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To: Sen. Andy Wells and Rep. Sarah Stevens – Co-Chairs of the Joint Legislative Administrative Procedure Oversight Committee; and
Rep. James L. Boles, Jr., Rep. Ted Davis, Jr. – Co-Chairs of the Joint Legislative Oversight committee on Justice and Public Safety

Fr: Cynthia Bowen, City Clerk

Re: Response to the Requirements set forth in Section 3 of Session Law 2018-69 (House Bill 379) for the City of Oxford, North Carolina.

CITY OF OXFORD – CODE OF ORDINANCES

- Chapter 1 (Rules of Construction; General Penalty § 1-99);
 - (A) “Any person, firm or corporation violating any of the provisions of any section or division of this code of ordinances for which no other penalty is provided, or failing or neglecting or refusing to comply with same, shall, upon conviction, be guilty of a Class 3 misdemeanor and subject to a fine not to exceed \$50 or imprisonment not to exceed 30 days, and each day that any of the provisions of this code of ordinances are violated shall constitute a separate offense.”
 - (B) Unless otherwise specifically set forth in any particular section or provision of the ordinance, as a general rule, the penalty is that as is set forth in division (A).
- Chapter 2 (Administration; Violation and Penalty § 2-468);
 - “Any person failing to comply with this article shall be subject to punishment for a violation set forth in § 1-99.”
- Chapter 3 (Alcoholic Beverages; Possession on City Property § 3-1);
 - “No person shall consume, serve or drink any malt beverage or unfortified wine on property owned or occupied by the city, except as permitted under G.S. Ch. 18B.”
 - Penalty, see § 1-99
- Chapter 4 (Animals and Fowl; Penalties § 4-24);
 - “Violations of this chapter shall be punishable, as follows:
 - i. (A) First offense: \$25;
 - ii. (B) Second offense: \$50;
 - iii. (C) Third offense: \$100; and

- iv. (D) Fourth or subsequent offenses: mandatory court appearance, but the penalty shall not to exceed \$500 and/or imprisonment of not more than 90 days.”
- Chapter 6 (Cemeteries; Grave Digging Permit § 6-3);
 - (A) It shall be unlawful for any person to dig, cause or permit to be dug any grave on any plot or in lot in Elmwood or other municipal cemetery without permission from the City Manager.
 - (B) It shall be unlawful for the City Manager to grant a permit to any person to dig a grave on any plot or lot of Elmwood or other municipal cemetery which is not fully paid for which a deed has not been executed.
 - Penalty, see § 1-99
- Chapter 8 (Fire Prevention and Protection; Violations a Misdemeanor § 8-52);
 - (A) A violation of this chapter, which includes the technical codes and standards adopted herein by reference, is punishable as a misdemeanor and shall subject the offender to a maximum fine of \$500 or imprisonment for not more than 30 days.
 - (B) Each day the violation continues to exist shall constitute a separate offense for the purpose of the prosecution.

§ 8-53 Citations, Stop Work Orders and Penalties

 - “A violation of this chapter, which includes the technical codes and standards adopted herein by reference, shall subject the offender to the issuance of a citation, a stop work order, and the assessment of a penalty in an amount set forth in Ord. 95-8-2. These penalty amounts may be changed from time to time by the Board of City Commissioners. Penalties assessed shall be paid to the City Finance Department within 30 days after the offender has been cited for the violation. Each day the violation continues to exist shall constitute a separate offense for the purpose of assessing a penalty. The fire official may file a civil action to collect an outstanding penalty or the fire official may initiate the issuance of a criminal summons for the person’s failure to pay the penalty.”
- Chapter 9 (Garbage Refuse and Recycling);
 - § 9-2 Accumulation of Rubbish Prohibited
 - i. “All owners, proprietors or persons in charge of every business house, including all factories, mills, stables, hotels, depots, offices and private residences and all other houses buildings or premises shall keep the same free from all empty and unused boxes, wastepaper, ashes and all other rubbish and all other things not kept for sale.” Penalty, see § 1-99.
 - § 9-4 Pilfering or Rummaging Through Commercial Containers
 - i. “It shall be unlawful for any person, other than the owner or lessee, to rummage through or pilfer from any deposit in any commercial garbage container.” Penalty, see § 1-99.
 - § 9-20 Loose Paper and Similar Materials
 - i. “It shall be unlawful for any person to permit, allow, place or cause to be placed for collection by city collection crews or private collection agencies, any loose paper or similar material in any receptacles or containers other than regulation recycling receptacles or bulk containers, as defined in this chapter.” Penalty, see § 1-99.
 - § Fluorescent Lighting Blubs and Broken Glass
 - i. It shall be unlawful for any person to permit, allow, place or cause to be placed fluorescent lighting bulbs or broken glass of any kind in any garbage or trash receptacle, without first having securely wrapped and completely covered the

