

Memorandum

TO: Rep. Jonathan C. Jordan and Sen. Andy Wells—Co-Chairs of the Joint Legislative Administrative Procedure Oversight Committee

Rep. James L. Boles, Jr., Rep. Ted Davis, Jr., and Sen Shirley B. Randleman--- Co-Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety

FROM: G. Nicholas Herman (General Counsel for the City of Roxboro) and Brady Herman

DATE: October 16, 2018

RE: Response to the Requirements set forth in Section 3 of Session Law 2018-69 (House Bill 379) for the City of Roxboro, N.C.

Attached is the response of the City of Roxboro, North Carolina to the requirements set forth in Section 3 of Session Law 2018-69 for local governmental units. The attached document contains a list of all the City of Roxboro's ordinances that create criminal offenses pursuant to G.S. 14-4(a), with brief descriptions of the prohibited conduct. Additionally, here is a [link](#) to Roxboro's Code of Ordinances for a reference to the ordinances summarized.

If you have any questions about this Memorandum, please contact either Nick Herman by email at herman@broughlawfirm.com, or Brady Herman at bherman@broughlawfirm.com, at The Brough Law Firm, tel: (919)-929-3905. Also, please acknowledge receipt of this Memorandum and its sufficiency in complying with Session Law 2018-69, Section 3.

TITLE III: Administration

Chapter 38: Civil Emergencies

Section 38.02---Proclamation Authorized: Authorizes the City Mayor to issue a public proclamation if an existing or threatened state of emergency is endangering the lives, safety, health and welfare of the citizens within the City. The purpose of the proclamation is to protect the lives and property of people within the City and to place into effect any or all restrictions authorized by the provisions of this Chapter.

Section 38.07---Violation: Prohibits any person, during the existence of a proclaimed state of emergency to violate any provisions or restrictions imposed by any public proclamation as authorized by the City Mayor under this Chapter.

TITLE V: Public Works

Chapter 50: Garbage and Refuse

Section 50.15---Leaves, Shrubs, Trimmings: Prohibits (1) throwing, dropping, or depositing any leaves, shrubs, or other debris into any catch basin or manhole in the City; (2) burning leaves, shrubs, trees, or limbs on the streets or sidewalks or on any private property unless special permission is obtained by the Fire Chief. Requires any person who wants removal of leaves, tree trimmings, hedge cutting, grass or similar materials by the City to place them at the curblin for such pickup. Requires the leaves to be separate from tree limbs, shrubs, and other such materials.

Section 50.16---Container Criteria: Requires every occupant of a house or residence in the residential area where garbage exists must be provided containers by the City for such use. All persons doing business in a building within the City must be provided with containers as outlined and set forth in section 50.25 of the City Code. Each home and business building must have a sufficient number of containers to hold the refuse until its collected by the City. Prohibits wooden boxes, pails or other wooden or cardboard containers from being used to collect garbage; and if so used, must be confiscated by the City.

Section 50.17---Burning in Can: Prohibits burning rubbish in any receptacle that is used for the disposal of garbage or refuse through the City's collection services.

Section 50.18---Liquid Drained, Ashes Quenched: Requires all garbage and refuse to have the liquid drained before it is placed in the contained for collection. All ashes must be thoroughly quenched and drained.

Section 50.19---Tampering with Refuse or Container: Prohibits any person other than the owner, officer, employee or licensee of the City, from removing or interfering with any garbage or refuse receptacle or the contents thereof.

Section 50.20---Cleaning and Disinfecting: Requires every person who maintains a garbage or refuse receptacle to periodically clean and disinfect the receptacle in order to assure easy emptying from the collector, and to otherwise eliminate flies, disease, and other types of pests.

Section 50.21---Location of Receptacle: Requires all receptacles to be kept on ground level and to the rear of the front wall of the main residence, when practical, unless otherwise designated by the Public Services Director. All refuse receptacles must be placed on the street/curb for collection on the scheduled pick-up day or after 4:00 pm on the preceding day and returned to the proper storage location by 6:00 pm on the day following the scheduled garbage pick-up.

Section 50.22---Unlawful Accumulations: Prohibits (1) keeping, accumulating, or permitting to be kept any garbage in or upon any public or private place unless the garbage is in a container and meets the requirements in this section; and (2) permitting the accumulation of refuse to become or remain offensive, unsightly, unsafe to public health or hazardous from fire.

Section 50.23---Hauling Refuse: Prohibits hauling or attempting to haul any refuse in an open body vehicle without some type of cover or container that effectively prevents spillage on the City streets.

Section 50.24---Use of Landfill: Prohibits any person from depositing or disposing in any manner any garbage or refusal at any place in the City except those sites holding permits by the appropriate federal, state or local governing authorities.

Chapter 51: Water and Sewer Service

Section 51.015---When Connections Required: Prohibits maintaining, using, or operating any privy, cesspool or any other means or system of sewage within the City, except as provided in this section of the City Code. Requires any person owning a house, building or structure used for human occupation and located on a lot which abuts or adjoins a street or alley that is located a public gravity sanitary sewer, and is accessible within 200 feet of the lot, must make an approved water and sewer connection with the house, building or structure. Every house, building or other structure used for human habitation or occupancy in the City which is located on a lot where no public sanitary sewer line is accessible must be connected to a septic tank approved by the State Board of Health.

Section 51.016---Connection; Permit, Fee, Supervision: Prohibits connecting any residence or other building or structure with the City sewer system without first obtaining the permission of the City Council or its designated agent or officer. Requires a fee for each connection with the sewer system to be paid by the owner of the property connected therewith.

Section 51.019---Water Meters: Prohibits any premises to be connected to the City's water system unless there is an installed water meter. Requires all such meter to be installed by the City under the direction of the Director of Public Services and must remain the property of the City at all times.

Section 51.037---Nonessential Use of Water: Prohibits any person when any water emergency is proclaimed by the Mayor, from using the City water supply for the purposes of washing vehicles, water laws or gardens, filling pools or jacuzzies, or any other nonessential use during the duration of the water emergency.

Section 51.053---Failure to Pay Water or Sewer Service Charges: Authorizes the Director of Public Service to shut off the water service to the premises of any person who fails or refuses to pay any water or sewer service charge on or before the fifteenth of each month. Prohibits any person to turn on or restore the water service of any premise when the water has been shut off under this section.

