

TO: Joint Legislative Administrative Procedure Oversight
Committee and the Joint Legislative Oversight Committee on
Justice and Public Safety

FROM: William E. Anderson, Town Attorney, Garner, NC

Date: November 29, 2018

The following report is in response to SECTION 3 of the
Session Law 2018-69 requiring the following action:

SECTION 3. Every county, city, town, or metropolitan
sewerage district that has enacted an ordinance punishable
pursuant to G.S. 14-4(a) shall create a list of applicable
ordinances with a description of the conduct subject to criminal
punishment in each ordinance. Each county, city, town, or
metropolitan sewerage district shall submit the list to the
Joint Legislative Administrative Procedure Oversight Committee
and the Joint Legislative Oversight Committee on Justice and
Public Safety no later than December 1, 2018.

The Town of Garner has a Town Code which is applicable
primarily within the Town limits and a Unified Development
Ordinance, which is applicable in the Town limits and the Town's
extraterritorial jurisdiction. With reference to the Town Code,
this report will include of ordinances with specific misdemeanor
penalties, and ordinances without specific penalties, but which
are punishable by a misdemeanor under the general penalty in
Sec. 1-8 of the Town Code. Similarly, with reference to the
Unified Development Ordinance, the report will include of
ordinances with specific misdemeanor penalties, and ordinances
without specific penalties, but which are punishable by a
misdemeanor under the general penalty in Article 10.3.B.1. of
the UDO.

TOWN CODE

Chapter 1 - GENERAL PROVISIONS; Sec. 1-8. - General penalty.
Sec. 1-8 creates a general misdemeanor penalty for violation of
the Town's ordinances under G.S. § 14-4.

Chapter 3 - ANIMALS AND FOWL; Sec. 3-4. - Dead animals. It is
unlawful for the owner of a dead animals and/or the occupant of

land dead animals are found on, to fail to remove dead animal to a place designated by the director of public works.

Chapter 3 - ANIMALS AND FOWL; Sec. 3-5. - Horses, cattle, swine, chickens and other animals or fowl. It is unlawful to keep livestock and domestic fowl (besides backyard chickens) or to keep swine, venomous reptiles or any other wild or exotic animals.

Chapter 3 - ANIMALS AND FOWL; Sec. 3-6. - Backyard hens. It is unlawful to keep backyard hens without an approved permit, in violation of the terms of Sec. 3-6 and a duly issued permit, or after a permit has been revoked.

Chapter 3 - ANIMALS AND FOWL; Sec. 3-9. - Bird sanctuary. The corporate limits of the town and all lands leased by the town outside the corporate limits are declared a bird sanctuary, and it is unlawful to the hunt/trap/shoot/kill birds with limited exceptions; also it is unlawful to use a bow or similar contrivance or firearm in the sanctuary except at archery ranges, shooting ranges, and other legally established ranges, or by law enforcement, or other limited circumstances permitted by law enforcement.

Chapter 3 - ANIMALS AND FOWL; Sec. 3-10. - Unlawful to allow fowl to run at large.

Chapter 3 - ANIMALS AND FOWL; Sec. 3-11. - Cruelty to animals. Cruelty to animals is unlawful with limited exceptions; tether, fasten, chain, tie or restrain an unattended dog to any tree, fence, post, dog house or any other object, with a limited exception for animals that had been restrained in that matter prior to the enactment of the ordinance.

Chapter 3 - ANIMALS AND FOWL; Sec. 3-12. - Licensing - Dogs and cats. It is unlawful for dog owners to fail to provide that a dog six months or older has a dog tag attached to its collar, with limited exceptions for dog schools, competitions, etc.; also establishes that it is unlawful to use an animal registration tag for a different animal than the one it is registered to.

Chapter 3 - ANIMALS AND FOWL; Sec. 3-13. - Number to be kept on premises; sanitary quarters required. It is unlawful to keep

more than two dogs on less than twenty thousand square feet of land, with exceptions for kennels, dog rescues, owners of litters of puppies five months old and younger, and American Kennel Club members; also establishes that it is unlawful not to provide sanitary living quarters for all animals.