- material so as to prevent injury from the broken edges thereof.” Penalty, see § 1-99.
- § 9-22 Animals and Animal Wastes
 - i. “It shall be unlawful for any person to permit, allow, place or cause to be placed, in any garbage, trash, or recycling receptacle or bulk container, any animals, parts of animals or animal waste of any kind whatsoever, except that which constitutes garbage.” Penalty, see § 1-99.
- Chapter 10 (Health and Sanitations);
 - § 10-3 Hindering or Obstructing
 - i. “It shall be unlawful for any person to hinder, obstruct or delay the County Health Officer or any of his or her assistants in the lawful discharge of their duties.” Penalty, see § 1-99.
 - § 10-28 Presumption of Violation
 - i. “The natural presence of mosquito larvae in standing or running water shall be evidence that mosquitos are there, and failure to prevent the breeding within three days after notice by the health officer shall be deemed a violation of this article.” Penalty, see § 1-99.
 - § 10-29 Breeding Places Prohibited
 - i. It shall be unlawful to have, keep, maintain, cause or permit within the city the prevention any collection of standing or flowing water in which mosquitos breed or are likely to breed unless the collection of water is treated so as to effectually prevent the breeding.” Penalty, see § 1-99.
 - § 10-52 Business Buildings
 - i. “It shall be unlawful for any person to remove the rat-proofing from any business building for any purpose and fail to restore the same in a satisfactory condition or make any new openings and fail to close and seal same against the entrance of rats.” Penalty, see § 1-99.
 - § 10-54 Elevation of Storage Racks for Lumber, Boxes and the Like
 - i. “It shall be unlawful for any person to permit to accumulate on any premises, improved or vacant, any lumber, boxes, barrels, bricks, stones or similar materials unless the same are placed on open racks that are elevated not less than 18 inches above the ground and evenly piled or stacked so as not to afford harborage for rats.” Penalty, see § 1-99.
 - § 10-71 Prohibition
 - i. “No person having control of any lot located within 200 feet of any building occupied as a residence shall allow or maintain on any lot any growth of weeds of a height of over ten inches.” Penalty, see § 1-99.
- Chapter 12 (Lake Devin Recreational Area);
 - § 12-7 Fireworks
 - i. “It shall be unlawful to possess or discharge fireworks of any type within the Lake Devin Recreational Area.” Penalty, see § 1-99.
 - § 12-10 Picnicking or Camping
 - i. “Camping and cookouts are permitted but only if with adequate provisions for the disposal of waste of any kind in accordance with guidelines approved by the State Board of Health. All trash and rubbish shall be kept collected in containers and removed from the watershed. No overnight use is allowed without written permissions from the City Manager or his or her designee.” Penalty, see § 1-99
 - § 12-11 Pollution of Water

