

PAMLICO COUNTY, NORTH CAROLINA

HB 379: ORDINANCES PUNISHABLE PURSUANT TO NCGS §14-4

PAMLICO COUNTY ROAD NAMING AND ADDRESSING ORDINANCE

Article 9(f) – Owners of Buildings already constructed will be asked to voluntarily comply with this Ordinance. Those owners of Buildings which do not comply with this Ordinance will be notified and requested to meet the requirements within sixty (60) days from the date of notification. A second notice will be issued after the sixty (60) days if the requirements have not been met. If the owner does not comply voluntarily with this Ordinance within thirty (30) days of receiving the second notice, enforcement action pursuant to Chapter 153A of the North Carolina General Statutes may be initiate.

PAMLICO COUNTY ADULT ESTABLISHMENTS

Article 19 – A violation of any of the provisions of this Ordinance shall constitute a misdemeanor, punishable by a fine not exceeding \$500.00 or by imprisonment not to exceed 30 days, or both, in the discretion of the Court. Each day's violation shall constitute a separate offense.

AN ORDINANCE TO LICENSE INSULATION CONTRACTORS AND OTHERS WHO INSTALL MATERIALS AND EQUIPMENT DESIGNED TO MEET THE ENERGY CONSERVATION STANDARDS OF THE STATE BUILDING CODE FOR PAMLICO COUNTY OF NORTH CAROLINA

Section 10 – Any person, firm or corporation violating the provisions of this ordinance shall be subject to all the applicable punishment, penalties, and equitable relief provided for by Chapter 703, North Carolina Session Laws, and G.S. 153A-123.

PAMLICO COUNTY CIVIL PREPAREDNESS ORDINANCE

Section 9 – It shall be unlawful for any person to violate any of the provisions of this Ordinance or the regulations or plans issued pursuant to the authority contained herein, or to willfully obstruct, hinder or delay any member of the Civil Preparedness Organization as herein defined in the enforcement of the provisions of this Ordinance or any regulations or plan thereunder.

FLOOD DAMAGE PREVENTION ORDINANCE

Section H – Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$50.00 or imprisoned for not more than thirty (30) days, or both. Each day such violation continues, shall be considered a separate offense. Nothing herein contained shall prevent Pamlico County from taking such other lawful action as is necessary to prevent or remedy any violation.

COUNTY OF PAMLICO AN ORDINANCE ESTABLISHING MINIMUM HOUSING STANDARDS

Section 21 – (a) It shall be unlawful for the owner of any dwelling or dwelling unit to fail, neglect, or refuse to repair, alter, or improve the same or to vacate and lose and remove or demolish the same, upon order of the Officer duly made and served as herein provided, within the time specified in such order. Each day that any such failure, neglect, refusal to comply with such order continues shall constitute a separate and distinct offense.

(b) It shall be unlawful for the owner of any dwelling or dwelling unit, with respect to which an order has been issued pursuant to Section 15 of this ordinance, to occupy or permit the occupancy of the same after the time prescribed in such order for its repair, alteration or improvement or its vacation and closing. Each day that such occupancy continues after such prescribed time shall constitute a separate and distinct offense.

(c) The violation of any provision of this ordinance shall constitute a misdemeanor, as provided by G.S. 14-4, and shall carry a penalty of a fine of not more than \$50.00 for each separate occurrence.

(d) In addition to the penalty established by subsection (c) above and the remedies provided by other provisions of this ordinance, this ordinance may be enforced by an appropriate equitable remedy issued by a court of competent jurisdiction.

AN ORDINANCE TO REGULATE THE LOCATIONS OF MINES IN PAMLICO COUNTY

Article 8 – Violation of this Ordinance shall constitute a Class 3 misdemeanor, and shall be fined not more than Five Hundred and no/100 Dollars (\$500.00), as provided by G.S. Section 14-4. Each day's violation of this Ordinance shall constitute a separate punishable offense.

AN ORDINANCE AUTHORIZING THE PROCLAMATION OF A STATE OF EMERGENCY AND THE IMPOSITION OF PROHIBITIONS AND RESTRICTIONS DURING A STATE OF EMERGENCY

Section 12 – Any person violating any prohibition or restriction imposed by a proclamation authorized by this ordinance shall be guilty of a misdemeanor, punishable upon conviction by a fine not exceeding 50 dollars or imprisonment not exceeding 30 days, as provided by G.S. 14-4.

