

Excerpts from the Code of Ordinance for Iredell County

Number	Purpose	Penalty
Chapter 1, Sec 1-7		<p>(a)Whenever in this Code or in any ordinance of the county any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful or an offense or a misdemeanor, when no specific penalty is provided therefor the violation of any such provision of this Code or any such ordinance shall be punishable by a fine of not more than fifty dollars (\$50.00) or by imprisonment for not more than thirty (30) days, or both, for each separate violation. Each day any violation of this Code or any ordinance shall constitute a separate offense, unless otherwise specified. Except as set forth in subsection (b), violation of this Code or any other county ordinance shall be a misdemeanor.</p> <p>(b) Violation of any provision of this Code shall subject the offender to a civil penalty in the amount of one hundred dollars (\$100.00), to be recovered by the county in a civil action in the nature of debt if the offender does not pay the penalty within a period of seventy-two (72) hours after he has been cited for violation of the ordinance. Citation shall be in writing, signed by the appropriate department head or the department head's designee charged with the enforcement of the particular ordinance which has been violated, and shall be delivered or mailed to the offender either at their residence or at their place of business or at the place where the violation occurred. Each day's continuing violation shall be a separate and distinct offense. Violations of the following provisions shall not be misdemeanors, but shall subject the offender to the civil penalty; chapter 4; chapter 7; chapter 10; chapter 11; appendix A; appendix B; appendix C; and appendix D. Any action to recover such civil penalty may be joined in action for appropriate equitable or other legal remedy, including injunctions and orders of abatement and including an action to recover damages owing to the county by reason of expenses incurred by the county in abating, correcting, limiting, and otherwise dealing with the harmful effects of the offending action.</p>
Division 2. State of Emergency	A state of emergency shall be deemed to exist whenever during times of public crisis, disaster, rioting, catastrophe, or similar public emergency, for any reason, public safety authorities are unable to maintain public order or afford adequate protection for lives, safety or property, or whenever the occurrence of any such condition is imminent.	<p>Except as provided in section 2-76, any person violating any prohibition or restriction imposed by a proclamation authorized by this divisions shall be guilty of a misdemeanor, punishable upon conviction by a fine not exceeding fifty dollars (\$50.00) or imprisonment not exceeding thirty (30) days, as provided by G.S. 14-4.</p> <p>It shall be a misdemeanor for any person to violate any of the provisions of this division or plans issued pursuant to the authority contained herein, or to willfully obstruct, hinder or delay any member of the emergency management organization as herein defined in the enforcement of the provisions of this division or any plan issued thereunder.</p>