- i. “No person shall cause pollution of the water, by the discharge of any pollutant into any waters of Lake Devin or the contamination of any waters of Lake Devin so as to create a nuisance or render such waters unclean, noxious, or impure so as to be actually or potentially harmful, detrimental or injurious to public health, safety or welfare, to domestic, agricultural, commercial, industrial, recreational or other legitimate uses, or to livestock, animals, birds, fish or other aquatic life.” Penalty, see § 1-99.
- § 12-12 Dwellings on Watershed Provided With Sanitary Facilities
 - i. Now dwelling houses, or other places where persons reside, congregate or are employed, shall be built or maintained on the Lake Devin watershed without a duly permitted septic system for the disposal of sewage, which shall be constructed and maintained in accordance with the rules and regulations of the applicable state or local agency having jurisdiction.” Penalty, see § 1-99.
- § 12-14 Swimming and Frogging
 - i. (A) Swimming is not permitted in Lake Devin at any time.
 - ii. (B) No person shall at any time be allowed to shoot, spear or gig frogs in or around Lake Devin. Penalty, see § 1-99.
- § 12-26 Fishing; Penalty
 - i. Violation of any of the rules and regulations relating to the privilege of fishing in Lake Devin shall be an infraction punishable in accordance with § 1-99.
- Appendix: Maximum Penalty Schedule

<i>Maximum Penalty Schedule</i>		
<i>Code Section</i>	<i>Maximum Penalty</i>	<i>Ord. No.</i>
§ 12-5 Vehicles	No less than \$50 and no greater than \$500	92-1-6, passed 1-14-92
§ 12-6 Boats	No less than \$50 and no greater than \$250	92-1-7, passed 1-14-92
§ 12-13 Carcasses of dead animals; animal offal	No less than \$50 and no greater than \$500	92-1-8, passed 1-14-92
Note to Table: These penalties may be amended from time to time.		

- Chapter 13 (Licenses, Taxation and Business Regulations);
 - § 13-30 Duty to Determine Whether Tax Due
 - i. (A) Each person has the duty to determine whether the business he or she conducts is taxed under this article, and if so, whether that tax has been paid for the current tax year.
 - ii. (B) No license shall be transferrable or assignable. Penalty, see § 13-99.
 - § 13-31 Unlawful to Conduct Business Without A License
 - i. “It shall be unlawful for any person or his or her agent to engage in or carry on a qualifying business in the city without a license issue hereunder or an expired license. A violation of this article shall be a Class 3 misdemeanor and each day shall continue a separate offense. A conviction under this article does not relieve a person or business or tax imposed by this article.” Penalty, see § 13-99.
 - § 13-40 Duty To Notify Administrator Of Changes
 - i. (A) *Change in the business during the tax year.*
 - i. *Information change.* A licensee under this article shall report a change in the information contained in the license application to the Administrator within ten days after the change occurs. If information shown on the

license itself is affected thereby, the licensee shall surrender the license to the Administrator when reporting the change. The Administrator will reissue a license reflecting the change of name or address.

- ii. *Change affecting amount due.* If changes affect the amount due, the Administrator shall reissue a separate or additional license reflecting the change upon payment of the additional tax. The license shall be subject to cancellation for failure to comply with this article.
 - iii. *Duplicate copy.* Upon satisfactory proof that the current license has been lost or destroyed, the Administrator will furnish a duplicate license at a cost to be determined by the city. Any other duplication of a license shall constitute a Class 3 misdemeanor which shall be punishable as provided in § 13-99.
- ii. (B) *Notice of discontinuation, sale or transfer of business.* Any person who sells, transfers or goes out of business, shall give notice of the same to the Administrator at least 48 hours prior to the date of the pending sale, transfer or termination of business.
- i. *Transfer.* All licenses issued hereunder are non-transferable and any transferee or successor of the licensee shall be required to obtain a license prior to the commencement of business.
 - ii. *Refunds for discontinued business.* Any tax paid hereunder is non-refundable.
Penalty, see § 13-99.

○ § 13-41 Reasons For Refusal or Revocation

- i. (A) The Administrator or designee shall refuse to issue or shall revoke a license required by this article for any of the following reasons:
 - i. The applicant misrepresents a fact relevant to the amount of tax due or the qualifications for a license;
 - ii. The applicant refuses to provide information necessary to compute the amount of tax due; and
 - iii. The applicant fails or refuses to provide all information required in the application.
- ii. Upon the revocation of any license, it shall be unlawful for the person to whom the license was granted to continue to conduct the business.
- iii. The Administrator or designee shall revoke a license for reason set forth in this section. However, before the Administrator or designee may revoke a license, he or she shall give the licensee written notice of the grounds of revocation, pursuant to § 13-39(A).
Penalty, see § 13-99.

