

ORDINANCES WITH CRIMINAL ENFORCEMENT

Ordinance Punishable by G.S. 14-4(a)	Description of Conduct Subject to Criminal Punishment under the Ordinance	Other Notes
Sec. 1-8 – General penalty; enforcement of ordinances; continuing violations	(1) Doing an act that is prohibited or made or declared unlawful, an offense, a violation, an infraction, a civil infraction or a misdemeanor by ordinance or by rule or regulation authorized by ordinance; (2) Failure to perform an act that is required to be performed by ordinance or by rule or regulation authorized by ordinance; (3) Failure to perform an act if the failure is prohibited or is made or declared unlawful, an offense, a violation, an infraction, a civil infraction or a misdemeanor by ordinance or by rule or regulation authorized by ordinance.	Except as otherwise provided by law or ordinance, a person convicted of a violation of this Code shall be guilty of a misdemeanor and punished by a fine of not more than \$500.00, and shall also be subject to a civil penalty not to exceed \$500.00, to be recovered by the town in a civil action in the nature of debt if the offender does not pay the penalty within a prescribed period of time after he has been cited for violation of the ordinance.
Sec. 3 – Application and enforcement	PENALTY. The Zoning Officer will notify any person, firm, or corporation of a suspected violation of this ordinance in person or in writing. Any person, firm, or corporation who violates the provisions of this Ordinance shall upon conviction be guilty of a misdemeanor and shall be fined not exceeding five hundred (\$500) dollars and/or imprisoned not exceeding thirty (30) days. Each day of violation shall be considered a separate offense.	
Sec. 6-7 – Owning or keeping dangerous animals prohibited	(1) Members of the police department and the animal control officer are empowered to issue citations to any person if there is reasonable cause to believe that the person has violated any provision of this section. A civil penalty of \$25.00 may be levied against any such person. Each wild or dangerous animal and each day's continuing violation shall constitute a separate and distinct violation, subject to further penalties. A second violation of this section occurring within one year shall cause a civil penalty of \$50.00 to be levied against any such person, and a third or subsequent to the third violation within one year from the first violation shall be subject to a civil penalty of \$100.00; (2) Violation of this section shall also constitute a misdemeanor.	
Sec. 8-83 – Condemnation	(c) Violations of subsection (b) of this section shall be a misdemeanor, and any law enforcement officer is authorized to issue a warning citation to the person in charge of the premises, and to the owner of record according to the town tax rolls.	(b) No building shall be occupied or used for any purpose which requires the issuance or purchase of a business license from the town, unless: (1) All of the exterior glass, including glass in the doors, is intact and unbroken; and (2) All exterior doors are intact. No person may fill or cover for more than ten consecutive days any broken glass, or an

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		opening which is caused by the absence of glass, with any material other than glass, masonry of a style and type similar to the surrounding building walls, or wood siding similar to the surrounding building walls, if the building is made of wood, on any building in an area zoned BT or CB.
Sec. 8-84 – Removing notice from condemned buildings	If any person shall remove any notice that has been affixed to any building or structure by a local inspector of any municipality that states the dangerous character of the building or structure, he shall be guilty of a misdemeanor.	
Sec. 8-88 – Failure to comply with order	If the owner of a building or structure fails to comply with an order issued pursuant to this article from which no appeal has been taken, or fails to comply with an order of the board of commissioners following an appeal, he shall be guilty of a misdemeanor and shall be punished in the discretion of the court.	
Sec. 8-89 – Equitable enforcement	Whenever any violation is denominated a misdemeanor under the provisions of this article, the town, either in addition to or in lieu of other remedies, may initiate any appropriate action or proceedings to prevent, restrain, correct or abate the violation, or to prevent the occupancy of the building or structure involved.	
Sec. 10-4 – Entering town cemetery at night	No person shall go upon the grounds of any town cemetery during the time between sunset and sunrise without approval by the Mayor, and any persons so doing shall be guilty of a misdemeanor.	
Sec. 12-54 – Enforcement of violations	(a) Violations of section 12-61 shall be misdemeanors; (b) All other violations of this article, including failure to pay the fees imposed herein within 14 days next following notice that said fees are due, shall subject the offender to a civil penalty in the nature of a debt. Such civil penalties may be recovered by the town in a civil action in the nature of a debt, pursuant to G.S. 160A-175.	<i>Sec. 12-61. – Prohibited acts.</i> <i>(a) It shall be unlawful for any person to activate an alarm for the purpose of summoning either police department or fire department assistance when no fire, burglary, robbery, or other crime dangerous to life is being committed or attempted on the premises or otherwise to cause an alarm response where there is no valid basis for causing the same; (b) It shall be unlawful for an alarm user to fail to reimburse the town in accordance with section 12- 59(b) for alarm response through the county E-911 communications center.</i>
Sec. 18-26 – Misdemeanor for willful violation	Any person, firm, corporation or association who willfully attempts in any manner to evade a tax imposed herein or who willfully fails to pay the tax or make and file a return shall, in addition to the penalties provided by law and	

