

From: [Russ Burrell](#)
To: [Rep. Jonathan Jordan](#); [Sen. Andy Wells](#); [Rep. Jamie Boles, Jr.](#); [Rep. Ted Davis](#); [Sen. Shirley B. Randleman](#)
Cc: [Susan L. Sitze \(Legislative Analysis\)](#)
Subject: S.L. 2018-69
Date: Friday, November 30, 2018 01:29:43 PM

Good afternoon,

Pursuant to Session Law 2018-69, Henderson County's Ordinances are codified online [here](#). Pursuant to [section 1-14](#) of that Code, "[un]less otherwise provided by this Henderson County Code or other applicable law, violation of this Code shall constitute a Class 3 misdemeanor"

Certain sections of the [County's Code](#) notes penalties for violation which are **not** criminal offenses under N.C. Gen. Stat. §14-4 (that is, they are either infractions or are subject to civil penalties). These include the following:

- Chapter 17 ("Smoking Ordinance") violations are penalized pursuant to N.C. Gen. Stat. §130A-498(c1).
- Chapter 22 ("Vehicle and Traffic") violations are infractions.
- Chapter 45 ("Farmland Preservation") no penalties for violations.
- Chapter 49 ("Historic Resources") no penalties for violations.
- Chapter 78, Article II ("Fire Prevention") includes a civil penalty schedule in section 78-17 for items "covered by the North Carolina Fire Prevention Code [listed]". Other violations are subject to N.C. Gen. Stat. §14-4.
- Chapter 91 ("Cane Creek Water and Sewer District") no penalties.

I hope you will find this useful. If additional information is needed, please do not hesitate to contact me at the address below.



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