AN ORDINANCE PROVIDING FOR THE ANNUAL REGISTRATION OF HOUSE TRAILERS, MOBILE HOMES, AND SIMILAR VEHICULAR STRUCTURES, AND THE ISSUANCE OF EVIDENCE OF REGISTRATION TO BE EXHIBITED UPON SAID VEHICLES

Section 10 – Any owner or person in possession of a mobile home who shall violate or fail to comply with any of the provisions of the Ordinance, or any person who shall counsel, aid, or abet any such violation or failure to comply shall be guilty of a misdemeanor punishable by a fine or not to exceed fifty dollars (\$50.00), or by imprisonment for not more than thirty (30) days.

AN ORDINANCE REGULATING THE OPERATION AND USE OF PARKS AND RECREATIONAL FACILITIES OWNED AND CONTROLLED BY THE COUNTY OF PAMLICO

Section VI – Any person who shall violate the provisions of this ordinance shall be guilty of a misdemeanor punishable by a fine or not more than \$50.00 (fifty dollars), or imprisonment for not more than 30 (thirty) days, in the discretion of the court, as provided by the General Statutes of North Carolina.

ORDINANCE GOVERNING THE MANAGEMENT OF SOLID WASTE IN PAMLICO COUNTY

Section 10 – (a) Any person who violates any regulations adopted by the County Commissioners or the Board of Health pertaining to solid waste management shall be guilty of a misdemeanor and shall be punishable by a fine not exceed Fifty Dollars (\$50.00) or imprisonment not to exceed thirty (30) days, as provided by G.S. 130-203 and G.S. 153A-123.

(b) The Health Director may bring a proceeding in the Superior Court for Pamlico County for the abatement of any violation of this ordinance and regulations issued pursuant to the authority of this ordinance, and the Superior Court may upon hearing and for good cause shown, enjoin the continuance of the conditions violating these regulations, irrespective of all other remedies at law.

PAMLICO SUBDIVISION ORDINANCE

4.4 – After the effective date of this ordinance, any person who subdivides land in violation of this ordinance, transfers or sells land by reference to a plat showing a subdivision that has not received final approval hereunder and that has been recorded in the Office of the Register of Deeds, or otherwise violates any provision of this ordinance, including the recording of any plat in the Office of the Pamlico County register of Deeds showing a subdivision of land before the plat has received final approval hereunder, shall be guilty of a Class 1 misdemeanor. The description by metes and bounds in an instrument of transfer or other document used in the process of selling or transferring land shall be a violation of this ordinance, and does not exempt the transaction from this penalty, whether or not the description by metes and bounds in the instrument of transfer refers to any recorded or unrecorded map. Violators of this ordinance shall also be subject, upon conviction, to fine and/or imprisonment as provided by NCGS §14-4, as well as any other remedy available to County, including the denial of a building permit. Provided, however, it is not a violation of this ordinance to enter into a contract for the sale or lease of real property which complies with NCGS §153A-334.

ORDINANCE GOVERNING MAINTENANCE OF WATER IMPOUNDMENTS IN SALT MARSH LANDS

Section 5 – (a) Any owner of an impoundment who shall violate any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall pay a fine of not to exceed fifty dollars (\$50.00) or be imprisoned for not to exceed thirty (30) days as provided in G.S. 153A-123 and G.S. 14-4.

(b) This ordinance may be enforced by injunction and order of abatement as provided in G.S. 153A-123(e).

(c) Each day's continuing violation of this ordinance shall be a separate and distinct offense as provided in G.S. 153A-123(g).

PAMLICO COUNTY AN ORDINANCE PROVIDING FOR THE REGULATION OF GROUP HOUSING PROJECTS

Article 7 – (7.1) A violation of any of the provisions of this Ordinance shall be deemed a violation of N.C.G.S. Section 14-4. Such violation shall constitute a Class 1 misdemeanor, and shall be punishable by a fine not exceeding \$500.00. Each day's violation shall constitute a separate offense. In addition to these remedies, this ordinance may be enforced by appropriate equitable remedies issuing from a court of competent jurisdiction, or any other legal remedy not otherwise identified herein. Nothing in this section shall be construed to limit the use of remedies available to Pamlico County and the County may seek to enforce this ordinance by using any one, all, or a combination of remedies.

