

HAYWOOD COUNTY ORDINANCE REPORT

1. **Chapter 10: General Provisions.** Section 10.99 provides that when any provision of the County Ordinances is prohibited declared a misdemeanor or declared to be unlawful but where no specific penalty is provided, such violation shall be a Class 3 Misdemeanor.
2. **Chapter 31: Emergency Management.** 31.13 provides that it is a Class 2 misdemeanor for violation of any provision of the Ordinance establishing the agency and its intent and purpose, the general powers, duties and responsibilities, the County Emergency Plan and Declaration of State of Emergency, unless provided by law pursuant to GS 14-288.20A.
3. **Chapter 50 Solid Waste Disposal.** Defines deposits of prohibited materials in County facilities, including dumpsters; and to place garbage outside authorized containers and other illegal dumping. 50.99 provides that any violation or failure to comply with requirements is a misdemeanor punishable by a fine of \$50 or maximum 30 days imprisonment pursuant to GS 14-4.
4. **Chapter 70 Parking Regulations.** Regulates abandoned motor vehicles and parking in the County parking garage and parking lot. 70.99 provides that violations subject to criminal penalty pursuant to GS 10.99 subject to 14-3.1(a).
5. **Chapter 90 Addressing and Road Naming.** 90.99 provides that destroying, marring, removing or defacing a street sign is a Class 3 Misdemeanor.
6. **Chapter 91 Animal Services.** Ordinance deals with keeping animals under restraint; cruelty to animals; confinement, muzzling and control of dangerous or vicious animals; animals creating a nuisance; interference with enforcement; rabies control; and impoundment. Ordinance provides for compliance with state law. 91.99 provides that any violations of provisions stated above are subject to criminal penalties and are declared to be a misdemeanor punishable pursuant to GS 14-4.
7. **Chapter 92 Fire Prevention.** Requires compliance with Volume V-Fire Prevention of State Building Code. Prohibits maintaining, storing or handling materials or conducting processes which produce conditions hazardous to life or property. Prohibits maintain a fire hazard as defined in the ordinance. Also causing the burning of another persons' property. Prohibits parking in front of a fire hydrant, fire station or fire lane. 92.99 provides that violations of the chapter constitute a general misdemeanor punishable by a fine not to exceed \$500 or imprisonment of not more than 30 days, or both.
8. **Chapter 93. Mobile Homes.** Sticker or label furnished by the Tax Assessor for the purpose of indicating to inspectors that the property has been listed for taxes must be prominently displayed. Violations are subject to 10.99, which provides that when any provision of the County Ordinances is prohibited declared a misdemeanor or declared to be unlawful but where no specific penalty is provided, such violation shall be a Class 3 Misdemeanor.

9. **Chapter 95. Noise Control.** Declares illegal any frequent, loud, disturbing and unnecessary (no business purpose) noises as defined in the ordinance. Violations of 95.02 (B)(8) - the use of any automobile, motorcycle, or other vehicle so out of repair, so loaded, or in such manner as to create loud or unnecessary grating, grinding, rattling, or other noise is subject to 10.99, which provides that when any provision of the County Ordinances is prohibited declared a misdemeanor or declared to be unlawful but where no specific penalty is provided, such violation shall be a Class 3 Misdemeanor.
10. **Chapter 96. Carrying of Concealed Weapons and Displaying of Firearms.** Unlawful to openly possess or display a firearm on County property, except where locked in a vehicle. Violation of GS 14-415.23(a) and GS 14-415.11(c).
11. **Chapter 98. Child Safety Zones.** 98.06 provides that violations carry fines of not less than \$500 or 30 days in jail for any registered sex offender that knowingly enters into or on the premises of recreation facilities recognized as child safety zones.
12. **Chapter 100. County Grounds Use Ordinance.** Defines permissible use and prohibited uses of county grounds (defined in the ordinance) and imposes permit requirements. 100.06 provide that violations are a Class III misdemeanor pursuant to GS 14-4 and GS 153A-123A (b).
13. **Chapter 113. Helicopter Sightseeing.** Declares helicopter sightseeing unlawful. Violations are a misdemeanor with fine not exceeding \$50.
14. **Chapter 114. Junkyards and Other Facilities.** Defines junkyards and imposes screening and fencing requirements. Certain permit requirements. 114.13 provides that violations constitute a misdemeanor punishable by a fine up to \$50 and maximum of 30 days imprisonment.
15. **Chapter 115. Wireless Telecommunications Facilities.** Requires special use permit. Sets forth tower height and design, and co-location requirements. Also regulates fall zones and setbacks, tower lighting and signage. Violations can result in criminal penalties under GS 153A-123.
16. **Chapter 116. Adult Entertainment Establishments.** Describes prohibited acts and conducts and requires a license. Regulates exterior of such businesses including signage. Regulates massages or baths administered by a person of the opposite sex. Prohibits persons under 21 from being on the premises as well as other regulations. Regulates adult motels, escort agencies, nude model studios and exhibition of sexually explicit films, videos and live performances. Regulates hours of operation. Could be subject to injunctions and prosecution for criminal violations.
17. **Chapter 117. Ambulance Service Regulations and Ambulance Operator Franchise.** Requires certain franchises and sets forth standards for drivers, vehicles and equipment. 117.98 provides that violations are a misdemeanor with penalties provided in GS 14-1.