Chapter 3 - ANIMALS AND FOWL; Sec. 3-14. - Animals at large. It is unlawful to keep any animal at large, with an exception for situations where the animal is participating in obedience training or competitions.

Chapter 3 - ANIMALS AND FOWL; Sec. 3-15. - Animals creating nuisance. It is unlawful to keep animals in a manner that creates a nuisance, including failing to confine animals that have repeatedly chased or attacked other persons or animals, have repeatedly caused noise nuisances, and animals that are diseased.

Chapter 3 - ANIMALS AND FOWL; Sec. 3-16. - Confinement and control of inherently dangerous mammals. It is unlawful to keep inherently dangerous animals with exceptions for research or traveling fair/circuses.

Chapter 3 - ANIMALS AND FOWL; Sec. 3-17. - Confinement and control of dangerous animals. It is unlawful maintain or harbor unconfined or unrestrained any animal which (1) bites, attacks or otherwise inflicts serious injury on a person without provocation on public or private property, (2) kills or injures a pet or domestic animal without provocation, (3) is owned, trained or harbored primarily or in part for the purpose of dog fighting and/or (4) approaches a person not on the owner's property in a vicious or terrorizing manner in an apparent attitude of attack; also establishes that it is unlawful to keep dangerous animals at large.

Chapter 3 - ANIMALS AND FOWL; Sec. 3-18. - Requirements for an attack training facility. It is unlawful to have a facility where animals are trained to attack, unless the facility meets security enclosure standards defined in the section.

Chapter 3 - ANIMALS AND FOWL; Sec. 3-22. - Teasing and molesting. It is unlawful to tease, bait, or in any way molest any animal.

Chapter 3 - ANIMALS AND FOWL; Sec. 3-24. - Interference with enforcement of chapter. It is unlawful to interfere with animal control program agents, officers, veterinarians engaged in animal control, or to seek to release any animal in their custody except through administrative channels. Note that Sec. 3-25(j) establishes that violation of 3-24 is a Class 2 misdemeanor.

Chapter 3 - ANIMALS AND FOWL; Sec. 3-26 through 3-35. It is unlawful for an animal owner or any other person to fail to comply with state rabies laws; also establishes that it is unlawful for owners of dogs or cats four months or older to fail to vaccinate against rabies, that it is unlawful for dog owners to provide a rabies tag on a dog's collar, and that it is unlawful to use one animal's rabies tag on another animal.

Chapter 3 - ANIMALS AND FOWL; Sec. 3-25. - Imposition of penalties for violations of chapter. Creates a misdemeanor offense for interfering with animal control program agents, officers, veterinarians engaged in animal control, or to seek to release any animal in their custody except through administrative channels.

Chapter 4 - FIRE PREVENTION AND PROTECTION; Sec. 4-4. - Prohibition and control of open burning. It is unlawful to burn or cause to be burned any open or outside fires in the Town besides fires for cooking or recreation.

Chapter 4 - FIRE PREVENTION AND PROTECTION; ARTICLE III. - HAZARDOUS MATERIALS DATA STORAGE BOXES; Sec. 4-37. - Violations; enforcement. Creates a misdemeanor offense for interfering with hazardous materials data storage boxes.

Chapter 5 - GARBAGE, REFUSE, RUBBISH AND WASTE; Sec. 5-10. - Storage in public or private containers regulated. Creates a misdemeanor offense for misuse of public garbage/trash receptacles or recycling receptacles.

Chapter 5 - GARBAGE, REFUSE, RUBBISH AND WASTE; Sec. 5-11. - Penalty for violation. Creates a misdemeanor offense for violation of chapter 5, which regulates residential, commercial, construction, and industrial waste.

