



CHAPTER 14
ARTICLE 52 - MISCELLANEOUS POLICE REGULATIONS

N.C.G.S. § 14-399.

Littering.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2024-30, s. 28(a) — twenty-sixth act in the lineage	RETRIEVED 21 September 2026, 04:48 UTC	SOURCE FINGERPRINT 8964d8b69506a99e641716fb - 77836974b9baa6deaf7f676c - be277e1b8f522a7e
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- § 14-399(a) No person, including any firm, organization, private corporation, or governing body, agents or employees of any municipal corporation shall intentionally or recklessly throw, scatter, spill or place or intentionally or recklessly cause to be blown, scattered, spilled, thrown or placed or otherwise dispose of any litter upon any public property or private property not owned by the person within this State or in the waters of this State including any public highway, public park, lake, river, ocean, beach, campground, forestland, recreational area, trailer park, highway, road, street or alley except:
- (1) When the property is designated by the State or political subdivision thereof for the disposal of garbage and refuse, and the person is authorized to use the property for this purpose; or
 - (2) Into a litter receptacle in a manner that the litter will be prevented from being carried away or deposited by the elements upon any part of the private or public property or waters.

- § 14-399(a1) No person, including any firm, organization, private corporation, or governing body, agents, or employees of any municipal corporation shall scatter, spill, or place or cause to be blown, scattered, spilled, or placed or otherwise dispose of any litter upon any public property or private property not owned by the person within this State or in the waters of this State including any public highway, public park, lake, river, ocean, beach, campground, forestland, recreational area, trailer park, highway, road, street, or alley except:

- (1) When the property is designated by the State or political subdivision thereof for the disposal of garbage and refuse, and the person is authorized to use the property for this purpose; or
- (2) Into a litter receptacle in a manner that the litter will be prevented from being carried away or deposited by the elements upon any part of the private or public property or waters.

§ 14-399(a2) Subsection (a1) of this section does not apply to the accidental blowing, scattering, or spilling of an insignificant amount of municipal solid waste, as defined in G.S. 130A-290(18a), during the automated loading of a vehicle designed and constructed to transport municipal solid waste if the vehicle is operated in a reasonable manner and according to manufacturer specifications.

§ 14-399(b) When litter is blown, scattered, spilled, thrown or placed from a vehicle or watercraft, the operator thereof shall be presumed to have committed the offense. This presumption, however, does not apply to a vehicle transporting nontoxic and biodegradable agricultural or garden products or supplies, including mulch, tree bark, wood chips, and raw logs.

§ 14-399(c) Any person who violates subsection (a) of this section in an amount not exceeding 10 pounds and not for commercial purposes is guilty of a Class 3 misdemeanor punishable by a fine of not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000) for the first offense. In addition, the court may require the violator to perform community service of not less than eight hours nor more than 24 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other labor commensurate with the offense committed. Any second or subsequent violation of subsection (a) of this section in an amount not exceeding 10 pounds and not for commercial purposes within three years after the date of a prior violation is a Class 3 misdemeanor punishable by a fine of not less than one thousand dollars (\$1,000) nor more than three thousand dollars (\$3,000). In addition, the court may require the violator to perform community service of not less than 16 hours nor more than 50 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other labor commensurate with the offense committed.

§ 14-399(c1) Any person who violates subsection (a1) of this section in an amount not exceeding 10 pounds is guilty of an infraction punishable by a fine of not more than two hundred

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dollars (\$200.00). In addition, the court may require the violator to perform community service of not less than four hours nor more than 12 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other labor commensurate with the offense committed. Any second or subsequent violation of subsection (a1) of this section in an amount not exceeding 10 pounds within three years after the date of a prior violation is an infraction punishable by a fine of not more than five hundred dollars (\$500.00). In addition, the court may require the violator to perform community service of not less than eight hours nor more than 24 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other labor commensurate with the offense committed. For purposes of this subsection, the term "litter" shall not include nontoxic and biodegradable agricultural or garden products or supplies, including mulch, tree bark, and wood chips.

