



TOWN OF RURAL HALL

LIST OF ORDINANCE OFFENSES PUNISHABLE AS A MISDEAMEANOR

SESSION LAW 2018-69

As of November 30, 2018

ABANDONED STRUCTURES - As provided by GS 160A-446(6), the amount of the cost of any removal or demolition caused to be made or done by the code enforcement officer pursuant to this ordinance shall be a lien against the real property upon which such cost was incurred. Such lien shall be filed, have the same priority, and be enforced and the cost collected as provided by Article 10, Chapter 160A of the General Statutes. Neither this ordinance nor any of its provisions shall be construed to impair or limit in any way the power of the Town to define and declare nuisances and to cause their abatement by summary action or otherwise, or to enforce this ordinance by criminal process, and the enforcement of any other remedy or remedies provided herein or in other ordinances or laws.

ANIMALS – Ordinance includes Regulating animals running at large, under constraint and considered a public nuisance.

- (1) First Violation..... \$ 50.00
- (2) Second Violation..... 75.00
- (3) Third Violation..... 100.00

Each violation of any provision shall constitute a separate offense. For the purpose of determining how many offenses have been committed, and for determining the appropriate penalty, each offense shall remain on the books of the Animal Control Office for a period of three (3) years. Subsequent to three (3) years' expiration, the offenses shall be removed from the books.

CONCEALED WEAPONS - Any person who possesses or carries a weapon on Town property where prohibited shall be punished as provided by State Law.

DISCHARGE OF FIREARMS – Regulates, restricts and prohibits the discharge of firearms within the Town. Violation of this ordinance or any section thereof shall constitute a misdemeanor, punishable by law.

GOLF CARTS - Violation of the provisions of this ordinance shall be an infraction, the maximum penalty for which shall be fifty dollars (\$50.00) per occurrence. Notwithstanding the foregoing, persons who, while driving golf carts on public streets within the Town, violate the "Rules of the Road" applicable to motor vehicles generally as set forth in Part 10 of the NCGS Chapter 20, shall be subject to the same penalties applicable to the operators of such other motor vehicles.

GRAFFITI - A violation of this ordinance shall constitute a class 3 misdemeanor and shall subject the offender to a fine of not more than \$500. In addition to any other punishment imposed, the court may order the person convicted of a violation of any provision of this ordinance to make restitution to the victim for the damage or loss suffered as a result of the offense. The court may determine the amount, terms, and conditions of restitution.

MINIMUM HOUSING CODE - When the Code Administrator finds that a building is unfit for human habitation or dangerous within the meaning of this ordinance and has notified the owner to such effect and the time limit set by the Code Administrator for the correction of defects or vacating same has expired, no person shall receive rentals, offer for rent or occupy such building unfit as a human habitation, and each day such offense continues shall be deemed a separate offense. Any person violating these provisions shall be guilty of a misdemeanor, and upon conviction of such, offenders shall be punished by a fine of not more than fifty (\$50.00) dollars for each separate offense. The violation of any provision of this code shall constitute a misdemeanor, as provided by North Carolina General Statute 14-4.

NOISE – Any person violating any provision of this article, upon conviction, shall be punished by a fine not to exceed fifty dollars (\$50.00). Each day such violation shall occur shall constitute a separate offense.

NUISANCES – The initial cost for town abatement of noxious weeds and/or refuse causing or threatening to cause a nuisance dangerous and prejudicial to the public health or safety is five hundred dollars (\$500.00) to go onto the property, which covers the first hour. Each additional hour thereafter or fraction thereof, the owner of such lot or parcel of land is to be billed four hundred dollars (\$400.00) per hour by the Town in removing or otherwise remedying the public nuisance. In the event charges for the removal of abatement of a public nuisance are not paid within thirty (30) days after receipt of a statement of charges as provided for in Section 5 of this ordinance, such charges shall become a lien upon the land or premises where the public nuisance existed and shall be collected as unpaid taxes, as provided in G.S. 160A-193.

PARKS & RECREATION - Any person who shall violate the provisions of this ordinance shall be guilty of a misdemeanor punishable by a fine of not more than \$50.00, or imprisonment for not more than thirty (30) days, or both, in the discretion of the court, as provided by Section 14-4 of the General Statutes of North Carolina.

PEDDLING & SOLICITING – Violation of obtaining a permit and abiding by solicitation rules shall constitute a misdemeanor punishable by law.

SANITARY SEWER SYSTEM – Any user who willfully or negligently violates any provision of this article or falsifies any information or data in any application, plans, reports or other document given to the town under this article shall be guilty of an unlawful act punishable by a fine or imprisonment, or both, as provided by GS 14-4. Any user who violates any provisions of this article shall be subject to imposition by town council of a civil penalty not to exceed one hundred dollars (\$100.00) per day for each violation, and, in addition, shall reimburse the town, upon demand, for any expenses, loss or damage actually sustained by the town to its sewer system, treatment plant, treatment process or receiving water as a result of such violation, and for the amount of any fine or penalty imposed upon the town by any state or federal regulatory agency as a result of such violation. A civil penalty shall be assessed only after the town has given the alleged violator notice of contemplated council action, and a hearing if requested. The purpose of such hearing is to allow the alleged violator to show cause before the town council why the contemplated action should not be taken.

All ordinances in their entirety, except for the Sanitary Sewer System, can be found at www.ruralhall.com.

Effective March 1996, the Town merged its water and sewer system with the City/County Utilities Commission in Winston-Salem; therefore, the water and sewer ordinances no longer pertain to the Town of Rural Hall. Staff is reviewing ordinances related to such to determine if they should be recommended for rescinding.