Chapter 53: Water Supply Watershed Protection and Management

Section 53.023---Construction Procedures: Prohibits (1) the commencement of any construction or installation of any improvements in a proposed subdivision until a subdivision plat has been approved by the Watershed Review Board; and (2) issuing any building or other permit for the erection of a structure on any lot until all the requirements of this Chapter are satisfied. The subdivider, prior to commencing any work within the subdivision, must make arrangements with the Watershed Administrator to provide for adequate inspection.

Section 53.024---Penalties for Transferring Lots in Unapproved Subdivisions: Prohibits (1) any owner or agent of the owner of any land located within the City from subdividing his or her land in violation of this Chapter; or (2) transferring or selling 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 this Chapter and recorded in the office of the Register of Deeds.

Section 53.040---Application of Regulations: Prohibits any building or land to be used or development to take place unless it is in conformity with the regulations specified in this Chapter of the City Code for the watershed area in which the property is located. Requires every residential building that is erected, moved, or substantially altered must be located on a lot and in conformity with the provisions permitted under this Chapter. If a use or class of use is not specifically indicated as being allowed in a watershed area, such use or class of use is prohibited.

Section 53.060---Public Health in General: Prohibits any activity, situation, structure, or land use to be allowed within any watershed area which poses a threat to water quality and the public health, safety, and general welfare. Such conditions may arise from (1) inadequate on-site sewage systems which utilize ground absorption; (2) inadequate sedimentation and erosion control measures; (3) the improper storage or disposal of junk, trash or other refuse within a buffer area; (4) the absence or improper implementation of a spill containment plan for toxic and hazardous materials; (5) the improper management of storm water runoff; or (6) any other situation found to pose a threat to water quality.

Section 53.181(A)---Illicit Discharges: Prohibits any person from causing or allowing to cause the discharge, emission, disposal, pouring, or pumping directly or indirectly any liquid, solid, gas, or other substance, other than stormwater to any stormwater conveyance or waters of the State. This section does not apply to storm water discharges associated with specific activities set

forth under this section of the City Code provided that they do not significantly impact the water quality. Prohibited substances under this section includes, but is not limited to: oil, anti-freeze, chemicals, animal waste, paints, garbage, and litter.

Section 53.181(B)---Illicit Connections: Prohibits connections to a stormwater conveyance or system that allows the discharge of non-stormwater, other than those activities that are excluded from the previous section. Prohibited connections include, but are not limited to: floor drains, waste water from washing machines or sanitary sewers, wash water from commercial vehicle washing or steam cleaning, and waste water from septic systems.

Section 53.181(C)---Spills: Requires the spilling or leaking of polluting substances that are released, discharged to, or having the potential to be released or discharged to the stormwater conveyance system, must be contained, controlled, collected, and properly disposed. All affected areas must also be restored to their pre-existing condition. Persons in control of the polluting substances immediately prior to their release or discharge, and persons owning the property on which the substances were released or discharged, must immediately notify the Roxboro Fire Department of the release or discharge, as well as making any required notifications under state and federal law.

TITLE VII: Traffic Code

Chapter 70: General Provisions

Section 70.02---Obedience to Police: Prohibits willfully failing to refuse to comply with any lawful order or direction by a police officer.

Chapter 73: Bicycles; Toy Vehicles

Section 73.01---Hands on Handlebars: Prohibits riding a bicycle or motorcycle on any street without having his or her hands upon the handlebars.

Section 73.02---Bicycle on Sidewalk: Prohibits riding any bicycle upon any city sidewalk or walkway unless expressly allowed by a permit issued pursuant to Chapter 95 of the City Code.

Section 73.03---Toy Vehicle in Roadway: Prohibits any person upon roller skates or riding in or by means of any coaster or toy vehicle to go upon any roadway, except: (1) while crossing a street at a crosswalk or intersection; (2) upon streets set aside as play streets; or (3) as part of any activity expressly allowed by a permit issued pursuant to Chapter 95.

Section 73.04---Clinging to Moving Vehicles: Prohibits any person riding upon any bicycle, motorcycle, coaster, sled, roller skates or toy vehicle to attach the same or himself/herself to any moving vehicle upon any roadway.

Chapter 74: Railroads

Section 74.01---Crossings: Requires every railroad company whose track crosses any street or sidewalk in the City to keep the crossing, for at least the width of the right-of-way, in good condition and repair.

Section 74.02---Speed: Requires the speed of any railroad or locomotive to not exceed 35 mph at any place within the City.

Section 74.03---Blocking Streets: Prohibits any engineer, conductor, or other employee of a railroad from stopping any train or locomotive across any street or sidewalk for a longer period than five minutes.

TITLE IX: General Regulations

Chapter 90: Cemeteries

Section 90.01--- Burial of Animals or Fowl: Prohibits the burying of any dog, cat or other animal or fowl within the enclosure of any cemetery.

Section 90.04--- Killing or Trapping Birds or Animals: Prohibits killing or trapping any bird or animal in any cemetery.

Section 90.05---Use of Gates: Prohibits entering into the cemetery except at the gates provided for ingress and egress.

Section 90.06---Vehicles: Prohibits driving (1) over any roadway, alley, or walkway except over the main roadways especially built for driving; and (2) driving faster than 15 mph within the cemetery.

Section 90.07---Placing of Improvements: Prohibits placing any improvements on any monument, tomb, stone, shrubbery, or plantings within the cemetery without first submitting a request and detailed sketch of such improvements to the City Manager and after receiving a permit from the Director of Public Services.

Section 90.08--- Flowers and Wreaths, Removal: Requires the maintaining of all flowers, wreaths, and temporary memorials placed in the cemetery and mandates removal when deteriorated to the point they detract from the beauty of the cemetery. Prohibits the removal of plot memorials unless it is a member of the immediate family which permission cannot be delegated.

Chapter 91: Fire Prevention and Protection

Section 91.01---Interfering with Firefighters, Equipment: Prohibits any person from obstructing firefighters in the performance of their duties or interfering, misplacing, or injuring any equipment of the Fire Department without permission.

Section 91.02---Location of Gasoline Tanks, Pumps: Prohibits installing or maintaining gasoline, or other tanks or pumps for delivery of gasoline for sale on sidewalks or streets.

Section 91.03--- Opening Fire Hydrants: Prohibits opening any City fire hydrant or otherwise taking water therefrom, except a City Officer or a member of the Fire Department in the performance of their official duties.

Section 91.15--- Code Adopted: Any violation of the North Carolina State Building Code, Volume V, pursuant to G.S. § 160A-412 known as the Fire Prevention Code as adopted by the City.

Chapter 92: Animals

Section 92.14---City Leash Law: Prohibits the owner of any animal to run at large in or upon any public street, sidewalk, or park or upon the property of another. Requires any person owning or having possession or control of any dog must keep it exclusively on his own premises except it may be off such premises if it is under the control of a competent person and restrained by a chain or lease.