Chapter 6 - HEALTH AND SANITATION GENERALLY; ARTICLE II. - NOXIOUS WEEDS AND GRASS AND SIMILAR NUISANCES; Sec. 6-26. - Civil penalty also provided. Creates a misdemeanor offense for failure to abate the nuisances listed in Sec. 6-17, including overgrown weeds and grasses that may harbor mosquitoes, poison ivy and other noxious vegetation, circumstances that harbor rats, overgrown vegetation, piles of trash, construction debris, improper drainage that leads to regular flooding, boarded up houses, and other similar nuisances. Also creates a misdemeanor offense for maintaining a residential structure with window and/or door openings or other wall openings boarded up for more than six (6) months as pursuant to Sec. 6-24, and a misdemeanor offense for any boarding up of residential properties except for the limited temporary exceptions created in Sec. 6-29.

Chapter 6 - HEALTH AND SANITATION GENERALLY; ARTICLE II. - NOXIOUS WEEDS AND GRASS AND SIMILAR NUISANCES; Sec. 6-27. - Alternative nuisance abatement. Creates separate and independent nuisance violations punishable as misdemeanor offenses for the occupant and non-occupant owner for failure to abate the nuisances listed in 6-17, including overgrown weeds and grasses that may harbor mosquitoes, poison ivy and other noxious vegetation, circumstances that harbor rats, overgrown vegetation, piles of trash, construction debris, improper drainage that leads to regular flooding, boarded up houses, and other similar nuisances.

Chapter 7 - MINIMUM HOUSING; Sec. 7-19. In rem action by inspector, placarding for failure to comply with orders. Provides the minimum housing standards and sets forth the process by which the Town can regulate violations of the minimum housing standards. Sec. 7-19 creates a misdemeanor offense for occupying a building at has been placarded as unfit for human habitation under Chapter 7.

Chapter 7 - MINIMUM HOUSING; Sec. 7-23. - Violations; penalties. Creates minimum housing standards and sets forth the process by which the Town can regulate violations of the minimum housing standards. Sec. 7-23 creates a misdemeanor offense for failure to comply with a Town official's order to repair, alter, or improve a dwelling pursuant to Chapter 7.

Chapter 9 - LICENSES AND BUSINESS REGULATIONS GENERALLY; ARTICLE III. - PEDDLERS, SOLICITORS, HAWKERS, ITINERANT MERCHANTS AND VENDORS; Sec. 9-4. - Displaying goods, wares, merchandise on sidewalks. It is unlawful to display goods on or above sidewalks, excepting items that extend less than 12 inches on or above sidewalks.

Chapter 9 - LICENSES AND BUSINESS REGULATIONS GENERALLY; ARTICLE III. - PEDDLERS, SOLICITORS, HAWKERS, ITINERANT MERCHANTS AND VENDORS; Sec. 9-40. - Itinerant merchants, peddlers, transient vendors and solicitors. Creates a misdemeanor offense for failure to display a valid permit required of merchants, peddlers, transient vendors and solicitors by Chapter 9.

Chapter 9 - LICENSES AND BUSINESS REGULATIONS GENERALLY; ARTICLE III. - PEDDLERS, SOLICITORS, HAWKERS, ITINERANT MERCHANTS AND VENDORS; Sec. 9-41. - Begging, solicitation or vehicle interference. Creates a misdemeanor offense for begging, panhandling or pedestrian interference in any form.

Chapter 9 - LICENSES AND BUSINESS REGULATIONS GENERALLY; ARTICLE IV. - CABLE TELEVISION SYSTEMS; Sec. 9-65. - Sec. 9-65. - Violations. It is unlawful to make any unauthorized connection, whether physically, acoustically, inductively or otherwise, with CATV systems or cable television systems, or to otherwise remove or tamper with cables, wires or equipment used for television signals.