Chapter 3 Animals	<p>Protect the people of the county from rabies transmitted by unconfined, uncolttrolled or unimmunized animals: Regulate animals that may be a nuisance or pose a risk to the safety of humans and other animals; and Ensure that dogs and other animals are treated in a jumane manner, and other purposes; and It is not the intent of this chaper to further regulate the normal practices of raising "farm animals" as defined in NCGS 153A-145.4</p>	<p>Violation of this article may subject the violator to criminal as well as civil action. In addition to the civil penalties or fees imposed under this article, violation of this chapter shall be a misdemeanor for which a criminal summons or warrant may be issued. A violator convicted of such violation shall be punishable as rovided in G.S. 14-4. Each day's violation of this section is a eparate offense and shall be fined not less than fifty-dollars (\$50.00) per offense but no more than a maximum of five-hundred dollars (\$500.00) per offense. Payment of a fine imposed in criminal proceedings ursuant to this section does not relieve the violator of his liability for taxes, civil penalties or fees imposed under this article.</p>
Section 8 Wild and Exotic Animals	<p>This subsection shall apply to all animals defined as a wild or exotic animal in section 3-1. Neither this subsection or any section of this chapter shall have the effect of permitting any activity or condition with respect to the state which is prohibited or more severely restricted by the state statutes or the state wildlife resources commission, or of permitting any activity or condition with respect to any animal which is prohibited or more severely restricted by federal statute or regulation.</p>	<p>If any animal permitted under this exemption is found to be in violation of this section, the owner will be issued a civil penalty of five hundred dollars (\$500.00) per violation for the first offense. The owner will immediately transfer the animal to a veterinary facility approved by Iredell County Animal Services and Control until any and all violations are remedied as approved by the chief animal control officer. If the animal is found in violation for a second time, the animal is to be immediately transported to an approved veterinary facility to be humanely euthanized at the owner's expense. If the owner contests this violation, the owner may file a written appeal with animal services and control within three (3) days of the notification of the violation. A hearing with the appellate board shall be scheduled within ten (10) days. If the owner appeals this violation, the animal is to be held at a facility approved by Iredell County Animal Services and Control, at the owner's expense, until the appeal is heard. If the owner of the animal does not appeal the violation within three (3) days, the animal may be transferred or euthanized at the beginning of the fourth day. If the owner loses the appeal, the animal may be transferred or euthanized at the beginning of the next day.</p>
<p>Article II Ambulance Services</p> <p>Division 1 Generally</p>		<p>It shall be a misdemeanor for a person to obtain or receive ambulance service without intending at that time of obtaining or receiving such services to pay, if financially able, the necessary charges. A determination that the recipient of such services has failed to pay for the services rendered for ninety (90) days after the request is for payment, and that recipient is financially able to do so, shall raise a presumption that the recipient of the services did not intend to pay for the services at the time they were obtained or received.</p> <p>Violations of this article, or terms of any franchise granted under this article, shall be a misdemeanor, as provided by G.S. 14-4. Each such violation also shall subject the offender to a civil penalty in the amount of \$100.00 for each separate breach of the franchise or violation of this article. This civil penalty must be paid within ten days after the hearing on the</p>

		citation has been held as provided by G.S. 153A-123(c). If the civil penalty is not paid within ten (10) days, as provided for in this subsection, the county may suspend or revoke the franchise.
Article III Fire Alarm Systems/False Fire Alarms	The purpose of this article is to: Ensure that the alarm user and the alarm business maintain the premises and the alarm system in a manner that minimizes or eliminates false alarm dispatches; and	It shall be unlawful for any person to willfully cause a false alarm. A violation of this provision shall be a misdemeanor punishable as provided in N.C.G.S. 14-286.
Chapter 7.5 Offenses and Miscellaneous Provisions Article II Noise	The purpose of regulating the production or emission of noises, amplified speech, music, or other sounds that tend to annoy, disturb, or affect the health and well-being of the citizens of the county.	<p>A violation of any provision of this article shall be a misdemeanor, the punishment for which shall be a fine not to exceed five hundred dollars (\$500.00) or imprisonment not to exceed thirty (30) days, or both.</p> <p>In addition, violations of this article may be enforced by any one or more of the remedies authorized by G.S. 153A-123, including, but not limited to, the following: This article may be enforced by an appropriate equitable remedy issuing from any court of competent jurisdiction, including, but not limited to, temporary restraining orders, preliminary and permanent injunctions (both prohibitory and mandatory). Any sworn law enforcement officer may issue to any person, group or organization violating this ordinance or to the owner of any property from which prohibited noise emanates, a ticket giving notice of the violation of Article 2 of Chapter 7.5. Tickets so issued may be delivered in person or mailed by registered or certified mail to the person charged if he cannot otherwise be readily located. Any ticket issued shall impose a civil penalty of fifty dollars (\$50.00) for the first offense, one hundred dollars (\$100.00) for the second offense, and two hundred dollars (\$200.00) for the third and all subsequent offenses. Such penalties must be paid within twenty (20) days to the Iredell County finance officer. If the person cited in the ticket fails to appear or if the applicable penalty is not paid within the time prescribed, a criminal summons shall be issued against the violator and upon conviction the violator shall, in addition to the penalties prescribed for violation of the chapter, be punished as the court prescribes for failure to pay the civil penalties imposed hereby. In addition, failure to pay the civil penalty may subject the person cited to a civil action in the nature of debt, if the penalty is not paid within the prescribed period of time. The sheriff shall cause all tickets issued pursuant to the provisions hereof to be serially numbered, in duplicate, and shall cause records of the issuance and disposition of such tickets to be maintained so that an accounting can be made.</p>
Article III Mosquito Control	Mosquitoes are disease vectors. Breeding places for mosquitoes are deemed to be county health nuisances.	(a) In addition to any other remedy available, this article may be enforced by an appropriate equitable remedy issued from any court of competent jurisdiction, including, but not limited to, temporary or permanent restraining orders and prohibitory and mandatory injunctions.

