

CUMBERLAND COUNTY, NORTH CAROLINA

CODE SECTION / ORDINANCE CRIMINAL PENALTY LISTING

The following table sets forth code (and uncodified ordinance) sections, violations of which impose a criminal penalty under G.S. 14-4(a). This listing excludes civil penalties which can be imposed in addition to criminal penalties, and provisions imposing only civil (not criminal) fines and penalties.

CODE SECTION / ORDINANCE	DESCRIPTION OF CONDUCT	PENALTY
3-12	Injuring, poisoning, trapping animals	Per § 3-81(d), Class 3 misdemeanor; max \$200 fine or max 20 days imprisonment
3-14(b)	Improper harboring of a stray animal	same
3-15	Keeping a nuisance animals	same
3-16	Animal fighting and possession of fighting paraphernalia prohibited	same
3-17	Unlawful harboring or commerce in wild/exotic animals	same
3-18	Inhumane or cruel treatment of any animal	same
3-19	Animals running at large	same
3-23	Mistreatment, abandonment of animals	same
3-26	Keeping unlawful number of dogs at certain premises	same
3-27	Improper sanitation	same

3-34	Failure to register dangerous dog in required time	same
3-40	Violation of assorted rabies control duties	same
3-41	Unlawful interference with animal control personnel	same
3-42	Unlawful possession of dog or cat without privilege license tax paid	same
3-53	Duty to fasten animal registration tag	same
3-70	Unlawful keeping of chickens or rabbits	same
3-71	Unclean stables, etc.	same
3-72	Unlawful grazing of animals on public property	same
3-73	Duty to dispose of dead animals	same
3-74	Unlawful sale of animals on public property	same
4-5	Contractors must be licensed to receive permits to work	Default to General Penalty, max \$50 fine or max 30 days imprisonment
4-7	Contractors must be registered with the county	same
4-8	Permit required to build, alter, repair, move, or demolish building	same
4-71	Dwellings must comply with required minimum housing standards in Chapter 4, Art. IV, Division 2	same
4-150	Permit required to do insulation work	same
4-185	Failure to display specific address numbers	Max \$500 fine or max 30 days imprisonment per § 4-194
4-193	Violation of street/road name and sign requirements	same

5-4	Obstruction of emergency management forces	Default to General Penalty, max \$50 fine or max 30 days imprisonment
5-11	Violation of emergency management regulations	same
5-27	Misuse of 911 system	Misdemeanor; \$500 fine
6-5	Land-disturbing activity without erosion control plan	Misdemeanor; max \$5,000 fine max imprisonment 90 days, or both, per G.S. 113A-64
6-21	Mandatory standards for land-disturbing activity	same
6-23	Stormwater outlet protection	same
6-27	Maintenance of sediment control measures during land-disturbance activities	same
6-28	Unlawful land-disturbing activity without county permit	same
6.2-34	Prohibited installation of aboveground storage tanks	Per § 6.2-42: Misdemeanor; \$500 fine for major violation, \$100 fine for minor violation; confinement as state law may provide
6.2-37	General regulations concerning alarm systems	same
6.2-41	Violation of fire prevention code	same
6.5-23	No development in area of special flood hazard without permit	Per § 6.5-56: Misdemeanor, max \$500 fine
6.5-29	No structure/land located, altered, etc. in non-compliance with flood damage prevention chapter	same
6.5-41	General standards required for special flood hazard areas	same
6.5-42	Specific standards required for certain special flood hazard areas	same
6.5-44	Standards re small streams in areas of special flood hazard	same

6.5-46	Standards for areas of shallow flooding	Per § 6.5-56: Misdemeanor, max \$500 fine
7-183	Prohibited practices by masseuse, massage business, etc.	Default to General Penalty, max \$50 fine or max 30 days imprisonment
7-184	Patronage of massage parlors by minors	same
7-185	Unlawful nudity at place of massage	same
7-186	Unlawful sleeping quarters at massage or health club	same
7-187	Massage or bath by person of opposite sex	same
7-188	Sanitation standards at massage business	same
7-189	Standards of safe lighting at licensed massage business	same
7-190	Posting of fire evacuation plan at massage business	same
7-191	Required fire protection equipment at massage business	same
7-192	Lawful hours of operation of massage business	same
7-194	Massage business to maintain records of patrons	same
7-211	Massage business and employees must have permits	same
7-214	Massage business employees' names to be file with county sheriff	same
7-215	Massage business licensees not to impeded county inspections	same
7-223	County franchise required to operate private ambulance service	same
7-228(c)	Ambulance service not to discriminate when providing service	same

