

Town of Shallotte

Any violation of any provision of this Stormwater Management Ordinance, including but not limited to illegal discharge, shall constitute a misdemeanor and subject the violator to a criminal fine of five hundred dollars (\$500.00) or imprisonment for up to twenty (20) days as provided in NCGS §§14-4 and 15A-1340.23.

(1) First time offenders will be assessed a civil penalty of one hundred dollars (\$100.00) per violation or per day for a continuing violation if the quantity of the discharge is equal to or less than five (5) gallons and consists of domestic or household products. If the quantity of the discharge is greater than five (5) gallons or contains non-domestic substances the offending party will be assessed a civil penalty of two hundred fifty dollars (\$250.00) per violation or per day for a continuing violation.

(2) Penalties imposed upon repeat offenders willfully committing violations which are identical or substantially similar to previous violations will be double the amount assessed for the prior violation, but will in no event exceed ten thousand dollars (\$10,000.00) per violation or per day for a continuing violation.

All other acts or conditions constituting a violation of this Article shall subject the offender to a civil penalty of two hundred dollars (\$200.00).

Violations of the provisions of this Ordinance or failure to comply with any of its requirements, including violations of any conditions and safeguards established in connection with grants of variances or conditional use permits, shall constitute a misdemeanor, punishable by a civil penalty of up to \$100 for each day the infraction occurs, or a maximum 30 days imprisonment, or both unless otherwise specified in this Ordinance.

Compliant political signs shall be permitted during the period beginning of the 30th day before the beginning date of "one stop" early voting under G.S. 163-227.2 and ending on the 10th day after the primary or election day, person(s) may place political signs in the right-of-way of the State or Local highway system as provided in this section.

It shall be a Class 3 misdemeanor for any person to steal, deface, vandalize, or unlawfully remove a political sign that is lawfully placed with regard to this section. Furthermore, language discussed in G.S. 136-32 shall be applied to this section. (Ord. 10-09, 6/1/10; Ord-14-05, 7/1/14)

Any violation or attempted violation of this Article or of any condition or requirement adopted pursuant hereto may be restrained, corrected or abated, as the case may be, by injunction or other appropriate proceedings pursuant to state law. A violation of this Article shall be considered a violation of the zoning ordinance of the Town.

Violations of these provisions of this Article, or failure to comply with any of its requirements, including violations of conditions and safeguards established in connection with grants of variance or special exception, shall be subject to a civil penalty. The offender shall pay the civil penalty into the office of the Town Clerk within seventy-two (72) hours following the receiving

the receipt of the citation. Each days continuing violations shall be separate and distinct civil offenses and shall be subject to a fifty dollar (\$50) civil penalty.

If said civil penalty is not paid within seventy-two (72) hours, in accordance with G.S. 160A-175, violations of any provision of this Article shall be a Class 3 misdemeanor as provided in G.S. 14-4 punishable upon conviction by a fine not to exceed \$500 or by imprisonment not exceeding thirty (30) days.

Violation of the provisions of this Ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$50.00 or imprisoned for not more than thirty (30) days, or both. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Town of Shallotte from taking such other lawful action as is necessary to prevent or remedy any violation.

It shall be unlawful for a sexually oriented business, regardless of whether in a public or private facility, to operate as a massage salon, massage parlor, or any similar type business where any physical contact with the recipient of such services is provided by a person of the opposite sex. Violation of this Section shall constitute a misdemeanor.

It shall be unlawful for any person or persons to manufacture or sell any spirituous liquors, or to sell any wine, cider, malt liquors or any other intoxicating drink within the limits of said town or within one and one half (1 1/2) miles of the outer limits of said town; and any [sic] person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding \$50 or imprisoned for not more than 30 days, in the discretion of the court.

From and after the ratification of this act, it shall be unlawful for any person to hunt, kill or trap any birds within the territorial limits referred to in section 1 of this act. Any person violating the provisions of this section shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than \$50 or imprisoned not more than 30 days.

It is and shall hereafter be required that any individual corporation or other entity desiring to operate any cable television system for any facilities therefor within the boundaries of the town, first obtain a franchise to do so upon the granting thereof by the Board of Aldermen, to it (them) upon reasonable terms consistent with the rules and regulations of the Federal Communications Commission.

Any person, individual, corporation or other entity violating any provision of this chapter shall be guilty of a misdemeanor, punishable upon each conviction thereof, each day's operation constituting a separate violation, by a fine of not more than \$50 or imprisonment of not more than 30 days, or both, as provided by G.S. § 14 4.

Pursuant to the authority granted under G.S. §§ 160A 178 and 160A 194, as amended, the activity of peddling, soliciting and conducting business as an itinerant merchant or transient vendor within the limits of the town is prohibited.

Violation of any provisions of this chapter is a Class 3 misdemeanor as provided in G.S. § 14-4 and is punishable upon conviction by a fine not to exceed \$500 or imprisonment not to exceed 30 days.

In addition to constituting a misdemeanor, any person who violates any provisions of this chapter shall be subject to a civil fine by the Town Administrator or his or her designee. The offender shall pay the civil penalty at the Town Hall within 72 hours following the receipt of the citation. Each separate and distinct offense shall be subject to a civil penalty as follows:

Individual Violators

Business Violators

(1) First offense

\$10

\$50

(2) Second offense

\$50

\$100

(3) Third offense

\$100

\$250

(4) Each successive offense

\$500

\$500

If any person, being the owner or keeper of a dog or dogs respecting which an order of abatement has been issued, shall fail or refuse to abate the nuisance as ordered, he or she shall be guilty of a misdemeanor, punishable as set forth in § 91.99.

Any person, being the owner or keeper of a dog or dogs who shall fail or refuse to abate the nuisance as set forth in this chapter, shall be guilty of a misdemeanor, punishable upon conviction by a fine not exceeding \$50 or imprisonment not exceeding 30 days.

Criminal remedies. Any person who shall violate or fail to comply with any provisions of this code shall be guilty of a Class 3 misdemeanor and shall be fined. Each day that such violation continues shall constitute a separate and distinct criminal offense. Punishable as hereinbefore provided and fined \$100 per violation type per day until violation(s) have been abated.

Civil penalties. In addition to or in lieu of criminal penalties set forth in division (B)(1), violation of or failure to comply with the provisions of this code shall carry a civil penalty of \$100 for the first violation, \$300 for the second violation, and \$500 for the third and subsequent violations, except that any

violation for locked exit doors, blocked egress or overcrowding shall subject the offender to civil penalty of \$500. Each day's continuing violation shall constitute a separate offense as provided by G.S. § 160A 175(g). Each day such violation(s) continues, however, shall be a separate and distinct offense, punishable as hereinbefore provided and fined \$100 per day.

Prohibited burning

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.