



CHAPTER 14

ARTICLE 36A - RIOTS, CIVIL DISORDERS, AND EMERGENCIES

N.C.G.S. § 14-288.1.

Definitions.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2025-18, s. 4(a) — sixth act in the lineage	21 September 2026, 05:37 UTC	d2bc6bcb5f697ee66444c2b3 - 0f245b65de6b97669450ae1b - e6264558a34ffd0d

Unless the context clearly requires otherwise, the following definitions apply in this Article:

Chairman of the board of county commissioners. - The chairman of the board of county commissioners or, in case of the chairman's absence or disability, the person authorized to act in the chairman's stead. Unless the governing body of the county has specified who is to act in lieu of the chairman with respect to a particular power or duty set out in this Article, the term "chairman of the board of county commissioners" shall apply to the person generally authorized to act in lieu of the chairman.

Dangerous weapon or substance. - Any deadly weapon, ammunition, explosive, incendiary device, radioactive material or device, as defined in G.S. 14-288.8(c)(5), or any instrument or substance designed for a use that carries a threat of serious bodily injury or destruction of property; or any instrument or substance that is capable of being used to inflict serious bodily injury, when the circumstances indicate a probability that such instrument or substance will be so used; or any part or ingredient in any instrument or substance included above, when the circumstances indicate a probability that such part or ingredient will be so used.

Declared state of emergency. - A state of emergency as that term is defined in G.S. 166A-19.3 or a state of emergency found and declared by any chief executive official or acting chief executive official of any county or municipality acting under the authority of any other applicable statute or provision of the common law to preserve the public peace in a state of emergency, or by any executive official or military commanding officer of the United States or the State of North Carolina who becomes primarily responsible under applicable law for the preservation of the public peace within any part of North Carolina.

Disorderly conduct. - As defined in G.S. 14-288.4(a).

Emergency. - As defined in G.S. 166A-19.3.

Emergency area. - The geographical area covered by a declared state of emergency.

Law enforcement officer. - Any officer of the State of North Carolina or any of its political subdivisions authorized to make arrests; any other person authorized under the laws of North Carolina to make arrests and either acting within that person's territorial jurisdiction or in an area in which that person has been lawfully called to duty by the Governor or any mayor or chairman of the board of county commissioners; any member of the Armed Forces of the United States, the North Carolina National Guard, or the North Carolina State Defense Militia called to duty in a state of emergency in North Carolina and made responsible for enforcing the laws of North Carolina or preserving the public peace; or any officer of the United States authorized to make arrests without warrant and assigned to duties that include preserving the public peace in North Carolina.

Mayor. - The mayor or other chief executive official of a municipality or, in case of that person's absence or disability, the person authorized to act in that person's stead. Unless the governing body of the municipality has specified who is to act in lieu of the mayor with respect to a particular power or duty set out in this Article, the word "mayor" shall apply to the person generally authorized to act in lieu of the mayor.

Municipality. - Any active incorporated city or town, but not including any sanitary district or other municipal corporation that is not a city or town. An "active" municipality is one which has conducted the most recent election required by its charter or the general law, whichever is applicable, and which has the authority to enact general police-power ordinances.

Public disturbance. - Any annoying, disturbing, or alarming act or condition exceeding the bounds of social toleration normal for the time and place in question which occurs in a public place or which occurs in, affects persons in, or is likely to affect persons in a place to which the public or a substantial group has access. The places covered by this definition shall include, but not be limited to, highways, transport facilities, schools, prisons, apartment houses, places of business or amusement, or any neighborhood.

Riot. - As defined in G.S. 14-288.2(a).

Repealed by Session Laws 2012-12, s. 2(a), effective October 1, 2012.

Temporary housing. - Any of the following:

a. A tent, trailer, mobile home, or any other structure being used for human shelter which is designed to be transportable and is not permanently attached to the ground, to another structure, or to any utility system on the same premises.

b. A vehicle being used as temporary living quarters.

c. Any equipment used to transport or deliver a structure or vehicle described in sub-subdivision a. or b. of this subdivision.

d.Any item attached, affixed, or connected to, or intended to be attached, connected, or affixed to, a structure or vehicle described in sub-subdivision a. or b. of this subdivision to provide air conditioning, heating, or a source of power for the structure or vehicle.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
6 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1969	1997		2025
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT	
Nº	YEAR	ACT	CHARACTER
01	1969	c. 869, s. 1	ENACTED
02	1975	c. 718, s. 5	AMENDED
03	2009	S.L. 2009-281, s. 1	AMENDED
04	2011	S.L. 2011-183, s. 10	AMENDED
05	2012	S.L. 2012-12, s. 2(a)	AMENDED
06	2025	S.L. 2025-18, s. 4(a)	AMENDED

APPARATUS II
4 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 14-288.8(c)(5)	(null)(2)	"material or device, as defined in"
G.S. 166A-19.3	(null)(3)	"as that term is defined in"
G.S. 14-288.4(a)	(null)(4)	"Disorderly conduct. - As defined in"
G.S. 14-288.2(a)	(null)(9)	"Riot. - As defined in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 14-288.1 (2025).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1969, c. 869, s. 1; 1975, c. 718, s. 5; 2009-281, s. 1; 2011-183, s. 10; 2012-12, s. 2(a); 2025-18, s. 4(a).)

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