

§ 14-50.43. Criminal gangs declared a public nuisance.

(a) A criminal gang, as defined in G.S. 14-50.16A(a), that regularly engages in criminal gang activity, as defined in G.S. 14-50.16A(2), constitutes a public nuisance. For the purposes of this section, the term "regularly" means at least five times in a period of not more than 12 months.

(b) Any person who regularly associates with others to engage in criminal gang activity, as defined in G.S. 14-50.16A(2), may be made a defendant in a suit, brought pursuant to Chapter 19 of the General Statutes, to abate any public nuisance resulting from criminal gang activity.

(c) If the court finds that a public nuisance exists under this section, the court may enter an order enjoining the defendant in the suit from engaging in criminal gang activities and impose other reasonable requirements to prevent the defendant or a gang from engaging in future criminal gang activities.

(d) An order entered under this section shall expire three years after entry unless extended by the court for good cause established by the plaintiff after a hearing. The order may be modified, rescinded, or vacated at any time prior to its expiration date upon the motion of any party if it appears to the court that one or more of the defendants is no longer engaging in criminal gang activities. (2012-28, s. 1; 2015-91, s. 4; 2017-194, s. 16.)