7-238	Ambulance franchisees must report calls to EMS director	Default to General Penalty, max \$50 fine or max 30 days imprisonment
7-252	Permit required for secondhand precious metal dealers	same
7-256	Precious metal dealers must keep records of transactions	same
7-257	Metals dealers must keep goods for four days minimum	same
7-258	Metals dealers generally prohibited from purchasing from minors	same
7-259	Metals dealers not to use unregulated premises	same
7-303	Prohibited display of sexually explicit materials	same
7-323	Failure to render occupancy tax return or funds	Misdemeanor; max \$1,000 fine or max 6 months imprisonment, or both
7-324	Evasion of food and beverage tax	same
7-352	Unlawful conduct allowed by person operating movie arcade	max \$50 fine or max 30 days imprisonment
7-353	Operating movie arcade without county permit	same
7-358	Movie arcade viewing areas, visibility standards	same
7-390	Willful failure to evade payment of gross receipts tax	same
9.5-1	Taunting sheriff's office K-9 dogs	Misdemeanor; max \$50 fine or max 30 days imprisonment
9.5-22	Violation of noise standards in §§ 9.5-23 – 9.5-28	Misdemeanor; max fine less than \$500, per § 9.5-32(b)
9.5-29	Unlawfully loud barking by dog	same
9.5-30	Unlawfully loud noise from various sound amplification devices	same

9.5-30.1	Loud and disturbing noise	Misdemeanor; max fine less than \$500, per § 9.5-32(b)
9.5-127	Non-juvenile in violation of curfew provisions in Chapter 9.5, Art. X	Misdemeanor; max fine \$100, imprisonment not greater than 30 days
9.5-142	Unlawful sale, use, etc. of pyrotechnic devices	Misdemeanor; max fine \$50, imprisonment not more than 30 days
9.5-143	Unlawful sale of pyrotechnics to minors	same
9.5-144	Unlawful distribution of pyrotechnics to minors	same
9.5-145	Unlawful possession or use of pyrotechnics in certain areas	same
9.5-150	Prohibited activity within 1,000 feet of school	Misdemeanor, max \$500 fine
9.5-151	Disruptive activities, gang members and weapons near school	same
11-21	Improper storage of solid waste	Misdemeanor; \$500 fine and “confinement as the law of North Carolina may provide”
11-22	Unlawful storage of solid waste as littering	same
11-24	Proper storage of scrap tires	same
11-32.3	Improper use of county solid waste collection facilities	same
11-32.4	Failure to contain solid waste in transport vehicle to collection facility	same
11-35.2	Prohibited commingling of certain solid wastes	same
11-35.5	Improper mixing of hazardous materials or medical waste with other solid waste	same
11-41.2	Permit And identification required for access as solid waste collector	same
11-41.3	Unauthorized entry to county landfill prohibited	same

11-42	Assorted regulations concerning county landfill use	Misdemeanor; \$500 fine and “confinement as the law of North Carolina may provide”
11-43	Improper disposal of recyclable materials	same
11-44	Improper disposal of scrap tires	same
11-45	Improper disposal of hazardous materials and medical waste	same
11-47	Improper establishment of private waste disposal site without state authority and county board	same
14-54	Owner responsibilities for water and sewer connections	Class 3 misdemeanor; max \$500 fine and max 20 days sentence
14-55	Separate water and sewer connections required	same
14-60	New bldg. connection requiring bldg/zoning permit	same
14-62	Prohibited customer activities re water and wastewater	same
14-63	Prohibited cross-connections, etc.	same
App. B, Sec. 6.5	Improper transfer of land not yet property approved under Subdivision requirements	Misdemeanor; default to General Penalty

NOTE re GENERAL PENALTY in CODE

County code § 1-11 imposes a general penalty as a default penalty “where no specific penalty is provided” for a given section. The general penalty for acts “declared to be unlawful or an offense or a misdemeanor” is a fine of not more than \$50.00 or imprisonment for not more than 30 days.

Special note: Penalties regarding imposition of the privilege license tax sections (from Chapter 7) are not listed, in light of repeal of the privilege license tax provisions formerly in the North Carolina General Statutes.