

Lee County Ordinances Punishable Under NCGS 14-4

Ordinance Title Citation	Violation/Penalty	Brief Description
Chapter 1-General Provisions Section 1-7(a)	<p>“Any person violating or failing, refusing, or neglecting to comply with any provision or requirement of any section or subsection of this Code, or any ordinance of this county now in force or hereafter enacted, to which no specific penalty is affixed, shall be punished by a fine not to exceed \$500.00 or shall be imprisoned for not more than 30 days for each offense”</p> <p>It also includes a State Law reference-violations of county ordinances deemed misdemeanors, GS 14-4, 153A-123; prescribing alternate methods of enforcement of ordinances and authorizing the making of each days continuing violation a separate offense, injunction G.S. 1-485</p>	This section is our general provision section and applies to all of the ordinances
Chapter 2-Administration Article II. County Property Section 2-31 Firearms and deadly weapons prohibited on county property	Section 231(e): Violations, the violation of any of the provisions of this section shall constitute a misdemeanor and subject any violator(s) to so convicted to such penalties as may be imposed by the County.	This ordinance prohibits concealed handguns in county-owned buildings and premises and certain recreational facilities. This ordinance also prohibits against deadly weapons and does include some exceptions
Chapter 2-Animals Article III-Service Fees and Enforcement Division 2- Enforcement	Section 4-194(b): the violation of any provisions of this chapter shall be a misdemeanor and any such violation shall be punishable as provided in G.S. 14-4. In addition to, and not in lieu of,	This ordinance sets out our animal services provisions including Section 4-37 (cruelty to animals), Section 4-38 (abuse of animals), Section 4-39 (unlawful to tease, bait or molest any

	<p>the criminal penalties and other sanctions provided in this chapter, a violation of this chapter may also subject to the offender to the civil penalties hereinafter set forth.</p>	<p>animal), Section 4-40 (unlawful for an owner of an animal to create a nuisance such as habitually interfering or annoying human beings, tipping garbage, etc, howling, barking, crying, etc), Section 4-41 (prohibiting animals from running at large with a few exceptions), Section 4-42 (unlawful to possess or release inherently dangerous exotic animals), Section 4-42 (the dangerous dog section and appeal rights of declaring a dog dangerous), Section 4-44 (failure to report certain acts, such as an attack or bite, of a dangerous animal), Section 4-45 (unlawful to operate an attack training facility), Section 4-46 (failing to provide proper shelter for dogs), Section 4-61 (our rules for tethering animals), Section 4-62 (the requirements for enclosures), Section 4-64 (requirement for secure enclosures), Section 4-91 (rabies control), Sections 4-122 through 4-126 (dealing with impoundment of animals and reclamation and quarantine)</p>
<p>Chapter 6-Buildings and Building Regulations Article 1-In General Article II-Buildings and Construction Article III-Minimum Housing</p>	<p>Section 6-143(b)- criminal penalty: a violation of this article shall be a misdemeanor as provided in G.S. 14-4. The inspector may seek, from an appropriate official of the general court of justice, an arrest warrant or other process initiating criminal charges against any person who violates this article.</p>	<p>This ordinance deals with code enforcement, creates a housing appeals board, sets out specific minimum housing standards and requirements for residential buildings and the factors for determining fitness for human habitation. It sets out exits standards, plumbing standards, heating standards, electrical standards, minimum</p>

		light and ventilation standards, structural standards, property maintenance, rooming house exceptions, requirements of occupants, and owner's requirements.
Chapter 8-Businesses Article II-Massage	Section 8-32 Penalty for violations, violations of this article is punishable according to the provisions of 1-7 (cited above)	This ordinance sets out that it is unlawful for any person licensed as a massagist or holding a massage parlor license issued by the county to massage a person of the opposite sex for a salary or fee except under the signed order of a licensed health professional. It also sets out the license required
Chapter 8-Businesses Article III-Peddlers	Section 8-96(4): violation of this article is a misdemeanor under G.S. 14-4 and the person violating the ordinance may be fined not more than \$50.00 or imprisoned for not more than 30 days.	This sets out the ways to receive an application for permit to pursue the business of a peddler, itinerant merchant, flea market operator or vendor and states no peddler or itinerant merchant shall go to private residences without being first invited.
Chapter 10-Emergency Services Article III-Emergency Medical Services	Section 10-62(a): it shall be a misdemeanor for any person to obtain or receive ambulance service without intending at the time of obtaining or receiving such services to pay, if financially able, the necessary charges. Section 10-62(b): violations of this article, or the terms of any franchise granted under this article shall be a misdemeanor as provided by G.S. 14-4, each violation shall subject the offender to a civil penalty.	This ordinance sets out a franchise for ambulance services and all the requirements. It is unlawful for any person to offer these services without approvals first.
Chapter 10-Emergency Services	Section 10-173: any person violating any prohibition or	This ordinance sets out the requirements for declaring a

