ORDINANCE NO. 2026-XX

AN ORDINANCE AMENDING THE CITY OF BREVARD CODE OF ORDINANCES CHAPTER 42 – OFFENSES AND MISCELLANEOUS PROVISIONS

WHEREAS, due to an uptick in certain types of offenses, the City of Brevard wishes to amend its Code of Ordinances to affix misdemeanor penalties to the following offenses:

- Consumption or possession of alcoholic beverages in public place;
- Trespassing on posted property; loitering in general;
- Loitering for the purposes of engaging in drug-related activity;
- Assemblages obstructing street;
- Carrying concealed weapons on or near city property;
- Failing to vacate City-owned property when properly notified by a city agent;

and

WHEREAS, the amendment also updates the list of City-owned properties where the carrying of concealed weapons is prohibited; and

WHEREAS, a public hearing was conducted on July 20, 206, by Brevard City Council, and after review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard that Section 42 – Offenses and Miscellaneous Provisions, of the Brevard City Code of Ordinance be amended as outlined below; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

SECTION 01. Chapter 42 of the City of Brevard Code of Ordinance is hereby amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 02. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 03. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved on the 3rd day of August, 2026.

_____
Maureen Copelof
Mayor

ATTEST:

_____
Denise Hodsdon, CMC, NCCMC
City Clerk

APPROVED AS TO FORM:

_____
Mack McKeller
City Attorney