		<p>(b) In addition to every other remedy available for the violation of this chapter, the director is authorized to issue to any person a ticket giving notice of the violation of this article. Tickets so issued may be delivered in person or mailed by registered or certified mail to the person charged, if he cannot be readily located. Any such ticket issued shall impose upon the owner a civil penalty of fifty dollars (\$50.00) for the first offense and (\$50.00) for all subsequent offenses. Each day of continuing violation shall be deemed a separate offense. Such penalties must be paid within twenty (20) days to the director or any person authorized by him to receive such funds. If the owner or violator does not appear in response to such ticket, or if the applicable penalty is not paid within the time prescribed, a criminal summons shall be issued against the violator and upon conviction, the violator shall, in addition to the penalties prescribed for violation of this article, be punished as the court prescribes for failure to pay the civil penalties imposed hereby.</p> <p>(c) Notwithstanding any civil penalty outlined in this chapter, any person violating the provisions hereof shall be guilty of a misdemeanor under G.S. 14-1 and 153A-123, and may be subject to a fine of not more than five hundred dollars (\$500.00) or imprisonment for not more than six (6) months, or both, for each such offense. For a continuing violation, each day's violation maybe deemed a separate offense.</p>
Article IV Panhandling	For the purpose of regulating begging or otherwise canvassing the public for contributions for the private benefit of the solicitor or any other person.	Violation of this section shall constitute a misdemeanor and shall subject the violator to a fine of not more than fifty dollars (\$50.00) or imprisonment for not more than seven (7) days.
Chapter 9 Personnel	<p>The purpose of this chapter is to establish a personnel system that will promote a fair and effective means of employee recruitment and selection, develop and maintain an effective and responsible work force, and provide the means for removal of unsatisfactory employees. Policies are also provided in order to further the following goals:</p> <p>(1) To provide a uniform system of personnel administration throughout the county service.</p> <p>(2) To ensure that recruitment, selection, placement, promotion, retention, and separation of county employees are based upon employees'</p>	An employee violating any of the provisiomns of this policy shall be subject to suspension and/or dismissal, in addition to any civil or criminal penalty, which may be imposed for the violation of the same.

	<p>qualifications and fitness, and are in compliance with the federal and state laws.</p> <p>(3) To assist managers in the development of sound management practices and procedures, and to make effective consistent uses of human resources throughout the county.</p> <p>(4) To ensure, protect, and clarify the rights and responsibilities of employees.</p> <p>(b) In the event of conflict between these rules and any state or federal law, the terms and conditions of that law shall prevail. In the event of the amendment of any ordinance, rule or law incorporated in this document or upon which these provisions rely, these rules shall be deemed amended in conformance with those changes.</p>	
Article IX Personnel Records	<p>Such personnel records are necessary for the proper administration of the personnel system and will be maintained by the human resources director. The county shall maintain personnel records with only information that is necessary and relevant to accomplishing legitimate personnel administration needs.</p>	<p>Any public official or employee who knowingly and willfully permits any person to have access to any confidential information contained in an employee personnel file, except as expressly authorized by the designated custodian, may be judged guilty of a misdemeanor and upon conviction be fined in an amount not to exceed five hundred dollars (\$500.00).</p> <p>No public official may destroy, sell, loan, or otherwise dispose of any public record, except in accordance with G.S. 121-5(b), without the consent of the state department of cultural resources. Whoever unlawfully removes a public record from the office where it is usually kept, or whoever alters, defaces, mutilates, or destroys it, will be guilty of a misdemeanor and upon conviction will be fined not less than ten dollars (\$10.00) or more than five hundred dollars (\$500.00) as provided in G.S. 132-3.</p>
Article X Implementation of Policy		<p>An employee violating any of the provisions of this policy shall be subject to suspension and/or dismissal, in addition to any civil or criminal penalty, which may be imposed for the violation of the same.</p>
Chapter 10.5 Public Property		<p>Violation of any provision of Chapter 10.5 is a misdemeanor and is punishable as provided in section 1-7(a) and (b) of Chapter 1 of the Iredell County Code.</p>