○ § 13-99 Penalty

- i. (A)(1) All license taxes imposed by this article, excluding beer and wine, shall be due and payable in advance of July 1 nevertheless no later than July 31. If any person or business who conducts any business without first paying the applicable tax and obtaining a license shall be assessed an additional tax equal to 5% of the amount prescribed for the license per month or fraction thereof until paid, not to exceed 25% of the amount so prescribed, but in any event shall not be less than \$5. Beer and wine licenses must be paid in advance by May 1 and will be considered delinquent after May 31 and thus subject to payment of the penalty. All taxes and any penalty must be paid prior to the issuance of the license.

- i. Any tax imposed on a new business shall be paid prior to the beginning of the business. If not paid within 30 days, the penalties provided in division (A)(1) above and this section shall apply from the date the business began.
 - ii. (B) Unless otherwise provided, any person violating any section of this article or any ordinance of the city shall be guilty of a Class 3 misdemeanor and, upon conviction, shall be subject to punishment in accordance with G.S. § 14-4. Unless otherwise provided, the maximum fine for a misdemeanor violation is \$500.
 - iii. (C) Unless otherwise specified, each day's continuing violation of any section of this article shall be separate and distinct in offense.
 - iv. (D)(1) It shall be unlawful for any person to violate any of the sections of Article III of this chapter. Upon violation of any section of this article, the passenger vehicle for hire manager, or his or her designee, may suspend or revoke the company operating certificate and/or the driver's permit held by such a person. The initial violation of any section of this article shall be subject the offender to a civil penalty of up to \$50 for the first violation; \$100 for the second violation; and \$250 for any subsequent violation.
 - i. If a person fails to pay or appeal a penalty within 60 days after the city's mailing of the notice of violation, the City Clerk shall suspend or revoke the driver's permit in addition to any other action taken pursuant to this article. (Ord. 09-03-02, passed 3-10-09; Am. Ord. 17-08-09, passed 8-8-17)
- Chapter 14 (Offenses; Miscellaneous);
 - § 14-1 Throwing Missiles; Discharging Firearms
 - i. It shall be unlawful for any person to:
 - i. (A) Discharge any firearm or air rifle;
 - ii. (B) Throw stones or other missiles; and
 - iii. (C) Use a bean shooter or slingshot.
 Penalty, see § 1-99.
 - § 14-2 Failure To Pay Fare For Vehicle For Hire
 - i. It shall be unlawful for any person, except persons entitled to free transportation, to ride upon any bus, taxicab or other public conveyance without paying therefor the fare prescribed or allowed by law.
 Penalty, see § 1-99.
 - § 14-5 Standing Or Sitting Upon Confederate Monument
 - i. It shall be unlawful for any person to stand or sit upon the confederate monument.
 Penalty, see § 1-99.
 - § 14-6 Disturbing Public Meetings
 - i. It shall be unlawful to behave in a boisterous or disruptive manner at any public entertainment or meeting, or to create a manner of disturbance at the entrance thereto, or to in any way disturb or annoy the audience of the place.
 Penalty, see § 1-99.
 - § 14-7 Disturbing School Children
 - i. It shall be unlawful for any person at or near any schoolhouse or property within the town to engage by conversation, sign or otherwise attract the attention of any

of the pupils therein or thereon, to the disturbance of the same and to detriment the discipline of the school or otherwise cause any disturbance whatsoever on or near school property. It shall be unlawful for any person to cause any disturbance or disrupt any school function, sport or other gathering within the city, whether the same be on or off school property.

Penalty, see § 1-99.

○ § 14-8 Spitting In Public Places

- i. It shall be unlawful to spit upon the floor of any public building or upon any paved sidewalk.

Penalty, see § 1-99.

○ §14-15 Criminal Activity Nuisance Abatement

- i. *Purpose.* The purpose of this section is to remove criminal activity from areas of the city using G.S. §§ 19-1 through 19-8.3. these criminal activities shall include assignation, prostitution, gambling, illegal possession or sale of alcoholic beverages, illegal possession or sale of controlled substances as defined in the North Carolina Controlled Substance Act, or illegal possession or sale of obscene or lewd matter, as defined in this section, shall constitute a nuisance.

