

## FRANKLIN COUNTY, NC

### CRIMINAL PENALTY LISTING

*The following table sets forth code sections, and ordinance provisions, if any, that impose a criminal penalty for misdemeanors under or authorized by G.S. 14-4(a). This listing excludes provisions imposing only civil fines and provisions imposing civil fines that may be imposed in addition to criminal penalties. (See the bottom of the final page for notes concerning the county's general penalty.)*

CODE §	DESCRIPTION	PENALTY
6-7	Cruelty to animals	<sup>1</sup> Misdemeanor—Max fine of \$50.00 or up to 30 days incarceration
6-8	Animals at-large and wandering stray	<sup>2</sup> Same
6-9	Animals creating nuisance	Same
6-10	Confinement and control of inherently dangerous mammals	Same
6-11	Confinement and control of exotic animals	Same
6-12	Required notification to animal control director by the owner of a potentially dangerous animal	Same
6-13	Confinement, control, and designation of dangerous animals	Same
6-15	Dogs or other animals used for sentry or guard duty	Same
8-22	Building permit procedure (administration)	G.S. § 14-4 Misdemeanor—Max fine of \$50.00 or up to 30 days incarceration
8-59	Addressing properties and buildings.	Misdemeanor—Max fine of \$50.00 or up to 30 days incarceration
8-77	Qualifications for installation of insulation or other materials or energy utilization equipment	Misdemeanor—§ 1-6, General penalty
8-83	Permit required for installation of insulation or other materials or energy utilization equipment	Misdemeanor—§ 1-6, General penalty

<sup>1</sup> Sections 6-8 through 6-15 listed above are designated as Class 3 misdemeanors (in section 6-2) which, under G.S. 14-4, are subject to a maximum fine of \$50 (unless the county specifies a higher fine—up to a maximum of \$500, which in this instance it does not). Section 6-7, however, states that violation of it constitutes a Class 1 offense. Assuming “offense” means misdemeanor, the maximum fine is \$1,000 which is beyond the authority given in G.S. 14-4. I have assumed for purposes of this listing that the county intended that all these animal related violations be subject to the same penalty. NOTE: Class 1 penalties (2) included in the UDC have been omitted as not derived from G.S. 14-4.

<sup>2</sup> Section 6-2 provides that the penalty for violations of article II, which includes the rabies related provisions listed, shall be “those penalties otherwise set out in state law.” G.S. § 130A-25 provides that violations of chapter 130A are misdemeanors. The penalties shown assume that the reference to state law penalties is a reference to the criminal penalties of G.S. 14-4 as shown.

CODE §	DESCRIPTION	PENALTY
10-26	Violations of emergency management regulations; obstruction, etc. of emergency management personnel	Same
10-70	Violations of prohibition or restriction imposed by proclamation of local emergency	G.S. § 14-4 Misdemeanor—Max fine of \$50.00 or up to 30 days incarceration
14-32	Violations of county hazardous waste and low-level radioactive waste management regulations	G.S. § 14-4 Misdemeanor—Max fine of \$50.00 or up to 30 days incarceration
14-56	Violations of county noise regulations	Class 3 Misdemeanor—Max fine of \$50.00 or up to 30 days incarceration
14-81	Obstruction of extinguishment of fire, etc.; refusal to obey lawful common of fire marshal, fire chief, etc.	G.S. § 14-4 Misdemeanor—Max fine of \$50.00 or up to 30 days incarceration
18-44	Violation of county regulations for the safe discharge of firearms at turkey shoots	Same
19-12	Violation of county flood damage prevention regulations (section 19-1 et seq.)	Misdemeanor—Max fine of \$500.00 or up to 30 days incarceration
19-15(16)	Violation of stop work order	Misdemeanor—§ 1-6, General penalty
19-16	Failure to comply with order to take corrective action	Misdemeanor—§ 1-6, General penalty
20-3	Violation of county watershed protection overlay district regulations	G.S. § 14-4 Misdemeanor—Max fine of \$500.00 or up to 30 days incarceration
20-5	Violation of county park rules and regulations	Same
24-5	Violation of county solid waste regulations, including littering and dumping	G.S. § 14-4 Misdemeanor—Max fine of \$500.00 or up to 30 days incarceration
25-4	Other violations of county zoning ordinance	G.S. § 14-4 Misdemeanor—Max fine of \$500.00 or up to 30 days incarceration
28-23	Willful evasion of tax on short-term rental or lease of motor vehicles	Misdemeanor—§ 1-6, General penalty
30-37	Unlawful connection to franchised cable television system	Misdemeanor—§ 1-6, General penalty
34-1	Certain tap-ons county sewer outfalls prohibited	Misdemeanor—§ 1-6, General penalty

CODE §	DESCRIPTION	PENALTY
34-128	Violation of mandatory restrictions on outdoor water use	G.S. § 14-4 Misdemeanor—\$200 for second violation, \$500.00 for third violation or up to 30 days incarceration
34-158	Violation of county water regulations (section 34-155 et seq.)	G.S. § 14-4 Misdemeanor—Max fine of \$50.00 or up to 30 days incarceration