Section 92.15--- Dog Must Wear Collar and Rabies Tag: Prohibits owners of any dogs or cats to fail to comply with the state laws relating to the control of rabies. All dog owners are required to have a suitable collar or harness for wearing rabies tag issued in compliance with state law and must be worn at all times unless otherwise exempted from the City Code. Cats are not required to wear collars or rabies tags, however all cats must be vaccinated for rabies and listed for license purposes.

Section 92.16---Possession of Animals: Prohibits any person to keep in her possession, by confinement or otherwise, any animal that does not belong to him unless he has the consent of the owner of the animal or notifies the animal shelter within 72 hours of the time the animal has come within their possession. Prohibits keeping or maintaining more than five domesticated animals four months or older at any time within the corporate City limits. Prohibits any dog lot or containment structure for a dog to be within ten feet of any property line except those yards that are fenced in. Prohibits owning of chickens within the City limits unless: (1) four hens or less for each family lot, (2) chickens are kept in a chicken coop during non-daylight hours, and (3) the chicken coop is located in the backyard and situated at least ten feet from all property lines. Prohibits owning roosters or owning chickens in multi-family complexes.

Section 92.17---Rabies Vaccination and Control: Prohibits an owner or any person (1) to fail to provide current inoculation against rabies for his or her dog or cat over the age of four months as required by state law; (2) from refusing upon demand of the Animal Control division to

investigate any animal that has bitten a human or has been in an encounter with a suspected rabid animal; (3) from killing or releasing any animal that has or is suspected to have rabies; or (4) to fail or refuse to surrender any animal for quarantine or destruction when demanded by the Animal Control Division.

Section 92.18--- Dangerous or Potentially Dangerous Animals: Prohibits (1) an owner to leave a dangerous or potentially dangerous dog unattended on the owner's real property unless the dog is confined indoors or securely enclosed in locked pen; or (2) permitting a dangerous or potentially dangerous dog to go beyond the owner's real property unless the dog is leashed and muzzled. Requires the owner of a dangerous or potentially dangerous dog to (1) give written notice to the Chief Animal Control Officer upon any transfer of ownership of the dog; and (2) report immediately to the Animal Control Officer if the dog gets loose or attacks another person or animal.

Section 92.19---Noisy Dogs: Prohibits the owner or keeper of any dog to allow it to bark, whine, howl, or otherwise make a noise for a protracted period of time so as to interfere with the reasonable use and enjoyment of the neighboring premises.

Section 92.20---Injuring Animal and Notice Requirement: Requires any person who comes into contact and injures an animal to notify immediately the owner of the animal, the animal shelter, or Emergency Communications for the appropriate response.

Section 92.21---Cruel Treatment: Prohibits any act, omission, or neglect that causes unjustifiable pain, suffering, or death or otherwise results in the cruel treatment to any animal. This section does not prohibit (1) the lawful shooting of birds, deer and other game for human food or (2) the Animal Control Division from destroying dangerous, unwanted or injured animals in a humane manner.

Section 92.22---Manner of Keeping and Treating Animals Generally: Prohibits keeping animals under unsanitary or inhumane conditions, or to fail to provide proper food, water, space, and adequate shelter as defined in the City Code. Prohibits dogs and cats from having extended contact with wet surroundings.

Section 92.23---Maintenance of Premises: Requires every stable or other locations where cattle, horse, or other animals are kept must be maintained at all times in a clean and sanitary condition and located in such a manner that water will not stand thereunder. Any areas where domestic animals are kept must be maintained in a sanitary condition so that no foul or offensive odors will emanate therefrom. Upon the receipt of a complaint that any area is being maintained in violation of this section, the City Manager or Police Department must notify the person owning the premises and may request the County Board of Health to make an investigation showing that an insanitary condition exists. Any person who fails to remedy the existing condition within five days after being notified will be guilty of a misdemeanor.

Section 92.24---Hogs: Prohibits any person to keep any hog or maintain a hog pen within the corporate limits of the City.

Section 92.26---Protection of Birds, Nests; Shooting and Trapping Permit: Prohibits trapping, hunting, shooting, or attempting to shoot any bird or wild fowl, or to rob bird nests or wild fowl nests within the City. This section does not prohibit any person from killing any species or birds as provided by G.S. § 113-274 after seeking a permit from the Wildlife Recourses Commission or is otherwise exempt from a permit as designated and set forth in the City Code.

Section 92.27---Noise: Requires any person keeping any domestic animal or any fowl must refrain such animals or fowl from making incessant loud noises that disturb and distress those within hearing distance. Upon receipt of any complaint of a person who violates this section, the City Manager or the Police Department must notify the owner of the animal or fowl complained of and remedy the condition within 5 days. Any person failing to do so will be guilty of a misdemeanor.

Section 92.28---Pet Waste: Requires any dog owner or custodian to be responsible in cleaning up their dog's feces from any public or private property outside of the dog owner's property limits. Prohibits any owner or custodian of any dog to take it off the owner's property without the means to properly remove and dispose of the dog's feces. If an owner fails to comply with these requirements or otherwise fails to remove the dog's feces from public or private property it may constitute as a public nuisance as defined in the City Code. This section does not apply to handicapped persons assisted by trained guide dogs.

Section 92.44---Interference: Prohibits any person to interfere, hinder, or molest the Animal Control Division or its agents, or the Animal Control Officers or veterinarians, in performance of their duties authorized by this Chapter in the City Code, or seek to release any animal in the custody of said agents.

Chapter 93: Nuisances, Unlawful Conditions on Private Property

Section 93.02---Declaration of Public Nuisance: Prohibits creating, maintaining, or failure to abate any nuisance declared to be unlawful as defined and designated in the City Code. A public nuisance includes, but it not limited to: the overgrowth of weeds or vegetation having an overall height of more than twelve inches above the surrounding ground; excessive accumulation of trash in garbage containers that attracts mice, rats, flies, or other pests; open or unsecured storage of chemicals, acids, flammable or combustible materials; an open storage place or concentration of combustible items, broken or disregarded machinery or building materials; any accumulation of garbage, rubbish, trash, or junk causing or threatening to cause a fire hazard; any building or other structure that has been burned, partially burned or otherwise partially destroyed and which is unsightly or hazardous to the safety of any person; the placement of indoor furniture on an outdoor area that is visible from nearby streets and sidewalks; the collection of water caused by overflowing septic tanks, pipes, manmade dams, or other impoundments of any kind; barns or farm animal pens or enclosures that are not kept sanitary and clean; outdoor dog lots or pens that are not kept in a sanitary condition or creates the excessive collection of pet waste; any discharge or polluting of any stream or creek, or public body of water; any condition which blocks or obstructs the natural flow of surface waters; any conditions or use of property, which results in the emission of pollutants and particles into the atmosphere or causes noxious odors, vapors and

stenches to be discharged into the air; any condition detrimental to the public health which violates the rules and regulations of the County Health Departments.