- ii. *Jurisdiction.* The provisions of this chapter shall apply within the corporate limits of the City of Oxford.

- iii. *Declaration of a criminal nuisance.* Any condition defined in G.S. Ch. 19 as a nuisance shall be defined herein as a nuisance and shall be prohibited within the jurisdiction of the City of Oxford.

- iv. *Identification.*

- i. The primary responsibility of identifying potential properties and/or businesses rests with the Chief of Police and the Police Department as they have the most direct contact with the types of activities to which the nuisance law applies.

- ii. All city officials, including members of the Board of Commissioners, Mayor, City Manager, and City Attorney should assist the Chief of Police in carrying out his or her responsibility of identifying nuisances and should contact him or her if they have concern about ongoing illegal or suspicious activity at a particular location in the city. A copy of the nuisance law should be distributed to all city officials and they should familiarize themselves with the types of activities to which it applies.

- iii. Members of the general public should be encouraged by the Police Department and city officials to assist them in identifying areas and locations of concern. A copy of the nuisance law should be generally available at City Hall for use of the citizens.

- v. *Investigation.*

- i. When a potential nuisance is identified, it shall be reported to the Chief of Police who shall determine whether the reported nuisance is such that additional investigation should be conducted.

- ii. In the event it is determined that additional investigation should be conducted, the Chief of Police or his designee within the Police Department shall investigate the nuisance. Upon the completion of the investigation, a written report shall be prepared and filed with the City Manager and City Attorney. The report shall contain detailed findings of fact and all supporting documentation. After the report has been reviewed, the Chief, City Manager, and City Attorney shall decide

whether or not the city should take steps to abate the nuisance. If they decide to take steps to abate the nuisance then they shall report the findings to the Board of Commissioners in closed session to determine if the Board wishes to seek legal remedies and pay legal costs.

- vi. *Notification, abatement, actions of injunction, civil penalty, and forfeiture.*
 - i. If it is determined as set forth above that a nuisance situation exists and that the same should be abated, the city shall take such steps necessary to do so, in accordance with the laws of the State of North Carolina. The landowner(s) and/or business operator(s) shall be notified, by certified mail, return receipt requested, of the facts and circumstances, which constitute the nuisance. The landowner and/or business owner shall be given a reasonable time to respond to the allegations and shall be given a reasonable time to voluntarily abate the nuisance. If requested by the landowner, the Police Chief and/or City Manager and shall meet with the landowner to discuss resolution of the nuisance.
 - ii. If, after notification, and upon the expiration of the notification period, the landowner and/or business owner fails to voluntarily abate the nuisance, then the City Manager shall report the same to the Board in executive session. At this time, the Board, after consulting with the City Manager, Chief of Police, and City Attorney, shall decide whether to pursue the matter through the judicial process and seek abatement, injunction, civil penalty, and forfeiture as deemed necessary and set forth in G.S. §§ 19-2.1 *et seq.* If the Board so decides, then the procedures set forth in G.S. §§ 19-2.1 *et seq.*, which are annexed hereto and incorporated by reference herein, shall be followed.

○ Appendix: Maximum Penalty Schedule

<i>Maximum Penalty Schedule</i>		
<i>Code Section</i>	<i>Maximum Penalty</i>	<i>Ord. No.</i>
§ 14-3 Damages to public or private property	Not less than \$50 and not greater than \$500	91-1-10, passed 1-14-92
§ 14-4 Writing or drawing obscene words or pictures	Not less than \$50 and not greater than \$200	91-1-11, passed 1-14-92
§ Unnecessary noise	Not less than \$50 and not greater than \$250	91-1-12, passed 1-14-92
§ Use of parking lots regulated	Not less than \$50 and not greater than \$200	91-1-13, passed 1-14-92
§ Trespass on city property	Not less than \$50 and not greater than \$500	91-1-28, passed 1-14-92
Note to Table: These penalties may be amended from time to time		