Chapter 10 - MOTOR VEHICLES AND TRAFFIC; ARTICLE V. - JUNKED AND ABANDONED MOTOR VEHICLES; Sec. 10-116. - Abandoned vehicle unlawful; removal authorized. It is unlawful to abandon a vehicle, defined in the article as leaving it on a street, public property, or the private property of another beyond the statutory periods listed.

Chapter 10 - MOTOR VEHICLES AND TRAFFIC; ARTICLE V. - JUNKED AND ABANDONED MOTOR VEHICLES; Sec. 10-117. - Nuisance vehicle unlawful; removal authorized. It is unlawful for the owner of a vehicle declared a nuisance vehicle to leave it on the property once it has been declared a nuisance pursuant to the article.

Chapter 10 - MOTOR VEHICLES AND TRAFFIC; ARTICLE V. - JUNKED AND ABANDONED MOTOR VEHICLES; Sec. 10-118. - Junked motor vehicle

regulated; removal authorized. It is unlawful for the owner of a junked vehicle to leave it on a property once it is ordered removed, that it is unlawful to have more than one junked vehicle on a property, and that it is unlawful to fail to comply with the locational or containment requirements for a junked vehicle.

Chapter 10 - MOTOR VEHICLES AND TRAFFIC; ARTICLE V. - JUNKED AND ABANDONED MOTOR VEHICLES; Sec. 10-130. - Unlawful removal of impounded vehicle. It is unlawful to remove or attempt to remove an impounded vehicle from a storage facility designated by the Town until all towing and impoundment fees have been paid.

Chapter 11 - OFFENSES - MISCELLANEOUS PROVISIONS; ARTICLE I. - IN GENERAL; Sec. 11-2. - Disorderly conduct at public meetings. It is unlawful to be disorderly at any public exhibition or meeting, or to annoy or harass the audience in any way.

Chapter 11 - OFFENSES - MISCELLANEOUS PROVISIONS; ARTICLE I. - IN GENERAL; Sec. 11-3. - Unlawful to breach peace, engage in riotous, disorderly conduct. It is unlawful to breach peace, engage in riotous, disorderly conduct within the Town.

Chapter 11 - OFFENSES - MISCELLANEOUS PROVISIONS; ARTICLE I. - IN GENERAL; Sec. 11-4. - Selling, delivering, releasing gasoline to intoxicated persons. It is unlawful to sell gasoline to a person under the influence of intoxicating liquor or drugs.

Chapter 11 - OFFENSES - MISCELLANEOUS PROVISIONS; ARTICLE I. - IN GENERAL; Sec. 11-5. - Leaving abandoned iceboxes, etc., accessible to children. It is unlawful to leave abandoned iceboxes or other similar airtight containers without internal release mechanisms in any place accessible to children.

Chapter 11 - OFFENSES - MISCELLANEOUS PROVISIONS; ARTICLE I. - IN GENERAL; Sec. 11-6. - Writing, painting, drawing, carving, cutting obscenities in public places. It is unlawful to write, paint, draw, carve or cut any obscenity in any public place in the Town.

Chapter 11 - OFFENSES - MISCELLANEOUS PROVISIONS; ARTICLE I. - IN GENERAL; Sec. 11-7. - Posting of outdoor advertising. It is unlawful to post outdoor advertising on any tree, post, etc.,

with an exception for raising funds for a public charitable purpose.

Chapter 11 - OFFENSES - MISCELLANEOUS PROVISIONS; ARTICLE I. - IN GENERAL; Sec. 11-8. - Defacing, damaging public property. It is unlawful to paint, cut, carve or in any way mark upon any building, structure or property of the town, with an exception for agents of the Town under proper authority and supervision.

Chapter 11 - OFFENSES - MISCELLANEOUS PROVISIONS; ARTICLE I. - IN GENERAL; Sec. 11-9. - Removal of books and papers from town hall. It is unlawful to remove any books or papers from town hall except for as provided by other policies.

Chapter 11 - OFFENSES - MISCELLANEOUS PROVISIONS; ARTICLE I. - IN GENERAL; Sec. 11-10. - Use of town property. It is unlawful to use town property except for as provided by other policies.