Chapter 94: Abandoned, Junked and Nuisance Vehicles

Section 94.03---Abandoned Vehicle Unlawful, Removal Authorized: Prohibits the owner of a vehicle from causing or allowing such vehicle to be abandoned as defined in the City Code. Abandoned motor vehicle as defined in the Code means any vehicle that (1) has been left on a street or highway in violation of a law or ordinance prohibiting parking; (2) is left on City owned property longer than 24 hours; (3) is left on private property without the consent of the owner for longer than two hours; or (4) is left on any public street or highway for longer than seven days or is determined by law enforcement to be a hazard to the motoring public. Upon investigation, the authorized officials of the City may determine that a vehicle is an abandoned vehicle and order the vehicle removed.

Section 94.04---Nuisance Vehicle Unlawful, Removal Authorized: Prohibits the owner of a motor vehicle or the owner of the real property upon which the vehicle is located to leave or allow the vehicle to remain on the property after it has been declared a nuisance vehicle as defined by the City Code. A nuisance vehicle is a vehicle on public or private property that is determined to be a health or safety hazard, a public nuisance, and unlawful as set forth and designated in the City Code. Upon investigation, the City Code Administrator may determine and declare that a vehicle is a health or safety hazard and a nuisance vehicle as defined above, and order the vehicle removed.

Section 94.05---Junked Motor Vehicle Regulated: Prohibits any person to have more than one junked motor vehicle on the premises of private property. A junked motor vehicle as defined in the City Code means a vehicle that (1) is partially dismantled or wrecked; (2) cannot be self-propelled or moved in a manner which was intended to move; (3) is more than five years old and appears to be worth less than \$500; or (4) does not display a current license plate. Upon the determination by the City Code Administrator in writing that a motor vehicle is a health or safety hazard in violation of this section, he may order the removal of the junked motor vehicle to a storage garage or area. Junked motor vehicles may be allowed on private property if concealed or enclosed. Junked motor vehicles kept on the premises for more than 60 calendar days must be kept inside a completely enclosed building.

Section 94.14---Unlawful Removal of Impounded Vehicle: Prohibits removing or attempting to remove from any storage facility designated by the City, any vehicle that has been impounded pursuant to the provision of this chapter unless or until all towing and impoundment fees are due and have been paid in full.

Chapter 95: Pickets, Parades, Public Assemblies, and Special Events

Section 95.03---Permit Required for Public Assemblies: Requires a permit to be first obtained from the Chief of Police in order to conduct a public street or sidewalk assembly regulated by this Chapter. A person seeking to obtain an assembly permit must file an application, as

designated in this section, with the Chief of Police at least 72 hours before the time for which the public assembly is proposed to commence.

Section 95.04---Police Protection: Requires the Chief of Police to determine whether and to what extent additional police protections and medical services may be reasonably necessary for the public assembly regarding traffic control and the overall public health and safety. Those who are engaging in public assemblies conducted solely for the purpose of freedoms protected under the First Amendment are not required to pay for additional police protection or additional emergency medical services, or to provide insurance.

Section 95.05---Permitting Criteria: Requires the Chief of Police to issue a public assembly permit when considering the information from application, he or she makes all of the findings designated in this section of the City Code.

Section 95.09---Sale and Consumption of Alcoholic Beverages: Prohibits selling or consuming any alcoholic beverages during Article One public assemblies.

Section 95.11---Duties of Applicant and Responsible Planner and On-Site Manager: Requires the applicant, responsible planner and on-site manager of the public assembly to comply with all of the conditions of the issued public assembly permit, as well as with all other applicable local, state, and federal laws. The person designated as the responsible planner and on-site manager must carry the assembly permit upon his or her person during the conduct of the public assembly.

Section 95.12---Prohibitions of Public Assemblies: Prohibits (1) conducting any public assembly without first obtaining a permit under Section 95.03 under this chapter; (2) participating in a public assembly for which the person knows a permit has not been granted; (3) any participant in a public assembly to knowingly fail to comply with any conditions of the assembly permit; (4) carrying or possessing any staff or pole for purposes of displaying any sign, poster, banner, or flag during the public assembly unless the staff or pole fits the requirements designated in this section of the City Code; and (5) assigning or selling any assembly permit granted under this chapter of the City Code.

Section 95.13---Public Conduct During Public Assemblies: Prohibits unreasonably hampering, obstructing, impeding, or otherwise interfering with any public assembly or with any person, vehicle, animal, or thing participating or used in a public assembly.

Section 95.26---Permit Required for Special Events: Prohibits running, operating, or sponsoring any special event in any public street, parking lot, or right-of-way without a permit being obtained from the City in accordance with this chapter.

Section 95.27---Special Event Permit: Requires any person seeking to obtain a special use permit to file an application with the City Manager no less than 60 days before the start of the special event, if said event requires a public hearing. If the event does not require a public hearing, the special event application must be submitted no less than 30 days before the start of the event. The application must contain information designated and listed in this section of the City Code.

Section 95.36---Person in Charge/Responsible Planner and On-Site Manager: Requires the person primarily in charge of the special event to obtain all required permit and/or approvals prior to the start of the special event activity, and for setting up, conducting, and cleaning up after the activity. The person in charge is also responsible for (1) cleaning up any litter caused by the special event activity; (2) removing any temporary signs or structures erected by those entities who participate in the activity; and (3) returning the area where the activity takes place to the condition that existed prior to the activity.

Section 95.37---Special Events Involving the Sale and Consumption of Alcoholic Beverages: If the special event sells alcoholic beverages, the person in charge must ensure that there is an area clearly marked and designated for the sale and consumption of alcoholic beverages. Prior to the beginning of the special event, the person in charge must ensure that all necessary state or other permits relating to the sale and consumption of alcoholic beverages have been secured. Prohibits (1) selling or consuming alcoholic beverages as part of the special event outside of the designated areas, or (2) have any designated drinking areas to be located within 150 feet from any church, mosque, synagogue, or other place of worship.