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	herein, be guilty of a misdemeanor punishable as provided by law.	
Sec. 18-27 – Penalties	(a) A person, firm, corporation or association who fails or refuses to file a return and pay the tax levied herein shall pay a penalty of \$10.00 for each day's omission up to a maximum of \$2,000.00 for each return; (b) In case of failure or refusal to file a return or pay the tax for a period of 30 days after the time required for filing the return or paying the tax, there shall be an additional tax, as a penalty, of five percent of the tax due, with an additional tax of five percent for each additional month or fraction thereof until the tax is paid; (c) The board of commissioners, for good cause shown, may compromise or forgive any penalty or additional tax imposed hereunder.	
Sec. 18-62 – False statements in applications	Any person who shall willfully make any false statement in an application for license under any section of this article shall be guilty of a misdemeanor.	
Sec. 18-247 – Driver's permit	Every person driving a taxicab or jitney licensed under this chapter, while the same is being used or being offered for use as a taxi, shall apply for and obtain, in addition to the chauffeur's driver's license required by the state, a permit to drive a taxi. Such permit shall be obtained from the town clerk upon the payment of a fee in the amount established from time to time by the board of commissioners and upon the approval of the application therefor by the chief of police. Each applicant for such permit shall show under oath that the applicant has not been convicted of the violation of the laws of the state with respect to intoxicating liquors, reckless or careless driving or any misdemeanor or felony involving moral turpitude within the past five years. It shall be unlawful for any person to drive a taxicab authorized to be licensed under this chapter without first having obtained such a driver's permit, or to permit anyone to drive such taxicab without first having obtained such a permit. Any permit issued hereunder may be revoked by the chief of police upon conviction of the driver of any violation of the motor vehicle laws of the state, the laws with respect to intoxicating liquor, or any law, the violation of which is a misdemeanor.	
Sec. 22-7 – Youth curfew	Restricted hours means the time of night referred to herein is based upon the prevailing standard of time, whether Eastern Standard Time or Eastern Daylight Savings Time, generally observed at that hour by the public in Sampson County, North Carolina.	<i>Youth means a person who is under the age of 18 years. (c) Offenses. A curfew applicable to youth is established and shall be enforced as follows: (1) Time limits; (2) Out-of-school suspensions time limit; (3)</i>

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	(g) Penalties: (1) A youth who violates any provision of this section is subject to being adjudicated delinquent. The court may, in its discretion, impose any dispositional alternatives that are provided in the state juvenile code for any youth who is delinquent; (2) Any person other than a youth who violated any provision of this section shall be guilty of a misdemeanor.	<i>A parent or guardian of youth commits an offense if he knowingly permits or by insufficient control allows the youth to remain in any public place or on the premises of any establishment within the town during the restricted hours; (4) The owner, operator, or any employee of an establishment commits an offense if he knowingly allows a youth to remain upon the premises of the establishment during the restricted hours; (5) It shall be a violation of this section for any person 18 years of age or older to aid or abet a youth in the violation of this section; (6) It shall be a violation of this section for a parent or guardian to refuse to take custody during the restricted hours of a youth for whom the parent or guardian is responsible.</i>
Sec. 22-8 – Trespassing at the Roseboro Municipal Helipad	(a) A person shall not enter or remain on the premises of the Roseboro Municipal Helipad, located at 210 S. East Street, Roseboro, North Carolina 28382, as defined by a fence and barrier gate on the eastern border adjoining S. East Street, a drainage ditch along the southern border, a drainage ditch and a fence on the western border adjoining S.W. Railroad Street, and a fence and storage building along the northern border of the property at said address, without authorization from the Town of Roseboro or emergency workers working for or on behalf of any medical care provider in immediate need of the use of the Roseboro Municipal Helipad; (b) Any person convicted of this section shall be guilty of a misdemeanor and fined \$500.00.	
Sec. 26-5 – Personnel system	All other information contained in an employee's personnel file that is not noted above is confidential and shall not be open to inspection except as specifically provided by G.S. 160A-168. Likewise, any public official, employee or other person found guilty of violating the statute shall be found guilty of a misdemeanor.	
Sec. 34-10 – Use of coasters, roller skates, etc.	It shall be unlawful for any individual, child or adult to use a skate or skates on the public streets, sidewalks and private property which have erected signs prohibiting same, within the town limits at any time. For the purposes of this section, the terms "skate or skates" shall include roller skates, coasters, skateboards or other similar devices. Violation of this subsection shall be a misdemeanor.	

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<p>Sec. 204 – Penalties for violation</p>	<p>204.1 – After the effective date of this ordinance, any person who, being the owner or agent of the owner of any land located within the territorial jurisdiction of this ordinance, thereafter subdivides his land in violation of this ordinance or transfers or sells land by reference to, exhibition of, or any other use of a plat showing a subdivision of the land before the plat has been properly approved under the terms of this ordinance and recorded in the Office of the Sampson County Register of Deeds, excepting the presale or pre-lease of unrecorded lots referencing an approved preliminary plat and subject to the requirements of subsections 306.4, shall be guilty of a misdemeanor. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from this penalty. The Town through its attorney or other official designated by the Town Board may enjoin illegal subdivision, transfer or sale of land by action for injunction. Further, violators of this ordinance shall be subject, upon conviction, to fine and/or imprisonment as provided by G.S. 14-4.</p> <p>204.2 – The violation of any provision of this ordinance shall subject the offender to a civil penalty in the amount of \$50.00 to be recovered by the Town. Violators shall be issued a written citation which must be paid within ten (10) days.</p>	
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