Chapter 11 - OFFENSES - MISCELLANEOUS PROVISIONS; ARTICLE I. - IN GENERAL; Sec. 11-11. - Littering streets and other town property. It is unlawful to leave trash on town property, roads, or rights-of-way, except as permitted for trash pickup purposes; each day or portion thereof that trash is left on town property will constitute a separate offense.

Chapter 11 - OFFENSES - MISCELLANEOUS PROVISIONS; ARTICLE I. - IN GENERAL; Sec. 11-15. - Loud, disturbing and unnecessary noises. The creation of loud, disturbing and unnecessary noise is prohibited, including but not limited to enumerated examples; penalty includes fine and/or imprisonment of not more than thirty days.

Chapter 11 - OFFENSES - MISCELLANEOUS PROVISIONS; ARTICLE I. - IN GENERAL; Sec. 11-16. - Massages for hire or reward which include touching genitals prohibited; exceptions; penalties. It is unlawful for a person by hire or reward to administer a massage to a person of the opposite sex that includes the touching of genitals; this section does not apply to medical or physical therapy situations.

Chapter 11 - OFFENSES - MISCELLANEOUS PROVISIONS; ARTICLE I. - IN GENERAL; Sec. 11-17. - Consumption of alcoholic beverages. It is unlawful to consume or possess an open container of an alcoholic beverage at any public park, building or grounds used

for municipal purposes, or the area within the right-of-way of any street, sidewalk, alley or public parking area; public events with proper permits excepted.

Chapter 11 - OFFENSES-MISCELLANEOUS PROVISIONS; ARTICLE II. - STATE OF EMERGENCY PROVISIONS; Sec. 11-43. - Penalty for violation. Creates a misdemeanor offense for violation of any prohibition or restriction created by a proclamation made by the mayor during a state of emergency declared under Chapter 11, Article II.

Chapter 15 - STREETS AND SIDEWALKS; Sec. 15-30. - Failure to abate nuisance upon notice to constitute an offense. Creates a misdemeanor offense for failure to abate a nuisance causing a sight obstruction at an intersection within ten days after written notice from the chief of police.

Chapter 15 - STREETS AND SIDEWALKS; ARTICLE VI. - STANDARDS AND SPECIFICATIONS; Sec. 15-72. - Installation of drainage pipe. It is unlawful to install a drainage pipe less than twelve inches in diameter beneath a driveway or street connecting any property with a public street.

Chapter 15 - STREETS AND SIDEWALKS; ARTICLE VII. - PARADES, PICKET LINES AND DEMONSTRATIONS; Sec. 15-86. - Permit required. It is unlawful for any person to organize, conduct or participate in any parade, picket line or group demonstration in or upon any street, sidewalk, alley or other public place within the town without a permit.

Chapter 15 - STREETS AND SIDEWALKS; ARTICLE VII. - PARADES, PICKET LINES AND DEMONSTRATIONS; Sec. 15-88. - Prohibited conduct. It is unlawful for persons participating in a parade, picket line or demonstration to carry a weapon or handle a vicious animal in conjunction or as any part of the event.

Chapter 16 - VEHICLES FOR HIRE; ARTICLE II. - TAXICABS; Sec. 16-28. - Minimum fees chargeable; unlawful to request excessive fees; notice to be posted. It is unlawful to request excessive fees, notice regarding fees must be posted, and it is unlawful for taxicabs to charge or request fees in excess of the fees established in the section.

Chapter 16 - VEHICLES FOR HIRE; ARTICLE II. - TAXICABS; Sec. 16-43. - Advertising restricted. It is unlawful for taxicabs to display advertising other than permitted by the town council.

Chapter 16 - VEHICLES FOR HIRE; ARTICLE II. - TAXICABS; Sec. 16-44. - Unlawful to hire taxicab with intent to defraud driver.