95.38---Prohibitions of Special Events: Prohibits (1) conducting any special event without first obtaining a permit pursuant to Section 95.27 of this chapter; (2) participating in a special event for which the person knows a permit has not been granted; (3) any participant who knowingly fails to comply with any conditions of the special event permit; (4) assigning or selling any special event permit granted under this chapter; and (5) otherwise violating any other applicable local, state and federal laws.

Section 95.39---Public Conduct During the Special Events: Prohibits unreasonably hampering, obstructing, impeding, or otherwise interfering with any person, vehicle, animal, or thing participating or used in any special event.

Chapter 96: Streets and Sidewalks

Section 96.001---Encroachments: Prohibits encroaching upon any city streets or sidewalks by erecting or placing any structure, device or equipment thereof unless expressly allowed by a permit issued pursuant to Chapter 95.

Section 96.002---Display, Sale of Merchandise: Prohibits storing, displaying, or selling of any goods, wares, or merchandise or using any equipment for the display, storage or vending of any goods on any City street or sidewalk. However, upon approval by the City Manager and an issued permit pursuant to Chapter 95, a person may use a portion of the sidewalk so long as the usage is not detrimental to the health or safety of other travelers passing by.

Section 96.004---View at Street Intersections: Prohibits any property owner in any residential section of the City from allowing their property to become congested with the foliage of trees and vines as to block the view of persons traveling to or from any nearby intersecting street.

Section 96.005---Emptying of Drain Pipes: Prohibits allowing any pipe to empty into or upon any gutter, sidewalk or street, except the ones that are used for carrying rainwater exclusively.

Section 96.006---Discharging Wastewater, Odoriferous Substance: Prohibits any owner or occupant of a lot or building to throw or discharge from his residence any wastewater or substance that emits an obnoxious odor upon and public street, sidewalk, or right-of-way.

Section 96.007---Deposit of Dirt, Debris: Prohibits depositing any dirt, sand, gravel or debris upon any streets or sidewalks owned by the City.

Section 96.008---Throwing Articles from Buildings: Prohibits throwing or causing to be thrown from any window, door or roof of any building, store or house, any article onto any City street or sidewalk.

Section 96.009---Obstructing Flow of Water: Prohibits obstructing the waterflow of any waterway through or from any street, sidewalk, or gutter, whether the obstruction is placed on their own property or on that of another.

Section 96.010---Lots Below Street Level to be Enclosed: Requires all persons who own property adjoining streets and whose properties are below street level must securely enclose the same, so as to prevent danger to pedestrians passing along the street.

Section 96.011---Snow on Sidewalks: Prohibits business owners and tenants who occupy premises with the business districts of the City from permitting any snow to remain on the sidewalk in front of their premises for longer than four hours, between sunrise and sunset, after the snow has ceased to fall.

Section 96.012---Deposit of Oil and Grease: Prohibits pouring or otherwise depositing any oil or grease on any street or sidewalk.

Section 96.013---Duty to Keep Sidewalks and Gutters Clear: Requires any owner or occupant of a lot on any street to keep the adjoining sidewalk clear and the gutter open, free from obstruction. If any rubbish, dirt or thing is placed upon the sidewalk or gutter without lawful authority, it is the responsibility of the owner or occupant to remove the same.

Section 96.025---Covering, Enclosing and Marking Excavations: Excavations in any street, sidewalk, or public right-of-way must be at all times securely covered or enclosed when persons are not working therein. It is also the responsibility of any person excavating or opening any street, sidewalk, or public right of way to make the area with a sufficient number of red flags during the day and lights at nighttime.

Section 96.026---Permit Required: Prohibits any excavating, cutting, or opening in any street or sidewalk without first obtaining a written permit from the City Manager.

Section 96.040---Commercial and Industrial Construction of Driveways: Requires all commercial and industrial facilities to submit a site plan and obtain a driveway permit as specified in Section 96.026.

Section 96.041---Facilities Serving or Advertising a Business: Prohibits any permanent facility to be constructed within the bounds of a public right-of-way for the purposes of serving or advertising any business, firm, or corporation.

Section 96.042---Residential Maximums for Driveways: Requires all private driveway entrances to be restricted to a maximum width of 24 feet for any single lot.

Section 96.043---Residential Minimums: Requires every residential lot with a house constructed to have at least one driveway entrance with a minimum width of 15 feet.

Chapter 97: Lake Regulations

Lake Roxboro

Section 97.03---General Regulations: Prohibits any person in and on Lake Roxboro and control strip from (1) engaging in any activities not expressly permitted by this subchapter as designated in the City Code; (2) consuming or under the influence of any impairing substances, including drugs, narcotics, or any intoxicating beverages; (3) engaging in any nuisance or act which would adversely affect the water quality or disrupt the peaceable use and enjoyment of the lake by others; (4) possessing or discharging of any fireworks; (5) possessing or discharging any firearm, except law enforcement officers pursuant to their official duties; (6) engaging in hunting or trapping in any manner; (7) causing any sewage disposal system to enter into the lake or control strip; (8) using or erecting any tarp, camper, or motor home or vehicle for habitation; (9) engaging in any business or commercial activity; (10) engaging in picnicking; (11) causing or allowing any pollutants or contaminants to be discharged into the lake; (12) withdrawing any water from the lake for irrigation or other purposes, except property owners who have written permission from the City; (13) placing any fill material, beach sand, or similar substances on the City owned property around the lake without permission from the City; (14) altering the lake shoreline in any way or clearing the vegetation on the control strip without the permission of the City.

Section 97.04---Permitted Recreational Activities: Requires all permitted recreational activities to be engaged during the times of official sunrise and official sunset. Prohibits (1) any recreational activities to occur within a 50-yard radius of the lake's outlet control structure; (2) any person to be permitted on the control strip for any purpose except the property owners and their guests whose property lines adjoins the control strip; (3) swimming or fishing from or in the area surrounding the lake's dam or the city access ramp. Boats are allowed on the lake so long as the boat displays a valid boat permit, it is no longer than 25 feet, and the speed of the boat will not exceed 25 mph. The boat must also be equipped with at least one approved life preserver for each occupant, at least one oar and bail bucket, and which otherwise meets all state and federal regulations for safety, lighting and seaworthiness.

Section 97.06---Docks and Ramps; Construction and Permit Requirements: Requires all property owners to have a maximum of one dock and one ramp per lot. All property owners who intends to modify or construct a dock on his or her property must first obtain a permit from the City as designated and set for in the City Code. Prohibits docks closer than 100 linear feet or constructing a dock or ramp within 50-yard radius of the outlet control structure of the lake.