Article IV-Emergency Management	restriction imposed by a proclamation authorized by this chapter shall be guilty of a class 3 misdemeanor	proclamation during emergencies and the allows for the imposition of certain restrictions during the state of emergency. It also sets out emergency management plans, the organizations and appointments and the duties of the emergency management manager
Chapter 12-Environment Article II-Noise	<p>Section 12-38: Authorized enforcement actions-issuance of a criminal citations or arrest</p> <p>12-38(2)(a) any person who violates this article, shall be guilty of a Class 2 misdemeanor and shall be punished by a fine of not more than \$200.00 for a first offense, \$400.00 for a second offense committed within 12 months of a first offense conviction and \$500.00 for the third or subsequent conviction regardless of when the third or subsequent conviction is obtained. Imprisonment for up to 30 days is an additional authorized punishment for any violation. Separate offenses shall be deemed committed on each day during or on which a violation occurs or continues.</p> <p>12-38(2)(b): a criminal charge shall be initiated by issuance of a criminal citations only by the Lee County Sheriff or deputy sheriff, except that the sheriff or deputy sheriff may arrest the alleged violator when he refuses to provide his name and address and any proof</p>	<p>This ordinance regulates, restrictions and prohibits or abates the production of amplified speech, music and other noises and sounds in the unincorporated areas of the county that tend to annoy, disturb, or frighten citizens.</p> <p>12-33 generally prohibits noises and sounds across property lines that would annoy a reasonable individual of normal sensitivity. It then sets out specific noises and sounds that are declared to produce unreasonably loud noises: playing radio, TV, instrument, etc on a public property or highway or in a motor vehicle on a highway, if the noise is audible at a distance of 30 feet. Other prohibited noises include operating loud speakers, etc, or shouting certain advertising or possessing or harboring a dog bird or other animal that howls, barks, etc. Section 12-35 lists many exceptions</p>

	thereof as may be reasonably available to him; or the alleged violator refuses to promptly cease such illegal activity after being issued a civil or criminal citation.	
Chapter 12-Environment Article III-Oil Pollution and Hazardous substances control	Section 12-75: any person who violates the provisions of this article or fails to comply with any of its requirements shall, upon conviction, be guilty of a misdemeanor and shall be punished as provided in G.S. 14-4.	This ordinance is intended to protect the health and safety of the citizens by protecting the land and waters of oil, oil products and hazardous substances and to support the Federal Water Pollution Control Act. This ordinance gives the Emergency Manager Director authority to abate hazardous materials or oil discharged. This ordinance allows for inspections and investigations to determine compliance. It is unlawful for a person to discharge oil or hazardous substances into waters or lands, sewer, surface water or other waters that drain, regardless if it was intentional, negligent or accidental. There are a few exceptions. It also mandates what should be done if a person does accidentally cause one of the substances to discharge and goes into details about the expense of the cleanup.
Chapter 16-Manufactured Homes Article II Mobile Homes	Section 16-52: any owner or person in possession of a mobile home who shall violate or fail to comply with any of the provisions of this division, or any person who shall counsel, aid or abet any such violation or failure to comply shall be guilty of a misdemeanor punishable	This ordinance requires every owner or possessor of a mobile home, to register the mobile home each year with the tax administrator. If a mobile home is moved or located within the county after January 1 of each year, the owner is required to register the mobile home