PAMLICO COUNTY MANUFACTURED HOME PARK ORDINANCE

Article 9 – 4. A Any act constituting a violation of the provisions of this Ordinance or a failure to comply with any of its requirements shall subject the offender to a civil penalty of \$500.00. If the offender fails to remedy the violation or pay any civil penalty within twenty (20) days after being cited for said violation (or within ten (10) days of the time prescribed by a citation to remedy the violation if it provides for a longer period of time than ten (10) days to remedy such violation), the civil penalty may be recovered in a civil action in the nature of a debt. Civil penalties begin to accrue ten (10) days from the date of the first notice of violation if the violation has not been remedied by the offender by that time (or within the time prescribed by a citation if it provides for a longer period of time than ten (10) days to remedy the violation).

B. This ordinance may also be enforced by any appropriate equitable action authorized by law, including injunctive relief, whether or not there is an adequate remedy at law.

C. Each day that any violation continues, regardless of the date of notice, shall be considered a separate offense for purpose of the penalties and remedies specified in this section. In such an event, civil penalties begin to accrue from the date of the first notice of violation. For continuing violations, the initial citation and requirement that the civil penalty be paid within the time prescribed therein shall be the only notice required to be given; and shall be deemed an on-going citation and notice for continuing violations after the date of the citation.

D. Any one, all, or any combination of the foregoing penalties and remedies may be used to enforce this Ordinance.

E. Violations of the provisions of this Ordinance or failure to comply with any of its requirements shall not constitute a misdemeanor as provided in G.S. 14-4, unless any specific penalty set forth elsewhere provides to the contrary.

F. In addition to the provisions of this Section, any provision of this Ordinance may be enforced by any one or more of the remedies authorized by G.S. 153A-123, excluding misdemeanor charges as provided in G.S. 14-4.

PAMLICO COUNTY WIND ENERGY ORDINANCE

Section 1.11 – Any violation of this Ordinance shall be governed by the following provisions:

(1) Any act constituting a violation of the provisions of this Ordinance or a failure to comply with any of its requirements shall subject the offender to a civil penalty of \$500.00 per day for each such violation continues.

(2) This Ordinance may also be enforced by any appropriate equitable action authorized by law, including injunctive relief, whether or not there is an adequate remedy at law.

(3) Each day that any violation continues, regardless of the date of notice, shall be considered a separate offense for purposes of the penalties and remedies specified in this section. In such an event, civil penalties begin to accrue from the date of the first notice of violation. For continuing violations, the initial citation and requirement that the civil penalty be paid within the time prescribed to be given; and shall be deemed to be an on-going citation and notice for continuing violations after the date of the citation.

(4) Any one, all, or any combination of the foregoing penalties and remedies may be used to enforce this Ordinance.

(5) Violations of this Ordinance or failure to comply with any of its requirements shall constitute a misdemeanor as provided in G.S. 14-4.

(6) Failure to comply with the provisions of Section 1.9(5) relating to the renewal of the financial guaranty for decommission shall, in addition to the other penalties set forth herein, constitute an immediate abandonment under Section 1.8, and shall authorize the County to make immediate demand upon the financial guaranty and to remove the Wind Energy Facility without further cause or notice.

PAMLICO COUNTY, NORTH CAROLINA ORDINANCE REGULATING THE CONSTRUCTION, OPERATION AND MAINTENANCE OF SOLAR ENERGY FACILITIES

Section XI – A. Any person, firm, corporation, or other entity who maintains or operates or who controls the maintenance of a Solar Energy Facility in violation of the Ordinance shall be guilty of a misdemeanor and subject to prosecution, and if convicted, shall be punished by a fine not to exceed \$500.00 or by imprisonment not to exceed 30 days, or both, in the discretion of the court. Each day that said Solar Energy Facility shall be maintained or operated in violation of this Ordinance shall constitute a separate and distinct offense.

B. Any act constituting a violation of the provisions of this Ordinance or a failure to comply with any of its requirements shall subject the offender to a civil penalty of \$500.00. If the offender fails to remedy the violation and pay any civil penalty within 30 days after being cited for said violation (or within the time prescribed by a citation if it provides for a longer period of time than 30 days), the civil penalty may be recovered in a civil action in the nature of a debt. Civil penalties begin to accrue from the date of the first notice of violation. Such civil penalties shall be in addition to the abatement costs assessed pursuant to this Ordinance.

C. Each day that any violation continues, regardless of the date of the notice, shall be considered a separate offense for purposes of the penalties and remedies specified in this section. In such an event, civil penalties begin to accrue from the date of the first notice of violation. For continuing violations, the initial citation and requirement that the civil penalty be paid within the time prescribed therein shall be the only notice required to be given; and shall be deemed to be an on-going citation and notice for continuing violations after the date of the first notice.