18. **Chapter 150. Building Regulations.** Ordinance incorporates the State codes and requires compliance. Also incorporates building permit requirements to be issued by county inspections department. Requires applicant to provide certain designated documentation. Requires County Planner to review permits for new construction or substantial improvements, including review of locations as pertain to flood elevation. Requires review of subdivision proposals for certain compliance including public utilities, drainage to minimize flood damage. Requires review of water supply and sanitary systems. Establishes inspection fees. Sets forth duties of Inspection department. Violations of 150.20 Building Permit Required and 150.21 Review of Building Permits are subject to 10.99, which provides that when any provision of the County Ordinances is prohibited declared a misdemeanor or declared to be unlawful but where no specific penalty is provided, such violation shall be a Class 3 Misdemeanor.
19. **Chapter 151 Watershed Protection.** Regulates subdivision development. Regulates Public Water Supply Watersheds. Does not purport to repeal, modify or amend any federal or state law or regulation. Sets forth subdivision review procedures, subdivision standards and required improvements, and construction procedures. Establishes watershed areas including density and allowed uses. Includes regulations for manufactured/mobile home parks and recreational vehicles. Regulates cluster developments. Sets forth a minimum vegetative buffer for development activities. Establishes procedures to review land use activities. Creates Watershed Protection Permit process. Establishes Watershed Review Board including powers and duties. Establishes penalties for transferring lots in unapproved subdivisions. 151.99 provides that violations of the Chapter are punished according to GS 14-4(a) as a misdemeanor with maximum fine of \$50.
20. **Chapter 152A. Subdivision and Pre-Development.** Expands upon and updates Chapter 152, which was formerly entitled Pre-Development, as well as Chapters 150 and 151 as pertains to subdivision regulation. Incorporates heating, air conditioning, refrigeration, ventilation, electrical, fire prevention, gas, residential construction, modular construction, existing building codes, energy code, manufactured homes regulations, and handicapped accessibility codes. Requires compliances and issuance of permits. 152A.64 provides that anyone that subdivides or develops land in violation of the ordinance or transfers or sells land by reference to, exhibition of, or any other use of a plat showing a subdivision of land before the plat has been approved or and recorded, or any other violation of the provisions of the ordinance shall be guilty of a misdemeanor
21. **Chapter 153. Mountain Ridge Protection.** Regulates construction of Protected Mountain Ridges, defined as ridges whose elevation is at least 3,000 feet and whose elevation is 500 feet or more above the elevation of an adjacent valley floor. Requires issuance of permits prior to construction of buildings or structures. Sets for information required for application of a permit. 153.20 Permit required, provides that violations are subject to 10.99. 153.98 (C) Violations, provides that the enforcement officer may institute any appropriate action or proceedings.

22. **Chapter 154. Erosion and Sediment Control.** Establishes Haywood County Sediment Control Board, a local governing body under authority of GS 113A, Article 4 to regulate land-disturbing activities to control erosion and sedimentation and prevent pollution of waterways. Sets forth requirements for land-disturbing activities, including buffer zones, graded slopes and fills, ground cover and prior plan approval. Includes storm water drainage protections. 154.99 provides that violations can result in prosecution of a misdemeanor punishable by imprisonment not to exceed 90 days or a fine not to exceed \$5,000 or both.
23. **Chapter 155. Flood Damage Prevention.** Provides for establishment of special flood hazard areas, and requirements for development permits. Includes standards for subdivision approvals. Requires floodplain development permits. Designates local administrator with duties and responsibilities. Includes variance procedures. 155.52 provides that violations constitute a Class 3 misdemeanor pursuant to GS 14-4.
24. **Chapter 157. Manufactured Home Park.** Regulates establishment of manufactured home parks. 157.08 provides that violations of the chapter is a misdemeanor subject to the penalties and enforcement provisions of 153A-123.
25. **Chapter 159. Public Health and Solid Waste Awareness and Compliance.** Regulates solid waste storage, collection, transportation and disposal. 159.09 provides penalties that include Class 3 misdemeanor as provided in GS 153A-123(b) and GS 14-4 with a fine of up to \$50 per violation.
26. **Chapter 160. High Impact Development.** Designed to protect vulnerable populations. Covers asphalt plants, chemical facilities, explosives facilities, mining, quarrying or resource extraction, hazardous waste facilities, landfills and combustible and flammable bulk fuel facilities. Regulates location and includes screening and mitigation requirements. Inspection and permit requirements. 160.13 provides that violations shall be a misdemeanor subject to penalties and enforcement provisions of GS 153A-123.
27. **Chapter 161. Commercial Outdoor Sport Shooting Ranges.** Includes development requirements and performance standards. Permits required for new ranges. 161.13 provides that violations of the chapter subject to misdemeanor penalties and enforcement provisions of GS 153A-123.