

Graham County Animal Ordinance

Article II

It shall be **UNLAWFUL** for any person to molest, tease, bait, torture, deprive of necessary sustenance or adequate shelter, cruelly beat, needlessly mutilate or kill, wound, injure, poison, abandon or subject to conditions detrimental to its health or general welfare of any animal, or to cause or procure such action. The words "torture" and "torment" shall be held to include every act, omission or neglect whereby unjustifiable physical pain, suffering or death is cause or permitted: but such terms shall not be construed to prohibit lawful shooting or slaughtering of birds, deer and other game or domestic animals for human food; nor to prohibit the animal control officer or its agents or veterinarians from destroying dangerous, unwanted or injured animals in a humane manner.

Section 2. CONFINEMENT, MUZZLING AND CONTROL OF VICIOUS OR DANGEROUS ANIMALS:

It shall be unlawful for any owner to keep any vicious, fierce or dangerous animal within the county, unless it is confined within a secure building or enclosure, or enclosure, or unless it is securely muzzled and under control by a competent person who, by means of a leash, chain or rope, has such animal firmly under control at all times. The premises on which any animal under this section is confined shall be clearly marked with a warning sign.

Section 3. ANIMALS CREATION NUISANCE:

- (1) If an animal is reported as creating a public nuisance and the Animal Control Officer determines, after investigation, that the reports are supported by the evidence, it shall be unlawful for the owner to permit such an animal to run at large.

Section 4. INTERFERENCE WITH ENFORCEMENT OF CHAPTER:

It shall be unlawful for any person to interfere with, hinder or molest the Animal Control Officer or its agents or veterinarians in the performance of any duty authorized by this chapter, or to seek to release any animal in the custody of such agents, except as otherwise specifically provided.

Section 5. Civil Penalties:

Any person who violates any provisions of this article of this ordinance shall subject to a civil penalty for each violation in the amount of \$25.00. Each day of violation shall constitute a separate event and shall subject said person to a separate and additional fine.

ARTICLE III

RABIES CONTROL

SECTION 1 COMPLIANCE WITH STATE LAW, ARTICLE AS SUPPLEMENT TO STATE LAW

- (1) It shall be unlawful for any animal owner or other person to fail to comply with the state laws relating to the control of rabies.

SECTION 2. INOCULATION OF DOGS AND CATS

- (1) It shall be unlawful for an owner to fail to provide current inoculation against rabies (hydrophobia) by a licensed veterinarian or certified rabies vaccinator for any dog or cat four (4) months of age or older.

SECTION 3. EVIDENCE OF INOCULATION OF DOGS AND CATS:

- (2) It shall be unlawful for any dog owner to fail to provide the dog with a collar or harness to which a current tag issued under this section be securely attached. The collar or harness, with attached tag, must be worn at all times.
- (3) It shall be unlawful for any person to use for any dog a rabies inoculation tag issued for a dog other than the one for which the tag was issued.

ARTICLE IV

SECTION 2. PENALTIES:

Any person violating any provision of this ordinance shall be deemed guilty of a criminal misdemeanor and shall be punished by a fine of not less than \$25.00. If any violation be Continuing, each day's violation shall be deemed a separate violation.

PROVIDING REMOVAL & DISPOSITION OF ABANDONED NUISANCE & JUNKED MOTOR VEHICLES

Section 8. Violations

It shall be a misdemeanor for any person to violate any of the provisions of this ordinance or plans issued pursuant to the authority contained herein, or to willingly obstruct, hinder or delay any member of the Emergency Management organization as herein defined in the enforcement of the provisions of this ordinance or any plan issued thereunder.

PENALTIES AND REMEDIES FOR VIOLATIONS; SECTION 16

(A) Criminal Penalties: Violation of this chapter shall constitute a general misdemeanor punishable by a fine not to exceed \$50.00 or imprisonment for not more than thirty (30) days or both. Each day's violation shall be treated as a separate offense.

**AN ORDINANCE TO REGULATE THE POSSESSION AND CONSUMPTION OF MALT BEVERAGE
AND UNFORTIFIED WINE IN THE COUNTY OF GRAHAM, STATE OF NORTH CAROLINA**

It shall be unlawful from and after the 15th day of July, 1996 for any person who is not an occupant of a motor vehicle to consume malt beverage and/or unfortified wine on the public streets in the County of Graham, State of North Carolina.

Section 4. POSSESSION OF OPEN CONTAINERS.

From and after the 15th day of July, 1996, it shall be unlawful for any person to possess one or more open containers of malt beverage and/or unfortified wine on any property owned or occupied or controlled by the County of Graham, State of North Carolina.

It shall be unlawful from and after the 15, day of July, 1996, for any person who is not an occupant of a motor vehicle to possess one or more containers of malt beverage and/or unfortified wine on the public streets in the County of Graham, State of North Carolina.

Section 5. POSSESSION ON PUBLIC STREETS, ALLEYS OR PARKING LOTS WHICH ARE TEMPORARILY CLOSED TO REGULAR TRAFFIC FOR SPECIAL EVENTS.

From and after the 15th day of July, 1996, it shall be unlawful for any person to possess malt beverage and/or unfortified wine on public streets, alleys or parking lots in the County of Graham, State of North Carolina, which have been temporarily closed for special events.

Section 6. PUNISHMENT.

Any person who violates any provisions of this Ordinance shall be guilty of a Class 3 Misdemeanor, and may be fined or imprisoned, or both. Upon conviction for violating any provision of this Ordinance, the maximum fine for violating any provision of this ordinance is greater than \$50.00, but shall not exceed \$500.00.