	according to provisions of section 1-7 (cited above)	within 30 days. The ordinance lists what information is required to register and what evidence is required for registration.
Chapter 17-Offenses and Miscellaneous Provisions Article I-In General Section 17-1-Furnishing Tobacco or Tobacco Products to Inmates Prohibited	Section 17-1(b): Any person, firm or corporation violating the provisions of this ordinance shall upon conviction be guilty of a class 3 misdemeanor and shall be punished accordingly with the maximum fine not exceeding the amount of \$500.00.	Unlawful to provide or sell to inmates of a confinement facility under the supervision of the Sheriff, tobacco products.
Chapter 17-Offenses and Miscellaneous Provisions Article I-In General Section 17-2-Prohibition against certain forms of aggressive solicitation	Section 17-2(d): Penalties-a person violating this section shall be guilty of a class 3 misdemeanor and shall be fined not more than \$500.00.	This ordinance allows for the Board of Commissioners to make legislative findings in reference to aggressive solicitation throughout the county. It sets out the definition and ways it can be found and other definitions as well. It gives examples of what aggressive manner includes. 17-2(c) sets out the prohibited acts which include, but is not limited to, soliciting for money in an aggressive manner in public, within 15 feet of any entrance or exit to a bank, on private property if the owner or occupant has asked the person not to solicit, etc.
Chapter 17-Offenses and Miscellaneous Provisions Article III-Graffiti	Section 17-27: Enforcement (a) in accordance with G.S. 14-4 and 153A-123, each violation shall constitute a misdemeanor and shall be punished by a fine not exceeding \$500.00 or imprisonment of a term not exceeding 30 days.	The purpose of this ordinance is to prevent the spread of graffiti and vandalism and to establish a program for the removal of graffiti from public and private property. The Board finds that graffiti is a public nuisance. The ordinance lists many definitions then makes it unlawful for any person to apply graffiti to any natural or

		<p>manmade surface on any county-owned property or without the permission of the owner or occupant on a non-county owned property. It also makes it unlawful for person to posses graffiti implement while on a public facility, park, playground, etc unless authorized by the county. It then sets out the removal and abatement of the graffiti and the appeal of a property owner of a party responsible for maintenance of a property who fails to remove graffiti.</p>
<p>Chapter 18 Parks and Recreation Article II-Parks</p>	<p>Section 18-32: Any person who shall violate any of the regulations, restrictions, limitations and provisions contained in this article shall be punishable according to section 1-7 (cited above) and/or be expelled from the park.</p>	<p>This is a very detailed ordinance that sets out certain restrictions regarding county owned park. Section 18-33 sets out information regarding traffic including things such as speed of vehicles, parking, bicycles, park entrances and restriction of certain roads. Section 18-34 deals with park property and with things such as not allowing anyone to deface or injury or remove any property, etc. Section 18-35 regulates bathing and swimming, such as it can only be done in waters that are proved for swimming, bathing suits must be worn, there are many boating restrictions such as not allowing one to be operated except for places as designated, it further regulates the picnic areas and the behaviors. Section 18-37 sets out the different nuisances, such as not allowing the consumption of</p>

		alcoholic beverages or consumption of illicit drugs, do fireworks or other burning, disorderly conduct, etc. Section 18-38 deals with merchandising and advertising and signs.
Chapter 18 Parks and Recreation Article II-Parks Division II-San Lee Educational and Recreational Park	Section 18-61: Penalty for Division Provisions: violation of this division is punishable according to section 1-7 (cited above)	This ordinance specifically regulates one of our educational parks such as the conduct, boating, traffic, fishing, litter, trails and camping.
Chapter 18 Parks and Recreation Article III-Lighted Athletic Fields	Section 18-96 Penalty for violation of article: violation of this division is punishable according to section 1-7 (cited above)	This ordinance sets out the regulation and use of the lighted fields, owned or leased to or under the county's authority. This ordinance goes into details of activation of lights, the use of the facilities after midnight and damage to lighting devices.
Chapter 22 Solid Waste	Section 22-170: Penalties for violating of this chapter. Criminal penalty: any person violating this article shall be guilty of a misdemeanor, punishable by a fine not to exceed \$500.00 or imprisonment for not more than 30 days, or both as specified under G.S. 14-4. Each day's violation shall be treated as a separate offense	This is a comprehensive ordinance that regulates solid waste. Below are the things it regulated: Article II: Storage of solid waste deals Article III: Collection of solid waste Article IV: Recycling Article V: Transportation of solid waste Article VI: Disposal of solid waste Article VII: Construction and demolition landfill Article VIII: solid waste vectors Article IV: Franchising solid waste collectors Article X: Littering and Unauthorized dumping Article XI: Administration and enforcement

Chapter 26-Traffic and Vehicles Article II: Parking, Stopping and Standing	Section 26-54: Penalties for violation of division: any person violating any provision of this division shall be responsible for an infraction and shall be required to pay a penalty of not more than \$500.00 as authorized by G.S. 14-4.	The purpose of this ordinance is to adopt uniform regulations of parking motor vehicles on county owned property. It sets out many definitions. Section 26-55 sets out the restrictions for stopping, standing and parking on county owned property. An example of a specific provision is that no vehicle can stop in any parking lot except for the purpose of parking.