§ 14-399(d)

Any person who violates subsection (a) of this section in an amount exceeding 10 pounds but not exceeding 500 pounds and not for commercial purposes is guilty of a Class 3 misdemeanor punishable by a fine of not less than one thousand dollars (\$1,000) nor more than three thousand dollars (\$3,000). In addition, the court shall require the violator to perform community service of not less than 50 hours nor more than 100 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other community service commensurate with the offense committed.

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Any person who violates subsection (a1) of this section in an amount exceeding 10 pounds but not exceeding 500 pounds is guilty of an infraction punishable by a fine of not more than five hundred dollars (\$500.00). In addition, the court may require the violator to perform community service of not less than 24 hours nor more than 50 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other labor commensurate with the offense committed.

§ 14-399(e)

CLASS I FELONY

Any person who violates subsection (a) of this section in an amount exceeding 500 pounds or in any quantity for commercial purposes, or who discards litter that is a hazardous waste as defined in G.S. 130A-290 is guilty of a Class I felony punishable by a fine of five thousand dollars (\$5,000). In addition, the court shall require the violator to perform community service of not less than 100 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other community service commensurate with the offense committed.

§ 14-399(e1)

INFRACTION

Any person who violates subsection (a1) of this section in an amount exceeding 500 pounds is guilty of an infraction punishable by a fine of not more than two thousand five hundred dollars (\$2,500). In addition, the court shall require the violator to perform community service of not less than 50 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other labor commensurate with the offense committed.

§ 14-399(e2)

If any person violates subsection (a) or (a1) of this section in an amount exceeding 10 pounds or in any quantity for commercial purposes, or discards litter that is a hazardous waste as defined in G.S. 130A-290, the court shall order the violator to:

- (1) Remove, or render harmless, the litter that he discarded in violation of this section;
- (2) Repair or restore property damaged by, or pay damages for any damage arising out of, his discarding litter in violation of this section; or
- (3) Perform community public service relating to the removal of litter discarded in violation of this section or to the restoration of an area polluted by litter discarded in violation of this section.

§ 14-399(e3)

Any violation of this section involving the disposal of any litter into the waters of this State shall be punished as a violation of subsection (a) of this section.

§ 14-399(f)

A court may enjoin a violation of this section.

§ 14-399(f1)

If a violation of subsection (a) of this section involves the operation of a motor vehicle, upon a finding of guilt, the court shall forward a record of the finding to the Department of Transportation, Division of Motor Vehicles, which shall record a penalty of one point on the violator's drivers license pursuant to the point system established by G.S. 20-16. There shall be no insurance premium surcharge or assessment of points under the classification plan adopted under G.S. 58-36-65 for a finding of guilt under this section.

§ 14-399(g)

A motor vehicle, vessel, aircraft, container, crane, winch, or machine involved in the disposal of more than 500 pounds of litter in violation of subsection (a) of this section is declared contraband and is subject to seizure and summary forfeiture to the State.

§ 14-399(h)

If a person sustains damages arising out of a violation of subsection (a) of this section that is punishable as a felony, a court, in a civil action for the damages, shall order the

person to pay the injured party threefold the actual damages or two hundred dollars (\$200.00), whichever amount is greater. In addition, the court shall order the person to pay the injured party's court costs and attorney's fees.

§ 14-399(i)

For the purpose of the section, unless the context requires otherwise:

