

19A NCAC 02E .0407 CONTROL AND REGULATION OF ROADSIDE PARKS AND REST AREAS

(a) It shall be unlawful, within any scenic service overlook, rest area, or other designated parking area on the primary and secondary roads and highways of the State, for any person, firm, or corporation to erect tents, booths, or structures of any kind for camping or any other activity; to create, cause, or allow any unreasonably loud or disturbing noise; to solicit contributions, names, support, or for any other purpose, except as permitted pursuant to Section .0800 of this Subchapter to conduct or participate in public or private auctions and other ceremonies; to distribute tracts, pamphlets, favors or any material, product or literature; to erect displays, signs, or carry on any commercial activity; to use public address such as loud speakers; to distribute or use alcoholic beverages; endanger the life, property, and welfare of the traveling public.

(b) For the purposes of this Rule, the following definitions apply.

- (1) "Unreasonably loud noise" means a noise which is incompatible with the time and location where created to the extent that it creates an actual or imminent interference with peace, order, or calm of the area, or which is obnoxious to, or unreasonably disturbing to, a person whose residence, work, or commercial enterprise is within a reasonable proximity to the point, place, or person from whom the noise is emanating, or emanated, and the noise is of such a kind, nature, duration, or extent that a reasonable person would consider the noise to be unreasonably loud or disturbing.
- (2) "Disturbing noise" means a noise which is perceived by a person of reasonable and ordinary firmness and sensibilities as interrupting the normal peace, order, and calm of such person, or persons, or tending to annoy, disturb, or frighten such persons in such proximity to the point, place, or person from whom the noise is emanating, or emanated.

*History Note: Authority G.S. 136-18(9); 136-125;
Eff. July 1, 1978;
Amended Eff. October 1, 1991; August 1, 1986;
Readopted Eff. July 1, 2019.*