

ORDINANCE NO. 13-021

AN ORDINANCE AMENDING THE SAFETY REGULATIONS FOR PUBLIC OR PRIVATE CLUBS OF THE CITY OF GREENVILLE, NORTH CAROLINA

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES HEREBY ORDAIN:

Section 1. That Title 11, Chapter 12 of the Code of Ordinances, City of Greenville is hereby amended by deleting Section 11-12-3(c) in its entirety and substituting the following:

(c) A public or private club shall submit to the chief of police or designee on a quarterly basis no later than the fifteenth day after the close of the quarter a list of all persons employed as a bouncer at the public or private club that quarter. The list shall indicate the date of initial employment of each person as a bouncer and shall be on a form provided by the police department. The public or private club shall submit to the chief of police or designee no later than thirty (30) days after the date of initial employment of a person as a bouncer and, annually thereafter, a criminal record check for each person employed as a bouncer by the public or private club. The criminal record check submitted shall be conducted by a method acceptable to the chief of police but shall not be required to be a criminal record check based upon fingerprints from the North Carolina State Bureau of Investigation.

Section 2. That Title 11, Chapter 12 of the Code of Ordinances, City of Greenville is hereby amended by deleting Section 11-12-4 in its entirety and substituting the following:

Section 11-12-4. Training of Bouncers

(a) No public or private club shall employ a person as a bouncer who has not completed a training program for bouncers conducted by the police department within the immediately preceding two (2) year period except that a public or private club may employ a person as a bouncer for the person's initial employment with the public or private club for a period of no more than ninety (90) days commencing on the date of the person's initial employment with the public or private club without the person having received the training.

(b) All persons employed as a bouncer at a public or private club shall complete a training program for bouncers conducted by the police department every two (2) years from the date of the initial training of the bouncer. The training program shall consist of classroom training on addressing disturbances occurring at public or private clubs and any other topic deemed appropriate by the chief of police.

(c) A public or private club shall submit to the chief of police or designee on a quarterly basis no later than the fifteenth day after the close of the quarter a list of all persons employed as a bouncer at the public or private club during that quarter. The list shall indicate the date of initial employment of each person as a bouncer and the most recent date each person completed a training program for bouncers conducted by the police department. The list shall be on a form provided by the police department.

Section 3. That Title 11, Chapter 12 of the Code of Ordinances, City of Greenville is hereby amended by deleting Section 11-12-6(b) and (d) in its entirety and substituting the following:

(b) Violators shall be issued a written citation which must be paid within ten (10) days. If a person fails to pay the civil penalty within ten (10) days, the city may recover the penalty, together with all costs and reasonable attorneys' fees, by filing a civil action in the general court of justice in the nature of a suit to collect a debt.


(d) Where a violation continues after the tenth (10th) day that a citation is issued and every tenth (10th) day thereafter that any violation continues shall be considered a separate offense for purposes of the penalties and remedies specified in this section. Notwithstanding the foregoing, the escalating civil penalties authorized by subsection (a) may be invoked whenever the violation continues and there has been sufficient time for the violation to be corrected after notification that such violation exists or whenever the violation has occurred previously during a twelve (12) month period.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

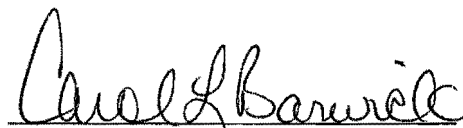
Section 6. That this ordinance shall become effective upon its adoption.

This the 9th day of May, 2013.


Allen M. Thomas, Mayor



ATTEST:


Carol L. Barwick, City Clerk