Lake Isaac Walton (City Lake)

Section 97.23---Fishing Permits: Prohibits fishing on the lake unless he or she has a valid permit issued by the Game Warden and the payment of an annual fee to the City on or before June 1 of each year.

Section 97.24--- Fishing Regulations: Requires fish caught in the lake to be taken only by rod, line and hooks, and baited with natural or artificial bait. Prohibits netting, shooting, electrocuting, or using any chemicals or explosives to catch fish in the lake.

Section 97.25---Fishing from Bank or Boathouse: Mandates that fishing in the lake must be done by boat only. Prohibits fishing from shore or from boathouses.

Section 97.26---Boats; Purpose and Power Limit: Prohibits (1) riding in or operating any power motor boat on the lake except for fishing purposes, and (2) riding in excess of 25 mph.

Section 9.27---Boat Construction and Equipment: Requires all boats on the lake to (1) be in good condition and sturdy construction; (2) contain at least one standard life preserver for each occupant using the boat; (3) have an auxiliary paddle or oar for emergency use; and (4) have a bail bucket available at all times.

Section 97.28---Point of Origin and Termination: Prohibits commencing or terminating fishing activities from any point on the lake except from the main landings located at the Warden's building.

Section 97.29---Fishing Hours: Prohibits fishing on the lake except from sunrise to sunset during the daytime.

Section 97.31---Boathouse Maintenance; Sale: Requires any person owning or using a boathouse on the lake to keep it clean and avoid any trash on the interior or exterior sections. The Warden has the discretion in determining whether or not this regulation is being conformed to. The sale or trade of any boathouse must be approved by the City Council and must be recorded by both parties at City Hall. Prohibits building any new boathouses on the lake.

Section 97.32---Picnic Parties: Prohibits any person from picnicking on the lake.

Section 97.33---Firearms and Fireworks: Prohibits discharging a gun, pistol, firecracker, or other firearm or fireworks from a boat on the lake or from the lake shoreline.

Section 97.34---Trash: Prohibits depositing or throwing any trash of any nature on the lake or lake shoreline.

Section 97.37---Water Pollution: Prohibits any act tending to impair the purity of the water in the lake or within 200 feet of the lake.

Section 97.38---Sale of Fish: Prohibits selling, bartering or trading any fish taken or caught from the lake.

TITLE XI: Business Regulations

Chapter 110: General Licensing, Taxation, and Regulations

Section 110.17---License and Payment of Fee Required: Prohibits any person or entity to conduct any business within the City until it has been issued a valid permit pursuant to this Chapter and paid the required fee. Person or entities who pick up or deliver goods within the City are not required to obtain a peddles license based solely on the pickup or delivery of goods as part of a transaction for the purchase and sale of such goods.

Section 110.26---Application for License: Requires every application for a license under this Chapter to be submitted to the City Manager in writing, on the appropriate form provided by the City, and must contain all the information as designated and set forth in this section of the City code. Prohibits willfully making a false statement on a license application.

Chapter 111: Alcoholic Beverages

Section 111.01---Consumption, Display of Alcoholic Beverages: Prohibits displaying or consuming any beer, wine, or other intoxicating liquor in any public place or upon any public street, alley, or parking lot that is owned, leased, or maintained by the City. This section does not apply to those persons lawfully selling, purchasing or consuming alcoholic beverages within a designated area during a special event that has been permitted under Chapter 95. Prohibits consuming any intoxicating beverages on private property without the permission of the owner or person entitled to possession of such premises.

Chapter 112: Game Room and Pool Halls

Section 112.02---License Requirements: Prohibits operating a game room without a proper license as required by this section and obtained from the City Council.

Section 112.05---Prohibited Conduct: Prohibits licensees under this Chapter and its employees from (1) permitting any gambling on the licensed premise including the sale or use of any racing, football, or other parlay cards or gambling devices; (2) permitting the licensed premises to become disorderly or using any profane, obscene, or indecent language thereon; and (3) continuing to employ any person who has been convicted of unlawfully selling alcohol or drugs during the in which such person has been employed with the business.

Section 112.06---Rules for Operation of Game Rooms: Requires all operators of game rooms within the City to observe the hours of operation as set by the N.C. Alcoholic Beverage Control laws and set forth in this section of the City Code. Mandates that an adult 18 years of age or older must manage the business during the hours of operation, and all buildings must conform to the State Building Code before operations begins. Prohibits (1) allowing the play of any game during the times when the game rooms are required to be closed; and (2) allowing loud or offensive noises to emanate beyond the licensed premises.

Section 112.21---Location of Pool Rooms: Prohibits the operation of any pool or billiard room or table at any location within the City unless a license is obtained from the City Council.

Section 112.22---Sunday Operation; Hours: Prohibits any pool or billiard room to be kept open for business on Sunday's or between the hours of 11:45 p.m. and 7:00 a.m. of any other day.

Section 112.23---Minor's Not Permitted to Play: Prohibits a minor under the age of 18 to play in any pool or billiard room operated as a private enterprise in the City unless the establishment is not serving alcohol on the premise.

Chapter 113: Taxicabs

Section 113.05---Information Filed by Owner: Requires every owner of a taxicab to maintain a file with the Taxicab Inspector with their name, addresses, telephone numbers, names of all drivers, their license numbers and addresses, and must report any of these changes to the Taxicab Inspector within 48 hours.

Section 113.23---Excess Fare; Failure to Pay: Prohibits the owner or driver of any taxicab to charge or collect from any passenger any fare in excess of the rates prescribed by the Council or for any passenger to fail or refuse to pay any fare charged in accordance therewith.

Section 113.25---Maintenance Record: Requires every taxicab owner to institute a system of regular monthly inspections of all taxicabs and equipment owned and operated by him or her, and otherwise keep all taxicabs in good repair and sanitary condition. A record of all such inspections must be kept by the owner and available to the Taxicab Inspector at all times.

Section 113.26---Defective Vehicles: If the Taxicab Inspector, upon an inspection, determines a taxicab is unsafe or unsuitable for taxicab services, the owner must have such repairs and alterations made as required by the Taxicab Inspector.

Section 113.27---Vehicle Identification: Prohibits any person to operate any taxicab within the City unless the correct name and telephone number of the person or firm owning and operating the vehicle is clearly and visibly marked on both sides of the vehicle in letters at least four inches high. Requires all taxicabs to have an assigned number by the Taxicab Inspector and the number must be painted on the cab as designated and set forth in this section of the City code.

Section 113.28---Lighted Sign: Requires every operated taxicab in the City to have an electrically lighted sign displaying the word “Taxi”.