- Chapter 15 (Parks and Recreation);
 - § 15-61 Violations and Penalty
 - i. Any person failing to comply with this article shall be subject to punishment for a violation as set forth in § 1-99. In addition, any violation of this article may result in revocation of the permit issued pursuant to § 15-58(D) hereof.
- Chapter 18 (Streets and Sidewalks);
 - § 18-18 Outdoor Display: Display and Sale of Merchandise on Sidewalks

- i. No person shall obstruct entirely or partially any sidewalk or street in the city by selling or offering for sale at auction or otherwise any goods, wares or merchandise thereon, or use any sidewalk or street for the placing thereon of any barrel, box crate, wood or other substance, except where expressly permitted by the provisions of this Code or other ordinance of the city.
 - i. *Permit generally.* The Downtown Development Director on behalf of Downtown Oxford Economic Development Corporation may issue permits for the display and sale of merchandise on city sidewalks in the area of the city defined as the Central Business District.
 - ii. *Application.* Any merchant desiring to display and sell merchandise on the city sidewalk shall prepare and file an application with the Downtown Oxford Economic Development Corporation, which shall contain the following information:
 - The name, address and telephone number of the business desiring to display or sell merchandise on the sidewalk.
 - The name, address and telephone number of the business owner.
 - The type of merchandise to be sold or displayed.
 - The hours of operation of the business.
 - A drawing or site plan showing the section of the sidewalk to be used for the sale and display of merchandise.
 - Evidence of adequate insurance or other forms of security to hold the city and its taxpayers harmless from claims arising out of the sale and display of merchandise.
 - The business agrees to indemnify and hold the DOEDC and the city harmless, for all actions, claims, proceedings, injuries, damages and expenses.
 - A copy of all permits and licenses issued by the state or the city. Such additional information as may be requested by the Downtown Oxford Economic Development Corporation to determine compliance with this section.
 - iii. *Issuance of permit.* No permit for the sale and display of merchandise on the sidewalk may be issued unless the application is complete and unless the following requirements are met:
 - The sale and display of merchandise must occur under the same name as the business and may not be opened or operated at any time when the business is closed.
 - The sale and display of merchandise on the sidewalk must be clearly incidental to the associated business.
 - The placement of the outdoor display merchandise shall be:
 - Permitted adjacent to the primary façade on either side and shall extend no more than eight feet.
 - Outdoor display/merchandise shall not impair the ability of pedestrians to use the sidewalk or parking areas. Provide a 36 inch minimum width route with passing areas of 60 inches x 60 inches every 200 feet or less.
 - Merchandise must be removed within four hours of notice from the DOEDC or city. If such items are not removed upon four hours' notice, the DOEDC or city shall have the right to remove and dispose of these items and may assess the property owner for the cost of such removal and disposal. The DOEDC or city shall also

have the right to remove such items immediately in emergency situations. The DOEDC or city shall not be responsible for damage to the merchandise under any circumstances.

- The owner of the business displaying or selling merchandise on the sidewalk shall be responsible for repairing any incidental damage to public sidewalks resulting from the display of merchandise.
 - *Denial.* A permit may be denied if it is found that the granting of the permit would not be in the public interest. Any applicant denied a permit to display or sell merchandise on the sidewalk shall receive a written statement, outlining the grounds on which the denial is based. The applicant may appeal the denial of the permit to the City Commissioners at the next scheduled City Commissioners meeting following receipt of the written denial. The City Commissioners may take such corrective action as it shall find necessary. The findings and determination of the City Commissioners shall be final.
 - *Permit revocation.* The Downtown Oxford Economic Development Corporation may revoke a permit issued pursuant to this section, if it finds that the business owner has:
 - (1) Deliberately misrepresented or provided false information in the permit application.
 - (2) Displayed or sold the merchandise in such a manner as to create a public nuisance or to constitute a hazard to the public health, safety, or welfare; specifically including failure to keep clean and free of refuse.
 - (3) Failed to maintain any health, business or other permit or license required by law for the operation of the business.
 - (4) Before the revocation of a permit, the DOEDC shall notify the permit holder of its intent to revoke the permit and the reasons therefore and shall afford the permit holder a reasonable opportunity to appear and be heard on the question of such revocation. The DOEDC shall notify permit holder in writing of the decision and the reasons therefore. A decision of the DOEDC to revoke permit may be appealed to the City Commissioners in accordance with the provisions of this section.
 - All permits are automatically renewed each year if there are no changes to the original application. Permits are not transferable or assignable.
Penalty, see § 1-99.
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- § 18-33 Permit
 - i. It shall be unlawful for any person to organize, conduct or participate in any parade, picket line or group demonstration upon any public street, sidewalk, park, alley or other public place within the city unless a permit therefor has been issued by the Chief of Police or his or her designee.