AN ORDINANCE PROHIBITING THE CONSUMPTION OR POSSESSION OF A MALT BEVERAGE OR UNFORTIFIED WINE, ON PROPERTY WHERE THE OWNER FORBIDS IT IN GRAHAM COUNTY AS PROVIDED IN 18-B-300 OF THE GENERAL STATUTES.

SECTION 1

It shall be unlawful for any person to consume or possess a malt beverage or unfortified wine on any property where the owner or his authorized representative, forbade the consumption or possession of malt beverage or unfortified wine. This ordinance will apply to privately owned property within Graham County, except for motel or hotel rooms or rooms rented for private parties where the appropriate ABC permits have been obtained.

SECTION 2

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

Adopted January 17, 1994

AN ORDINANCE TO REGULATE THE DISPOSAL OF SOLID WASTE IN DUMPSTERS LOCATED IN GRAHAM COUNTY, NORTH CAROLINA, WHICH ARE SET OUT FOR PUBLIC USE IN GENERAL

Section 1. It shall be unlawful to place in or dispose of in or leave around or in the general vicinity of any solid waste dumpster located in Graham County, North Carolina which has been set out for use by the general public, the following:

- A. Scrap metals
- B. Household appliances
- C. Yard waste
- D. Construction waste
- E. Animal waste or animal carcasses

Any person, business or other entity who violates any portion of Section 1 of this Ordinance shall be subject to civil penalties as follows:

- A. First Violation- \$150.00;
- B. Second Violation- \$300.00
- C. Third Violation- \$600.00
- D. Fourth and Subsequent Violations- \$1200.00

Section 11 It also shall be unlawful for any person other than a legal resident of Graham County, North Carolina property owners of Graham County North Carolina property, or those individuals who are bonafide tourists to Graham County North Carolina to place any solid waste in or dispose of same in or leave the same around or in the general vicinity of any solid waste dumpster located in Graham County, North Carolina.

Any person, business or other entity who violates any portion of Section 1 of this Ordinance shall be subject to civil penalties as follows:

- A. First Violation- \$150.00;
- B. Second Violation- \$300.00
- C. Third Violation- \$600.00
- D. Fourth and Subsequent Violations- \$1200.00

Section V Graham County Sanitation Director and/or the employees of the Sanitation Department and/or the County Manager of Graham County or the Environmental Health Specialist of the Graham County Health Department is authorized by the County to cite violators or offenders of this ordinance for violation of the same.

GRAHM COUNTY ORDINANCE
PROHIBIT REGISTERED SEX OFFENDERS
FROM ENTRY ONTO COUNTY RECREATIONAL FACILITIES

PENALTY

A violation of this chapter shall constitute a general misdemeanor punishable in accordance with 10.99 of this Code of Ordinances.

This ordinance shall become effective upon its enactment by the Graham County Board of Commissioners.

AN ORDINANCE TO REGULATE PRIVATE BUSINESS SOLID WASTE DUMPSTERS

Any person, partnership, corporation or other business entity who or which violates any portion of Section I of this Ordinance may be punished by a fine not exceeding fifty dollars (\$50.00) or imprisoned not exceeding 30 days, or both, for each offense. Each day or portion thereof that the article or matter are left in violation of this section of this Ordinance shall constitute a separate offense.

GRAHAM COUNTY SOLID WASTE LOITERING SCAVENGING AND RUMMAGING ORDINANCE

ARTICLE III - ENFORCEMENT

This ordinance may be enforced by any methods authorized by N.C. Gen Stat. 153A-123

- A. Criminal Penalties. Violations of this Ordinance shall constitute a class 3 misdemeanor punishable by a fine of not more than \$500.00 or imprisonment for not more than thirty (30) days or both.
 - 1. Warning Ticket. Upon the initial violation of this ordinance, an individual shall be issued a warning ticket. Such warning ticket shall identify the particular practice which is in violation of the Ordinance and shall state the time, date and place of the violation. Such warning ticket that steps will be taken to cause a warrant to be issued for the subsequent violation.
- B. Civil Penalties. Any person who is found in violation of this Ordinance may be subject to a civil penalty of \$50.00 as provided in NC Gen Stat. 153A-123.

EMS ORDINANCE

120.13 VIOLATIONS AND PENALTIES

120.10 INSURANCE.

No ambulance franchise shall be issued under this chapter, nor shall such franchise be valid after issuance, nor shall any ambulance be operated in the County of Graham, unless there is at all times in force and effect insurance coverage, issued by an insurance company licensed to do business in the State of North Carolina, for each and every ambulance owned and/or operated by or for the ambulance service providing the payment of damages:

- A. In the sum of no less than \$1,000,000 for injury to or death of individuals in accidents resulting from any cause for which the owner of said vehicle would be liable on account of liability imposed on him by law, regardless of whether the ambulance was being driven by the owner or his agent; and
- B. In the sum of \$1,000,000 for the loss or damage to the property of another, including personal property, under like circumstances, in sums as may be required by the State of North Carolina or as approved by the County of Graham.

120.12 Rates and Charges

A. The franchisee must keep on file with the Graham County Office of Emergency Medical Services its current rate for services provided in accordance with the franchise. The franchisee is expressly prohibited from charging any rate of service that exceeds the comparable rate of service charged by Graham County without first obtaining specific approval from the Graham County Board of Commissioners.

Section 104. Criminal Penalties.

Any person violation any provisions of this ordinance shall be guilty of a misdemeanor and, upon conviction, shall be punished in accordance with NCGS 14-4. The maximum fine for each offense shall not exceed \$500.00. Each day that the violation continues a separate offense.