. A violation of any of the provisions of subsection A shall subject the offender to the issuance of a citation inclusive of the following civil penalties:
 - i. The first violation on a civil citation within a rolling one (1) year period subjects the violator to a civil penalty of two hundred dollars (\$200.00).
 - ii. A second violation on a civil citation by the same person or business or at the same location within a rolling one (1) year period of the first violation shall subject the violator to a penalty of three hundred fifty dollars (\$350.00).
 - iii. A third violation on a civil citation by the same person or business or at the same location within a rolling one (1) year period of the first violation shall subject both the violator and any non-occupant owner of the premises to a civil penalty of five hundred dollars (\$500.00).
 - iv. All fourth and subsequent violations on a civil citation by the same person or business or at the same location within a rolling one (1) year period of the first violation shall subject both the violator and any non-occupant owner of the premises to a civil penalty of one thousand dollars (\$1,000.00).
 - v. A written warning is not required to be given prior to the issuance of a civil citation but may be used in the officer's discretion.
 - vi. No more than one (1) warning may be given within a rolling one (1) year period.
 - vii. Failure to pay a civil penalty imposed under article II within ten (10) business days shall subject the offender to an additional fifty dollars (\$50.00) delinquency charge.
 - viii. Each separate time that an officer responds to the same location to assess a violation of Executive Order shall be a separate and distinct offense and shall give rise to a separate and distinct penalty.
- D. A citation shall:
 - i. Give notice of the violation(s) alleged of the individual or business;
 - ii. State the civil penalties for such violation(s);
 - iii. State the date by which any civil penalties for such violation(s) must be paid; and
 - iv. State that the County/City may initiate after such date a civil action to collect the civil penalties which are and may become due.
- E. This ordinance is effective so long as the State of North Carolina is under a declared State of Emergency in response to the COVID-19 Pandemic.