- ii. No permit shall be issued unless a written application for the permit has been filed not less than 48 hours in advance of the parade, picket line or group demonstration.
 - iii. The application for a permit shall specify whether or not minors below the age of 18 years will be permitted to participate in the parade, picket line or group demonstration.
 - iv. The application for a permit shall specify and the permit shall designate the person in charge of the activity.
 - i. The person shall be required to accompany the parade, picket line or group demonstration and shall carry the permit with him or her at that time.
 - ii. A permit shall not be valid in the possession of any other person.
 - v. The Chief of Police or his or her designee shall refuse to issue a permit for a parade, picket line or group demonstration for any of the following causes:
 - i. The violation by any participant of §§ 18-35 or 18-36; or
 - ii. The failure to comply with the terms and conditions of the permit.
 - vi. Punishment for a violation of this section shall be as set forth in § 1-99, except that the penalty shall be as is set out in the appendix attached hereto and made a part hereof.
- § 18-34 Interference
 - i. No person shall hamper, obstruct or interfere with any parade, picket line or group demonstration being conducted under authority of a permit duly issued by the Chief of Police.
Penalty, see § 1-99.
- § 18-38 Street Or Sidewalk Sales
 - i. All sales by any person from the streets and sidewalks of the city along a parade route 30 minutes prior to the parade, during the parade or 15 minutes after the parade are prohibited.
Penalty, see § 1-99.
- § 18-58 Violations
 - i. (A) Any violations of this article shall be reported when a finding of non-compliance is made and shall be noted in the course of normal fire inspections.
 - ii. Any violation hereof shall subject the offender to a civil penalty of \$50. Violators shall be issued a written citation which must be paid within 72 hours. Each day's continuing violation shall be a separate and distinct offense.
- Appendix: Maximum Penalty Schedule

<i>Maximum Penalty Schedule</i>		
<i>Code Section</i>	<i>Maximum Penalty</i>	<i>Ord. No.</i>
§ 18-2 Obstruction of drainage ditches; specifications for culverts	Not less than \$50 and not greater than \$200	92-1-14, passed 1-14-92
§ 18-3 Obstructing streets and sidewalks generally	Not less than \$50 and not greater than \$200	92-1-15, passed 1-14-92
§ 18-11 Excavation permit	Not less than \$50 and not greater than \$500	92-1-16, passed 1-14-92
§ 18-13 Permit to lay pipes	Not less than \$50 and not	92-1-17, passed 1-14-92

	greater than \$500	
§ 18-15 Restoration of damaged streets or sidewalks	Not less than \$50 and not greater than \$500	92-1-18, passed 1-14-92
§ 18-17 Refusal to disperse	Not less than \$50 and not greater than \$500	92-1-19, passed 1-14-92
§ 18-33 Permit	Not less than \$50 and not greater than \$500	92-1-20, passed 1-14-92
§ 18-35 Carrying Weapons	Not less than \$50 and not greater than \$500	92-1-21, passed 1-14-92
§ 18-36 Vicious animals (Amended to exclude police dogs)	Not less than \$50 and not greater than \$200	92-1-22, passed 1-14-92
Note to Table: These penalties may be amended from time to time		