<p>Chapter 12 Solid Waste</p>		<p>(a)Criminal penalty. Unless otherwise stated herein, any person who violates the rules and regulations set forth in this chapter shall be guilty of a misdemeanor, which shall be punishable by a fine of not more than fifty dollars (\$50.00) or by imprisonment for not more than thirty (30) days, or both for each separate violation. Each day a violation occurs is a separate violation.</p> <p>(b)Civil penalty. Any person, persons, or entities who are found in violation of this chapter shall be subject to a civil penalty not to exceed five hundred dollars (\$500.00), as provided by G.S. § 153A-123. The provisions of this chapter may be enforced by equitable remedy, and any unlawful condition existing or in violation of this chapter may be enforced by injunction and order of abatement in accordance with the provisions of G.S. § 153A-123.</p> <p>(c)Prior to issuance of a citation, the solid waste enforcement officer shall issue a written notice of violation and warning to the violator; such notice shall state the violation, the date by which the violation shall be corrected and the penalties for the violation if not corrected. A warning may, but is not required, to be issued where the public safety is endangered. The notice of violation and warning shall be served either in person, by mail, or posted on the property in violation.</p> <p>(d)In assessing penalties under this chapter, the solid waste director and solid waste enforcement officer shall consider such of the following factors as are pertinent:</p> <ul style="list-style-type: none"> (1)The number of previous violations. (2)The number of communications with the offender prior to the subject violation. (3)Steps taken by the responsible party to try to comply. (4)The estimated amount and quantity of solid waste in the offending situation. (5)The degree by which the public health and safety is endangered. <p>(e)Citations shall be served either in person, by mail, or posted on the property in violation. Any citation so served shall direct the violator to make payment of the fine to the solid waste department on or before a specific day and hour named in the citation and to present evidence of the remedy of any violation of this chapter. The deadline for payment and remedy of the violation shall be set by the county but shall be no less than seven (7) days from the receipt of notification.</p> <p>(1)To ensure proper disposal of solid waste and that the material is not relocated to an unapproved collection site. The violator shall show proof of proper disposal of material that is in violation by receipt or some form of verification from the attendant operating an approved solid/hazardous waste collection site. Failure to show proper proof of disposal shall result in a separate offense which the violator will have to pay three (3) times the cost of the</p>
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county landfill tip fee for the approximate weight of the material plus one hundred dollars (\$100.00) for failure to comply with the chapter.

(2) If the violator does not appear in response to the above described warning or citation, the solid waste enforcement officer may have a criminal complaint entered against such person and secure a warrant for their arrest. The arrest shall be for the violation of the section of this chapter charged in the citation and upon conviction the defendant shall be subject to the penalties prescribed.

(3) Persons found to be in violation of the provisions of this chapter may be allowed to perform remedial cleanup work in compliance with subsection (b) above in lieu of prosecution, injunctive action, or civil penalties at the discretion of the county solid waste director.

(4) Violations where the solid waste enforcement officer believes a public health nuisance or imminent hazard may exist, shall be referred to the health director for determination and necessary enforcement pursuant to G.S. §§ 130A-19 or 130A-20.

(f) Notwithstanding any of the aforementioned penalties the county retains the right to refuse service to anyone who refuses to obey the provisions of this chapter or fails to pay assessed fees and penalties.

(g) Penalties for the disposal of types of medical waste in violation of this chapter shall be in accordance with this section.