Section 113.30---Most Direct Route: Requires any driver employed to carry a passenger to a definite point must take the most direct route possible which will carry the passenger safely and expeditiously to his or her destination.

Section 113.31---Parking Next to Taxicab Stands: Prohibits any person operating a motor vehicle to park or to allow to remain stationary in any street adjacent to premises or parking lots designated for the use of taxicabs.

Section 113.32---Stopping at Bus Stop: Prohibits (1) any driver of a taxicab to park or stand at any regular bus stop in the City or otherwise ask or solicit employment at any such bus stop; and (2) any owner of any taxicab to permit or allow any driver employed by them to violate any provision of this section.

Section 113.33---Report of Accident: Prohibits any driver of any taxicab to move after a collision or accident involving the taxicab until the driver has first reported the event to the Police Department and a police officer arrives at the scene and authorizes the moving of the taxicab.

Section 113.45---Required Certificate of Public Convenience: Requires every driver before operating a taxicab in the City must first obtain a certificate of public convenience and necessity from the City Council authorizing the operation.

Section 113.26---Application Form: Requires all person applying to the City Council for a certificate for the operation of one or more taxicabs must file with the Board a sworn application on the form set forth in this section of the City code.

Section 113.48---Fee: The owner of each taxicab which is granted a certificate must pay to the city a cab fee determined by the City Council. This fee is in addition to any other license fees and charges established by the proper authority and applicable to all taxicabs in the City.

Section 113.51---Assignment or Transfer: Prohibits assigning or transferring a certificate without a written application setting forth the purpose, terms and conditions to the City Council. The City council must approve or disapprove of the assignment or transfer after their investigation.

Section 113.57---When Vehicle Retired and Not Replaced: Requires any owner who permanently retires any taxicab from taxicab service and does not replace the same within 30 days thereof must immediately surrender any certificate granted for the operation of the taxicab to the Council. The owner may not be granted any additional certificate for operation of a taxicab without complying with the application process set for in this Chapter of the code.

Section 113.70---Driver Permit Required: Prohibits any driver of any taxicab carrying passengers for hire unless he or she has first applied for and secured a permit from the City Council.

Section 113.75---Identification of Driver: Once a permit is secured under Section 113.70, the permittee must pay a fee for the issuance of an identification card by the Taxicab Inspector. The identification card must contain the contents as set forth in this section of the City code and must at all times be in full view of the passengers riding in either the front or back seats.

Chapter 115: Sexually Oriented Businesses

Section 115.15---License Required: Prohibits any person (1) from operating a sexually oriented business without a valid sexually oriented business license issued by the City pursuant to this Chapter; (2) who operates a sexually oriented business to employ an employee who is not licensed as a sexually oriented business employee by the City pursuant to this Chapter; and (3) from obtaining employment with a sexually oriented business without having secured a sexually oriented business license pursuant to this Chapter.

Section 115.16---Issuance of License: Requires every applicant for issuance of the sexual oriented business license to submit the application to the appropriate city departments for an investigation into the information contained in the initial application. After the investigation, the City must issue a license, unless it is determined by a preponderance of the evidence that one or more of the following findings are true as set forth and designated in this section of the City code.

Section 115.22---Transfer: Prohibits a licensee from transferring his or her license to another person. Also prohibits a sexual oriented business from using a license other than the address designated in their respective application.

Chapter 116: Commercial Solicitation

Section 116.03---Permit Required: Prohibits any person to conduct business within the City as a door-to-door salesman, merchant, or peddler until they have obtained a commercial solicitation permit in accordance with this Chapter and paid the \$10 administrative fee to the City for processing the permit. Requires (1) conducting the activity between the hours of 9:00 a.m. and 8:00 p.m.; (2) carrying the permit at all times and displaying the permit when requested by a police officer or person solicited; and (3) all other permits or licenses required by law have been obtained, including any applicable city privilege license.

Section 116.08---Revocation of Permit: Permits issued under this Chapter may be revoked by the City Police Chief, after notice and hearing for any of the following causes: (1) any fraud, misrepresentation, or false statement contained in the permit application or made in connection with the selling of goods, merchandise, or services; (2) any violation of this Code and/or other City ordinance; (3) conducting the activity in an unlawful manner or in manner as to constitute a breach to the peace or otherwise a menace to the health, safety, morals or general welfare to the public; and (4) when it is shown that the applicant has been arrested for a felony or misdemeanor under G.S. § 66-257 or a misdemeanor involving theft, fraud, forgery, moral turpitude, criminal trespass, or a threat to the public safety during the permit period.

Section 116.09---Exemptions: The following are exempt from the provisions of this Chapter and are not required to have a permit for commercial solicitation: (1) the delivery of goods or services which have been ordered before delivery; (2) the circulation of petitions for signatures or lawful distribution or promotion of advertising materials expressing political, social, or religious matters; (3) the selling or offering for sale of goods, wares, merchandise, food, periodicals or services by bona fide members or representatives of charitable, religious, civic, educational or fraternal organizations who receive no compensation, and such sale or offering by children under the age of 18 who are students in a public or private school for activities; (4) the solicitation of contributions or pledges for bona fide nonprofit organizations; and (5) the selling of an individuals personal property at a yard sale on the individuals private residence.

Section 116.10---Commercial Solicitation Prohibited Near Right-of-Way: Prohibits any person from (1) conducting any business as an itinerant merchant or peddler within 20 feet of any right-of-way in the City; or (2) standing or loitering in the main traveled portions of any City or State highway or street, or stopping any motor vehicle for the purpose of soliciting employment, business or contributions from the driver or occupant.

Chapter 117: Tattooing and Body Piercing

Section 117.03---Permit Required: Prohibits any person to conduct business as a tattoo artist within the City until such person has obtained a permit from the State of North Carolina, Person County Department of Environmental Health, and a zoning compliance permit and certificate of occupancy issued pursuant to the unified development ordinance.

Section 117.04---Restrictions: Prohibits (1) tattooing the arm, limb, or body part of any person under the age of 18 years old; and (2) piercing any part of the body, other than the ears, of any person under the age of 18 for the purpose of allowing the insertion of earrings, jewelry, or similar objects into the body, unless prior consent is obtained from the custodial parent or guardian.

Section 117.05---Rules for Operation: Requires all tattooing and/or body piercing businesses to observe to the standard hours of operations as set forth in the City UDO. Prohibits (1) any services from being conducted during the times when business is required to remain closed; and (2) any person under the age of 18 from managing the business during hours of operation.

