

## Gaston County, North Carolina Criminal Offenses Ordinance Reporting

ORDINANCE	SECTION NUMBER	BACKGROUND INFORMATION	DESCRIPTION
<b>GENERAL PROVISIONS</b>	Section 1-9	Chapter 1 is the general provisions of the Gaston County Ordinances	In addition to civil remedies, allows remedies of G.S. 153A-123 to be used
<b>ANIMALS</b>	Section 3-13	Chapter 3 concerns animal related issues such as impoundment, cruelty, licensing	"Any person violating the provisions of this chapter may be found guilty of a misdemeanor under G.S. 14-4 and as provided in G.S. 153A-123
<b>BUILDING AND MIN. HOUSING</b>	Section 4-72	Concerns erosion and sedimentation control plans	subsection c; "any person who knowingly or willingly violates any provision of this article...shall be guilty of a Class 2 misdemeanor..."
<b>BUILDING AND MIN HOUSING</b>	Section 4-141	Minimal housing ordinance	"Neither this article...shall be construed to impair or limit in any way the power of Gaston County to define and declare nuisances and to cause this article by criminal process as authorized by G.S. 14-4..."
<b>EMERGENCY MANAGEMENT</b>	Section 5-8	Emergency Management ordinance	"...such violator shall be punished or held liable pursuant to G.S. 14-4, 14-288.20A, and 166A-19.62, Gaston County Code of Ordinance Section 1-8, and any other applicable law or ordinance.
<b>EMERGENCY MANAGEMENT</b>	Section 5-5.5-38	Stormwater ordinance	subsection b; "any person violating any provisions of this chapter shall be guilty of a misdemeanor and, upon conviction, shall be punished in accordance with G.S. 14-4
<b>FINANCE AND TAXATION</b>	Section 6-1(j)(6),(7)	Provisions concerning certain leases subject to taxation	"any taxpayer required to collect [tax]...who willfully fails to collect...shall be guilty of a Class 1 misdemeanor." "Any taxpayer required to pay any tax....who willfully fails to pay the tax...shall be guilty of a Class 1 misdemeanor"

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<b>GARBAGE AND TRASH</b>	Section 7-15	Storage and keeping of various wastes	"this provisions of this chapter may be enforced....in accordance with the provisions of G.S. 153A-123
<b>HEALTH AND SANITATION</b>	Section 8-32	Public watersupply	"Any person violation any provision of this article shall be guilding of a misdemeanor...as provided by N.C.G.S. 14-4 and 130A-25."
<b>OCCUPATIONAL LICENCES...</b>	Section 10-74	Wrecker operator must respond for calls for assistance	"...any person violating the provisions of section 10-73 may be found guilty of a misdemeanor..."
<b>OCCUPATIONAL LICENCES...</b>	Section 10-155	adult establishments	"Any person who violates any provisionof this article shall be guilty of a midemeanor as stated in N.C. General Staute 14-4..."
<b>OFFENSES AND MISC. PROVISIONS</b>	Section 11-52	junked vehicles	"shall be repsonsible for an infraction...as provided by G.S. 14-4
	Section 11-62	camping in non designated areas	subsection 2; "the violator may be charged with a misdemeanor punishable in accordance with the provisions of G.S. 14-4..."

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PARKS AND RECREATION	Section 12-15	general powers to enforce ordinance	"...all enforcement and sanction provisions available to them pursuant to the North Carolina General Statutes..."
	Section 12-57	sex offenders in park; not intended to supplant state law	violation of article "shall be a Class 3 misdemeanor"...
UNIFIED DEVELOPMENT ORDINANCE	Section 18-4	Section 18 of the UDO concerns enforcement. Provision allows for all various state laws, such as G.S. 14-4; 153A-123; 153A-324; 153A-334 to apply	

**NOTES:**

1. Gaston County rarely criminally charges individuals with ordinance violations. To the best of my knowledge, the only criminal charges filed in the past five years arose from an animal control cruelty violation. Due to circumstances of the acts, it was more appropriate to charge under the ordinance as opposed to state law.

2. Some County Departments such as Cooperative Extension provide licenses pursuant to State and Federal laws/regulation. Violation of these could result in criminal penalties, but it is enforced by the State agency.