Chapter 16 - VEHICLES FOR HIRE; ARTICLE II. - TAXICABS; Sec. 16-45. - Unlawful to refuse to pay fare. It is unlawful to refuse to pay a taxicab fare after having hired a taxicab.

Chapter 17 - WATER AND SEWERS; Sec. 17-3. - Connecting, disconnecting, bypassing, adjusting, regulating, controlling water meters. Creates a misdemeanor offense for connecting, disconnecting or bypassing water meters, or for regulating, bypassing, adjusting, or controlling water meters.

Chapter 17 - WATER AND SEWERS; ARTICLE V. - PROTECTION OF PUBLIC WATER SUPPLY; Sec. 17-81 - Devices required. It is unlawful for any person to cause a cross-connection, auxiliary intake or interconnection to be made, except as provided in this Code, or to install, remove or maintain, or cause the installation, removal or maintenance of, a containment or confinement device without the prior approval by the cross-connection coordinator.

Chapter 17 - WATER AND SEWERS; ARTICLE V. - PROTECTION OF PUBLIC WATER SUPPLY; Sec. 17-96. - Non-stormwater discharge controls. It is unlawful to establish illicit connections to a stormwater conveyance system in a manner other than established by the section.

Chapter 17 - WATER AND SEWERS; Sec. 17-97. - Enforcement. Creates a misdemeanor offense for violation of Article VI by making an unauthorized connection or discharge to water or sewer lines or impeding inspection for potential authorized discharges to water or sewer lines.

Chapter 18 - WEAPONS AND EXPLOSIVES; Sec. 18-2. - Weapons prohibited on town property. Creates a misdemeanor offense for violation of the Town's firearms regulations as defined in Section 18-2.

Chapter 19 - BUILDINGS AND BUILDING REGULATIONS; Sec. 19-125. - Enforcement of penalties. Creates a misdemeanor offense for violation of the Town's erosion and sedimentation control provisions as set forth in Article VII.

Chapter 18 - WEAPONS AND EXPLOSIVES; ARTICLE I. - IN GENERAL; Sec. 18-1. - Discharge of firearms; seizure of firearms; applicability of section. It is unlawful to discharge a firearm in the Town other than in limited exceptions such as discharges by law enforcement or persons using a firearm in self-defense pursuant to the applicable laws.

Chapter 18 - WEAPONS AND EXPLOSIVES; ARTICLE II. - FIREWORKS; Sec. 18-13 through 18-14. It is unlawful to sell fireworks in the Town, or to discharge fireworks in the Town except in limited permitted situations authorized by the town council.

Chapter 19 - BUILDINGS AND BUILDING REGULATIONS; ARTICLE II. - BUILDINGS; DIVISION II. - UNSAFE BUILDINGS; Sec. 19-44. - Willful noncompliance with orders unlawful. It is unlawful to willfully fail or refuse to comply with any final order or direction of the building inspector or town council made by virtue and in pursuance of this division.

Chapter 19 - BUILDINGS AND BUILDING REGULATIONS; ARTICLE VII. - EROSION AND SEDIMENTATION CONTROL; Sec. 19-116. - Permits. It is unlawful to conduct any land-disturbing activity without first obtaining a permit from the county.

UNIFIED DEVELOPMENT ORDINANCE

The following ordinances are contained in the Town of Garner's Unified Development Ordinance, which deals with land use, subdivision, zoning and development, and applies both within the Town limits and in the Town's extraterritorial jurisdiction.

Article 3.5.E. Subdivision plat review; Unlawful to record plat without final or minor plat approval. It "shall be unlawful to offer and cause to be recorded any major or minor subdivision plan, plat or replat of land within the Town limits of Garner with the Wake County Register of Deeds unless the same bears the

endorsement and approval of the Planning Director or Town Clerk."