TITLE XIII: General Offenses

Chapter 130: General Offenses

Section 130.01---Damage to City Property: Prohibits any person from injuring, defacing, or otherwise damaging any property belonging to the City or to any City department, including but not limiting to cemetery property, waterworks, and property of the Fire Department.

Section 130.02---Firearms: Prohibits any person from shooting or discharging any gun, pistol or similar device which constitutes a deadly weapon within the corporate limits of the City or

property owned by the City. This section does not apply with acts properly taken under Section 92.26 of the City Code. It is a defense to a charge under this section if the firearm was discharged in a lawful defense of person or property, or pursuant to the lawful directions of a law enforcement officer.

Section 130.03---Spitting on Sidewalks or Public Buildings: Prohibits spitting on City sidewalks or upon the steps, floors, walls or any other part of any public building.

Section 130.04---Playing on Streets and Sidewalks: Prohibits any person, unless expressly allowed by a permit issued pursuant to Chapter 95, from playing any game or throwing any stone, ball or other missile in or onto the City streets or sidewalks.

Section 130.05---Burning on Pavement: Prohibits burning any refuse or other material on the paved City streets or sidewalks.

TITLE XV: Land Usage

Chapter 151: Housing and Building Code

Section 151.04---Owners Responsibilities Generally: An owner is liable for the duties imposed by this Chapter even though: (1) an obligation is also imposed on the occupants; or (2) the owner has, by agreement, imposed on the occupant(s) the duty of furnishing required equipment or complying with this Chapter. Requires every owner of a dwelling containing two or more dwelling units to be responsible for maintaining the shared or public area in a clean and sanitary condition. All owners are responsible for the availability of rubbish and garbage storage facilities.

Section 151.05---Occupants Responsibilities Generally: Requires every occupant of a dwelling unit to (1) keep that part of the dwelling unit which he or she occupies and controls in a clean and sanitary condition; (2) dispose of all rubbish and garbage in a clean and sanitary manner by placing it in the supplied storage facilities; and (3) keep all supplied plumbing fixtures in a sanitary condition and responsible for exercising reasonable care in its proper use and operation. Prohibits destroying, defacing, or impairing any of the facilities or equipment, or any part of the structure of a dwelling or dwelling unit they are occupying.

Section 151.06---Conditions Rendering Residential Buildings Unfit for Human Habitation: Every dwelling and dwelling unit used for human habitation must comply with all of the minimum standards for fitness for human habitation as set forth in this section, and all other applicable requirements of this Chapter of the City Code. Prohibits any person from occupying or letting another to occupy or use for human habitation any dwelling or dwelling unit which does not comply with the minimum standards for fitness or is otherwise determined by the City Inspector to be an unfit condition for human habitation as set forth in this section of the City Code.

Section 151.07---Declaration of Unsafe Non-Residential Building or Structure: Requires every structure within the City's jurisdiction to be deemed in violation of this Chapter whenever such structures constitutes as a hazard to the health, safety, or welfare of the City citizens. The City's enforcing agent may declare a non-residential structure or building to be unsafe as a result of: (1) vacancy or abandonment; (2) conditions causing or contributing to blight, disease, and/or safety hazards; (3) the attraction of insects, rodents, and/or snakes; (4) conditions creating a fire hazard; (5) dangerous conditions constituting a threat to children; (6) repeated use of such structures in the absence of sanitary facilities for living, sleeping, cooking or eating; (7) in violation of the State Building Code or Fire Prevention Code; and (8) violation of the standards established by this Chapter of the City Code. It is no defense to enforcement of this provision that an unoccupied building has been secured by boarding up the doors, windows, or other entry points. If a building remains unoccupied and boarded up for a period of more than one year, it must be taken as evidence that the owner(s) have abandoned their intent and purpose to repair, alter or improve the building

Section 151.08---Unlawful to Rent or Occupy Property After Expiration of Time Limits: Requires any order issued and served in accordance with this Chapter that a dwelling or dwelling unit be closed and vacated must comply with said order within the time specified. Prohibits any person with knowledge of the issuance of the order from occupying any portion of the building under the order for any purpose. Upon notification from the enforcing agent that the building is unfit for human habitation and correction of defects and vacating has expired, prohibits any person from receiving rentals, offers for rent, or occupying said building or dwelling unit for any purpose.

Section 151.09---Unauthorized Removal of Orders, Notices: Prohibits removing or permitting the removal of any complaint, notice, or order posted in accordance with this Chapter, without the written consent from the City Inspector.

Section 151.24---Failure to Comply with Order: If the owner of any unsafe, unfit, or abandoned dwelling or building structure fails to comply with an order by the City Inspector, the City Council may direct that the inspector have the building or dwelling repaired, altered and repaired, or vacated and closed. Any person who occupies or knowingly allows the occupancy of any (1) non-residential building after said building is closed will be guilty of a Class 3 misdemeanor; or (2) residential building after said building is closed will be guilty of a Class 1 misdemeanor.

Chapter 157: Riparian Buffers

Section 157.08---Enforcement Provisions: Upon inspection or investigation, if the Public Services Director or his/her designee's is in the opinion that any person has violated any of the riparian buffer provisions of this Chapter, he or she must promptly issue a written notification to the person setting forth a reasonable time for the abatement and correction of the violation. If it is determined that the violation or violations continue after the time fixed for abatement and correction has expired, the Director shall issue a citation by certified mail to the person who is in violation. Penalties that may be assessed for those deemed to be in violation may include (1) a criminal penalty in the form of a fine of not more than \$500 for each violation or imprisonment

for not more than 90 days or both. Every day that such violations shall continue will be considered a separate offense; and (2) anyone who knowingly makes any false statements in any application, record, plat or plan required by this chapter shall upon conviction be punished by a fine of not more than \$500 for each violation or imprisonment for not more than 30 days or both.

City of Roxboro's Unified Development Ordinance (UDO)

Article 4. Legislative/Quasi-Judicial Procedures:

Section 4.11.1.2---Evidence/Presentation of Evidence: Every person who intends to present evidence to the decision-making board must be sworn in by the Chair of the Board. Any person who, while under oath during a proceeding before the decision-making board, willfully swears falsely will be guilty of a Class 1 misdemeanor.

Article 9. Design Standards

Section 8.82.3.16---Issue Stop-Work Orders as Required: Whenever a building is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the Floodplain Administrator may order the work to be immediately stopped. The stop-work order must (1) be in writing and directed to the person doing or in charge of the work; and (2) state the specific work to be stopped, the specific reason(s) for the stoppage, and the condition(s) under which the work may be resumed. Violation of a stop-work order will constitute as a misdemeanor under this section.