Any person who violates [section 12-16](#) shall be guilty of a misdemeanor and shall be punishable by a fine of five hundred dollars (\$500.00) or imprisonment of thirty (30) days, or both, for each separate violation. The solid waste director, health director and the solid waste enforcement officer shall have the authority to examine and investigate waste storage containers at the site of generation in order to determine compliance. This section shall not apply to microwaved treated medical waste which has been approved by the state department of environmental quality for disposal in a municipal landfill.

This section does not apply to sharps and medical supplies generated from the residences of individuals who have chronic medical conditions that require home treatment.

(h) Penalties for violations of article III shall be in accordance with this section.

(i) Any noncompliance with the conditions of a permit pursuant to article III or operation of a facility without a permit, or the operation of a facility in a manner such as to create or constitute a hazard to the public health or safety, and any noncompliance with the procedural requirements of article III, or refusal to permit county officials to enter a facility, structure or enclosed area in the performance of their duties, and any refusal to pay the taxes or fees provided for by article III, and any failure or refusal to provide the information or apply for

		<p>amendment to permits as may be required, shall be a misdemeanor which may be punishable as provided in subsection (a) above.</p> <p>(j)The county may seek injunctions in the appropriate courts of competent jurisdiction when the operation of a solid waste disposal facility is, in the judgment of the solid waste director, creating an imminent hazard to the health, safety, or welfare of the public. The county may also seek any other appropriate equitable relief it deems necessary to ensure the public health, safety and welfare.</p>
		<p>(a)The violation of any of the provisions of this article shall constitute a misdemeanor, punishable as provided in G.S. Section 14-4. Each day on which a violation exists or occurs shall constitute a separate offense.</p> <p>(b)Any act constituting a violation of this article shall also constitute a civil offense. This article may also be enforced by appropriate equitable action including the issuance of a civil citation in the amount of two hundred fifty dollars (\$250.00). Each day shall constitute a separate offense.</p> <p>(c)In addition to any other penalty imposed by this article, repeated violation by any person or persons may result in refusal of additional permits or revocation of existing permits.</p> <p><i>Criminal penalties.</i> Any person who knowingly or willfully violates any provision of this Ordinance, or rule or order adopted or issued pursuant to this Ordinance, or who knowingly or willfully initiates or continues a land-disturbing activity for which a plan is required except in accordance with the terms, conditions, and provisions of an approved plan, shall be guilty of a Class 2 misdemeanor which may include a fine not to exceed five thousand dollars (\$5,000.00) as provided in G.S. § 113A-64.</p> <p><i>Violation of local program.</i> Whenever the governing body has reasonable cause to believe that any person is violating or threatening to violate any ordinance, rule, regulation or order adopted or issued by the county or any term, condition, or provision of an approved plan, it may, either before or after the institution of any other action or proceeding authorized by this Ordinance, institute a civil action in the name of the county for injunctive relief to restrain the violation or threatened violation. The action shall be brought in the Iredell County Superior Court.</p> <p><i>Abatement of violation.</i> Upon determination by a court that an alleged violation is occurring or is threatened, the court shall enter any order or judgment that is necessary to abate the violation, to ensure that restoration is performed, or to prevent the threatened violation. The institution of an action for injunctive relief under this section shall not relieve any party to the proceedings from any civil or criminal penalty prescribed for violations of this Ordinance. The</p>

		<p>county shall issue no building, zoning, or environmental permits to the violator until such violation is abated.</p> <p>Any person who knowingly or willfully violates any provision of this Ordinance, or rule or order adopted or issued pursuant to this Ordinance, or who knowingly or willfully initiates or continues a land-disturbing activity for which a Plan is required except in accordance with the terms, conditions, and provisions of an approved Plan, shall be guilty of a Class 2 misdemeanor which may include a fine not to exceed five thousand dollars (\$5,000.00) as provided in G.S. § 113A-64.</p> <p>The illegal subdivision or transfer of land, as describe above may result in a misdemeanor. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from this penalty. The county through its attorney or other official designated by the Board of Commissioners may enjoin illegal subdivision, transfer or sale of land by action for injunction. Further, violators of this Ordinance shall be subject, upon conviction, to fine and/or imprisonment as provided by Section 14.4 of this Ordinance.</p>
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