Article 3.7.B. Zoning compliance permits; It "shall be unlawful to begin grading, excavation for construction, the moving, alteration, or repair, except ordinary repairs, of any building or other structure, including an accessory structure until the Planning Director has issued for such work a zoning compliance permit"; also unlawful to change land use without permit from Planning Director.

Article 3.14.F. Special Use Permit, violation of conditions and standards in permits.

Article 4.10.D.2. Zoning, prohibited uses in Timber Drive Overlay District.

Article 4.10.E. Land disturbing activities in Timber Drive Overlay District (timbering, grading, clearing).

Article 4.11.D. Zoning, prohibited uses in U.S. 70/401 Thoroughfare Overlay District.

Article 4.11.E. Land disturbing activities in U.S. 70/401 Thoroughfare Overlay District (timbering, grading, clearing).

Article 4.12.H. Land disturbing activities in I-40 Overlay District (timbering, grading, clearing).

Article 4.12.K. Zoning, prohibited uses in I-40 Overlay District (timbering, grading, clearing).

Article 4.12.L. Access points, minimum distances from highway in I-40 Overlay District.

Article 4.15.E. Zoning, prohibited uses in the Timber Drive East Overlay District.

Article 4.16.D. Zoning, prohibited uses in the Garner Road Overlay District.

Article 5. Zoning Use table shows allowed/prohibited uses.

Article 5.4.F. Uses not permitted in home occupations in residential zoning districts

Article 5.4.G. Uses not permitted and standards in home occupations in Neighborhood Office zoning districts.

Article 5.4.H.6. Accessory uses and structures; in situations where an HOA owns property on which there is a water pond or feature, the HOA may be excepted from the subsection's distance and fencing requirements if it maintains a liability insurance policy in the amount of \$1,000,000 or greater and the Town is listed as an additional insured party and the HOA submits an initial budget which provides for coverage and its agent certifies to the Town annually of the coverage. A lapse in such coverage will be a misdemeanor.

Article 5.5.A. Temporary structures and uses without permits.

Article 5.5.B. Temporary uses; permanent changes to a temporary use site prohibited, permanent signs for temporary uses prohibited.

Article 5.5.C.4.i. Temporary uses; it shall be unlawful to conduct business within 500 feet of the entrance of any place of business that sells the same commodity.

Article 7.1.A. Landscaping and tree protection standards.

Article 7.2.H.3.h. Stormwater Management; 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.

Article 7.2.H.4.e.(16) Floodplain Management; violation of a stop-work order issued by the floodplain administrator is a misdemeanor.

Article 7.2.H.4.f.(5) Floodplain Management; failure to comply with a corrective order issued by the floodplain administrator for which there is no appeal is a misdemeanor.

Article 7.2.H.5. Provisions for flood hazard reduction, violation of which constitutes a misdemeanor.

Article 7.5.C. Prohibited signs.

Article 7.6. Outdoor lighting; developer responsible for placement and operation of necessary lighting in common areas not dedicated to public use and lights placed in public right-of-way not consistent with Town's standards.

Article 10.1.A. It is a violation of the UDO to engage in any development, use, construction, remodeling or other activity of any nature . . . without all required permits, certificates, or other forms of authorization.

Article 10.1.B. It is a violation of the UDO to engage in any of the above activities in I any way inconsistent with any approved plan, permit, certificate or other authorization.

Article 10.1.C. Violation of any term, variance, modification, condition or qualification placed by the town council or its agent boards upon any permit, certificate, etc.

Article 10.1.D. Violation to erect, construct, reconstruct, alter, repair, convert, maintain,, or use any building or structure or use any land in violation of the UDO or any regulation made under it.

Article 10.1.E. Violation to subdivide land in violation of the UDO or transfer or sell land without proper subdivision first.

Article 10.3.B.1. Penalties and remedies for violation; a violation or failure to comply with any of the provisions or requirements of the UDO, including a violation of any of the conditions and safeguards established in connection with grants of variances or special use permits, shall constitute a misdemeanor punishable as provided in North Carolina General Statutes 14-4.