- (1) "Aircraft" means a motor vehicle or other vehicle that is used or designed to fly, but does not include a parachute or any other device used primarily as safety equipment.
- (2) Repealed by Session Laws 1999-454, s. 1.
- (2a) "Commercial purposes" means litter discarded by a business, corporation, association, partnership, sole proprietorship, or any other entity conducting business for economic gain, or by an employee or agent of the entity.
- (3) "Law enforcement officer" means any law enforcement officer sworn and certified pursuant to Article 1 of Chapter 17C or 17E of the General Statutes, except company police officers as defined in G.S. 74E-6(b)(3). In addition, and solely for the purposes of this section, "law enforcement officer" means any employee of a county or municipality designated by the county or municipality as a litter enforcement officer.
- (4) "Litter" means any garbage, rubbish, trash, refuse, can, bottle, box, container, wrapper, paper, paper product, tire, appliance, mechanical equipment or part, building or construction material, tool, machinery, wood, motor vehicle or motor vehicle part, vessel, aircraft, farm machinery or equipment, sludge from a waste treatment facility, water supply treatment plant, or air pollution control facility, dead animal, or discarded material in any form resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations. While being used for or distributed in accordance with their intended uses, "litter" does not include political pamphlets, handbills, religious tracts, newspapers, and other similar printed materials the unsolicited distribution of which is protected by the Constitution of the United States or the Constitution of North Carolina.
- (5) "Vehicle" has the same meaning as in G.S. 20-4.01(49).
- (6) "Watercraft" means any boat or vessel used for transportation across the water.

§ 14-399(j)

It shall be the duty of all law enforcement officers to enforce the provisions of this section.

§ 14-399(k)

This section does not limit the authority of any State or local agency to enforce other laws, rules or ordinances relating to litter or solid waste management.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
26 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.

1935

1980

2024

TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1935	c. 457	ENACTED
02	1937	c. 446	AMENDED
03	1943	c. 543	AMENDED
04	1951	c. 975, s. 1	AMENDED
05	1953	cc. 387, 1011	AMENDED
06	1955	c. 437	AMENDED
07	1957	cc. 73, 175	AMENDED
08	1959	c. 1173	AMENDED
09	1971	c. 165	AMENDED
10	1973	c. 877	AMENDED
11	1977	c. 887, s. 1	AMENDED
12	1979	c. 1065, s. 1	AMENDED
13	1983	c. 890	AMENDED
14	1987	cc. 208, 757	AMENDED
15	1989	c. 784, ss. 7.1, 8	AMENDED
16	1991	c. 609, s. 1	AMENDED
17	1991	c. 720, s. 49	AMENDED
18	1991	c. 725, s. 1	AMENDED
19	1993	c. 539, ss. 266, 267, 1241	AMENDED

20	1994	Ex. Sess., c. 24, s. 14(c)	AMENDED
21	1997	S.L. 1997-518, s. 1	AMENDED
22	1998	S.L. 1998-217, s. 2	AMENDED
23	1999	S.L. 1999-294, s. 4	AMENDED
24	1999	S.L. 1999-454, s. 1	AMENDED
25	2001	S.L. 2001-512, s. 1	AMENDED
26	2024	S.L. 2024-30, s. 28(a)	AMENDED

APPARATUS II
6 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. 130A-290(18a)	(a2)	"municipal solid waste, as defined in"
G.S. 130A-290	(e)	"a hazardous waste as defined in"
G.S. 20-16	(f1)	"to the point system established by"
G.S. 58-36	(f1)	"under the classification plan adopted under"
G.S. 74E-6(b)(3)	(i)(3)	"company police officers as defined in"
G.S. 20-4.01(49)	(i)(5)	"has the same meaning as in"

APPARATUS III

Citation

FULL SECTION
N.C. Gen. Stat. § 14-399 (2024).

PINPOINT
N.C. Gen. Stat. § 14-399(a) (2024).

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

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1935, c. 457; 1937, c. 446; 1943, c. 543; 1951, c. 975, s. 1; 1953, cc. 387, 1011; 1955, c. 437; 1957, cc. 73, 175; 1959, c. 1173; 1971, c. 165; 1973, c. 877; 1977, c. 887, s. 1; 1979, c. 1065, s. 1; 1983, c. 890; 1987, cc. 208, 757; 1989, c. 784, ss. 7.1, 8; 1991, c. 609, s. 1; c. 720, s. 49; c. 725, s. 1; 1993, c. 539, ss. 266, 267, 1241; 1994, Ex. Sess., c. 24, s. 14(c); 1997-518, s. 1; 1998-217, s. 2; 1999-294, s. 4; 1999-454, s. 1; 2001-512, s. 1; 2024-30, s. 28(a).)

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