

TOWN OF TRYON
NOTICE OF INTENT TO PICKET
48 HOUR NOTICE REQUIRED
Code of Tryon §96.61

Notice of intent to picket within the Tryon Town limits is hereby given as follows:

Picket organizer:

Name: _____

Address: _____

Telephone No.: _____

Cellular Telephone No. for use during event: _____

Person giving notice of intent to picket (if different from picket organizer):

Name: _____

Address: _____

Telephone No.: _____

Name of organization/group sponsoring picket: _____

Location where the picket is to take place: _____

Date and Time picket will begin and end: _____

Anticipated number of participants and basis upon which this estimate is made: _____

***** NOTE: Picketers should familiarize themselves with the regulations set forth in Code of Tryon §§96.62 and 96.64 and will be subject to compliance with those regulations.**

Signature of person giving notice of intent to picket: _____

Date: _____

RECEIPT OF NOTICE OF INTENT TO PICKET

The undersigned acknowledges receipt by the Town of Tryon of the above Notice of Intent to Picket.

Signature of Tryon Police Chief or his designee: _____

Date: _____ Time: _____

***** NOTE: The organizer of a picket shall be responsible for maintaining this Receipt of Intent to Picket and shall present it when so requested by a law enforcement officer or other Town of Tryon official.**

CODE OF TRYON

§ 96.60 DEFINITIONS. [Selected definitions from §96.60 applicable to Picketing regulations]

Picket or Picketing means to make a public display or demonstration of sentiment for or against a person or cause, including protesting which may include the distribution of leaflets or handbills, the display of signs and any oral communication or speech, which may involve an effort to persuade or influence, including all expressive and symbolic conduct, whether active or passive.

Sidewalk means that portion of the street right-of-way which is designated for the use of pedestrians and may be paved or unpaved and shall include easements and rights of ways.

Street means the entire width between property or right-of-way lines of every way or place of whatever nature, when any part thereof is open to the use of the public as a matter or right, for the purposes of vehicular traffic, including that portion that is known as the shoulder of the roadway and the curb.

§ 96.62 PICKETING REGULATIONS.

(A) Picketing may be conducted on public sidewalks, Town-controlled parks, or other Town-owned areas normally used or reserved for pedestrian movement, including easements and rights-of-way, and shall not be conducted on the portion of the public roadway used primarily for vehicular traffic. Picketing may not be conducted at a location directed, focused, or targeted at a particular private residence.

(B) Picketing shall not disrupt, block, obstruct or interfere with pedestrian or vehicular traffic or the free passage of pedestrian or vehicular traffic into any driveway, pedestrian entrance, or other access to buildings, which abut the public sidewalks. In order to allow businesses in the town to continue to operate when picketing is occurring, picketers shall not station themselves within a ten foot (10') radius of entrances to any business which is then open for business.

(C) Written or printed placards or signs, flags, or banners carried by individuals engaged in picketing shall be of such a size and/or carried on the sidewalks or other Town-owned areas, as to allow safe and unobstructed passage of pedestrian or vehicular traffic. The staff or pole on which a sign, flag, or banner may be carried shall be made of corrugated material, plastic, or wood, and shall not exceed 40 inches in length and shall not be made of metal or metal alloy. If made of wood, the staff or pole shall be no greater than three-fourths inch in diameter at any point. A staff or pole must be blunt at both ends.

(D) If more than one group of picketers desire to picket at the same time at or near the same location, law enforcement officers may, without regard to the purpose or content of the message, assign each group a place to picket in order to preserve the public peace. Members of a group shall not enter an area assigned to another group. Priority of location shall be based upon which group of picketers arrived first.

§ 96.64 PUBLIC ASSEMBLY, PARADE AND PICKETING REGULATIONS.

(A) It shall be unlawful to unreasonably hamper, obstruct, impede, or interfere with a public assembly, parade, or picketing or with any person, vehicle, or animal participating or used in the public assembly, parade or picketing. Spectators of public assemblies, parades and picketing shall not physically interfere with individuals engaged in such activities. Spectators and persons attending or participating in a public assembly, parade or picketing shall not speak fighting words or threats that would tend to provoke a reasonable person to a breach of the peace.

(B) It shall be unlawful for the operator of a motor vehicle to drive between vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade.

(C) Spectators and persons attending or participating in a public assembly, parade or picketing shall be subject to all applicable local, state and federal laws.

(D) Nothing in this chapter prohibits a law enforcement officer from issuing a command to disperse in accordance with North Carolina General Statutes § 14-288.5 in the event of a riot or disorderly conduct by an assemblage of three or more persons.

(E) It shall be unlawful for any person to violate any provision of this chapter or to violate any term or condition of a permit issued pursuant to this chapter.