- Chapter 19 (Taxicabs);
 - § 19-66 Permit Required
 - i. No person shall drive any taxicab carrying passengers for hire place to place within the corporate limits of the city or within one mile thereof without first having obtained a taxicab drivers' permit from the city.
Penalty, see § 1-99.
 - § 19-102 State License
 - i. No person shall operate a motor vehicle as a taxicab until the vehicle has been registered in accordance with requirements in the state and all proper licenses have been obtained for same.
Penalty, see § 1-99.
 - § 19-103 General Specifications
 - i. (A) No vehicle shall be operated as a taxicab unless it conforms with the provisions of this chapter or unless the vehicle shall have previously been granted a license to operate as a taxicab in this city, in which case conformance with division (B) below shall not be required.
 - ii. (B) All taxicab bodies shall have two seats and the doors shall be so constructed that they may be opened from the inside and outside and shall be constructed with a double or safety lock. Floor mats shall be provided of rubber or other nonabsorbent and washable material and shall be removable. The windshield and all windows shall be of non-shatterable or safety glass.
Penalty, see § 1-99.
 - § 19-106 Overloading Vehicle
 - i. No driver shall permit more passengers to be carried in a taxicab at any one time than the seating capacity of the taxicab, including driver. Children in arms shall not be considered passengers for the purpose of this section.
Penalty, see § 1-99.
- Chapter 20 (Traffic);
 - § 20-146 Parking Fines
 - i. (A) Unless specifically set forth in any provision in this Chapter 20, Article IV, the penalties for violations shall be set forth in the following penalty schedule.

<i>Maximum Penalty Schedule</i>	
Double Parking or Standing	\$10.00
Improper Parking	\$10.00
Restricted or Limited Zones (other than 2-hr Parking)	\$10.00
Handicapped Parking	\$100.00
Parking in a Fire Lane or in front of a Fire Hydrant	\$50.00
Overtime Parking, 2 Hour Zone	See § 20-131 of this chapter

- § 20-999 Penalty
 - i. (A) Any person, firm or corporation violating any of the provisions of any section or division of this chapter for which no other penalty is provided, or failing or neglecting or refusing to comply with same, shall be guilty of an infraction and subject to a civil penalty not to exceed \$50 except as otherwise provided for herein.
 - ii. (B) If any offender fails to pay the civil penalty set forth in any section or division of this chapter for which no other penalty is provided, or fails, neglects or refuses to comply with the same, within 30 days after being cited for a violation, the city may seek to collect said penalty and an additional civil penalty of \$50 in a civil action in the nature of debt.
 - iii. (C) The city may seek to enforce the provisions of this chapter through any lawful or equitable action.
 - iv. (D) Violations of the provisions of § 20-17 shall be deemed an infraction in accordance with G.S. Ch. 20, the maximum penalty for which shall be \$74 plus applicable court cost.
- Chapter 21 (Water, Sewers and Sewer Disposal);
 - § 21-260 Violations
 - i. (A) *Notification of violation.*
 - i. A written notice must be presented to any customer/person who has been found to be in violation of any part of this article.
 - ii. Such notice must explain the violation and give the time period within which the violation must be corrected. The time period set to correct a violation shall not exceed 30 days after receiving notice unless otherwise specified by the time period chart subsection 17-106(8). If the violation has been determined by the Administrator to be an imminent hazard the customer shall be required to correct the violation immediately.
 - iii. In the event a customer is found in violation of this article and fails to correct the violation in a timely manner or to pay any civil penalty or expense assessed under this section, water service will be terminated.
 - ii. (B) The violation of any section of this article may be punished by a civil penalty listed as follows:
 - i. Unprotected cross connection involving a private water system, which has an imminent hazard: \$1,000 per day not to exceed \$10,000.
 - ii. Unprotected cross connection involving a private water system, which is of a moderate or high hazard: \$500.
 - iii. Submitting false records or failure to submit records, which are required by this article: \$500.

- iv. Failure to test or maintain backflow prevention assemblies as required:
\$100 per day.
- iii. (C) *Reduction of penalty.*
 - i. The Administrator may reduce or dismiss any civil penalty imposed under this section if the Administrator has determined that the person charged with the violation has no past history of violation in a timely manner as set by the Administrator.
 - ii. No civil penalty shall be reduced if it has been determined the violation was intentional.
 - iii. Any person violating any part of this ordinance must reimburse the City of Oxford for any expenses in repairing damage to the public water system caused by any violation and any expenses incurred for investigating a violation.