

NORTH CAROLINA

WATAUGA COUNTY

ORDINANCE TO REGULATE SOLICITATION

Article I. Purpose

WHEREAS, the Board of Commissioners for the County of Watauga, North Carolina wishes to prevent fraud and crime upon its citizens and those visiting and working in Watauga County.

WHEREAS, the Board of Commissioners for the County of Watauga, North Carolina wishes to preserve free speech for all persons;

WHEREAS, the Board of Commissioners for the County of Watauga, North Carolina wishes to narrowly tailor this Ordinance to prevent fraud and crime, and not to suppress constitutionally protected speech;

WHEREAS, the Board of Commissioners for the County of Watauga, North Carolina wishes to promote health, safety, and general welfare of its citizens;

NOW THEREFORE, the Board of Commissioners for the County of Watauga, North Carolina hereby adopts the following ordinance:

Article II. Authority

This Ordinance is enacted pursuant to the powers granted to Watauga County by North Carolina General Stat. 153A-121 and 153A-123

Article III. Jurisdiction

Pursuant to North Carolina Gen. Stat. 153A-122, This Ordinance shall apply to all areas of unincorporated Watauga County North Carolina which are not within the corporate limits of any municipality.

Article IV. Definitions

(A) **To beg, panhandle, or solicit contributions** shall be defined to include, without limitation, the spoken, written, or printed word or such other acts as are conducted in furtherance of the purpose of obtaining contributions;

(B) **Accosting another person** shall be defined as approaching or speaking to someone in such a manner as would cause a reasonable person to fear imminent bodily harm or the commission of a criminal act or damage to property in his immediate possession;

(C) **Intimidate another person** shall be defined as acting in such a way as would cause a reasonable person to fear bodily harm and therefore to do something he or she would not otherwise have done;

(D) **Forcing oneself upon the company of another person** shall be defined as:

(i) Continuing to request or solicit contributions in close proximity to the person addressed after that person has responded negatively;

(ii) Blocking the passage of the person addressed; or

(iii) Otherwise engaging in conduct which reasonably could be understood as intended to force a person to accede to demands.

(E) **Public place** shall be defined to include streets, highways, and roadways (including the shoulders and medians), sidewalks, alleys, and other public property, as well as county-owned and county-controlled property and private property open to the public unless permission to solicit has been obtained from the county or from the property owner or other person in authority.

(F) **Vocal appeal** shall be defined as begging, panhandling, or solicitation of contributions by spoken word or other verbal request.

(G) **Direct written appeal** shall be defined as begging, panhandling, or solicitation by handing to a person or attempting to hand to a person a written solicitation for immediate contributions.

(H) **Nighttime** shall be defined as the time from dusk to dawn.

(I) **Ordinance** The Watauga County Ordinance to Regulate Solicitation.

Article V

It shall be unlawful for any person to engage in begging, panhandling or soliciting within Watauga County or to engage in any begging, panhandling or soliciting, whether by a vocal appeal or direct written appeal:

(A) Within 20 Feet of view of an outside automated teller machine (ATM);

(B) While standing, walking or sitting on any public space, public street, highway or other public roadway; the shoulder or curb of a street, highway or other roadway; the median of a street, highway or other public roadway; or from any other place where the target of begging, panhandling or soliciting is a person(s) in a motor vehicle; or

(C) In a public place in a manner so as to intimidate another person or by accosting another person, or by forcing oneself upon the company of another person.

(D) In a public place by vocal appeal or direct written appeal during nighttime.

(E) Under the Influence of Drugs and or Alcohol.

Article VI

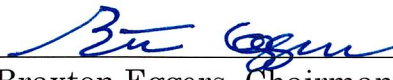
Penalty; Any person who violates this ordinance shall be guilty of a **Class 3 misdemeanor**; North Carolina Gen. Stat. 153A-123

Article VII

Severability

Should any portion of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

ADOPTED this 18th day of November, 2025.



Braxton Eggers, Chairman
Watauga County Board of Commissioners

ATTEST:



Katie Hancock, Clerk to the Board

