

Chapter 1-General Provisions

Sec.1-6.-General Penalty; Continuing Violations; Ordinance Enforcement.

- (a) Unless otherwise specifically provided, violation of any provision of this Code or any other county ordinance shall subject the offender to the remedies hereinafter provided; except, that where the General Statutes of North Carolina provide specific civil remedies for violations of provisions of this Code adopted pursuant to such statutes, such remedies available to the county for enforcement of this Code shall be in addition to the remedies hereinafter stated; provided that no criminal penalties shall be applicable unless hereinafter stated in this section as being applicable to specific chapters or provisions of this Code.
- (b) Unless otherwise specifically identified, violations of any provision of the chapters and sections of this Code shall be a misdemeanor and punishable as provided by G.S. [14-4](#).
- (c) In addition to any civil or criminal penalties set out in this section, any provision of this Code or any other county ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction. In such case, the general court of justice shall have jurisdiction to issue such orders as may be appropriate, and it shall not be a defense to the application of the county for equitable relief that there is an adequate remedy at law.
- (d) In addition to any civil or criminal penalties set out in this section, any provision of this Code or any other county ordinance that makes unlawful a condition existing upon or use made of real property may be enforced by injunction and order of abatement, and the general court of justice shall have jurisdiction to issue such orders. When a violation of such a provision occurs, the county may apply to the appropriate division of the general court of justice for a mandatory or prohibitory injunction and order of abatement commanding the defendant to correct the unlawful condition upon or cease the unlawful use of the property. The action shall be governed in all respects by the laws and rules governing civil proceedings, including the Rules of Civil Procedure in general and Rule 65 in particular.
- (e) In addition to an injunction, the court may enter an order of abatement as a part of the judgment in the cause. An order of abatement may direct that:
 - (1) Buildings or other structures on the property be closed, demolished or removed;
 - (2) Fixtures, furniture or other movable property be removed from buildings on the property;
 - (3) Grass and weeds be cut;
 - (4) Improvements or repairs be made; or

- (5) Any other action be taken that is necessary to bring the property into compliance with this Code or such ordinance.

If the defendant fails or refuses to comply with an injunction or with an order of abatement within the time allowed by the court, he may be cited for contempt, and the county may execute the order of abatement. The county shall have a lien on the property for the cost of executing an order of abatement in the nature of a mechanic's and materialman's lien. The defendant may secure cancellation of an order of abatement by paying all costs of the proceedings and posting a bond for compliance with the order. The bond shall be given with sureties approved by the clerk of superior court in an amount approved by the judge before whom the matter is heard and shall be conditioned on the defendant's full compliance with the terms of the order of abatement within a time fixed by the judge. Cancellation of an order of abatement shall not suspend or cancel an injunction issued in conjunction therewith.

- (f) The provisions of this Code and any other county ordinances may be enforced by one, all or a combination of the remedies authorized and prescribed by this section, except that any provision the violation of which incurs a civil penalty shall not be enforced by criminal penalties.(i)
- (g) Except as otherwise specifically provided, each day's continuing violation of any provision of this Code or any other county ordinance shall be a separate and distinct offense.
- (h) Upon determination of a violation of any section of this Code, the penalty for which is a civil penalty, the county shall cause a warning citation to be issued to the violator, setting out the nature of the violation, the section violated, the date of the violation and an order to immediately cease the violation or, if the violation is in the nature of an infraction for which an order of abatement would be appropriate in a civil proceeding, stating a reasonable period of time in which the violation must be abated. The warning citation shall specify that a second citation shall incur a civil penalty.
- (i) Upon failure of the violator to obey the warning citation, a civil citation shall be issued by the appropriate official of the county and either served directly on the violator or his duly designated agent, or registered agent if a corporation, in person or posted in the United States mail service by first class mail addressed to the last known address of the violator as contained in the records of the county, or obtained from the violator at the time of issuance of the warning citation. The violator shall be deemed to have been served upon the mailing of such citation. The citation shall direct the violator to appear before the county treasurer, located in the county hall, within 15 days of the date of the citation or alternatively to pay the citation by mail. The violation for which the citation is issued must have been corrected by the time the citation is paid, otherwise, further citations shall be issued. Citations may be issued for each day the offense continues until the prohibited activity is ceased or abated. If the violator fails to respond to a citation within 15 days of its issuance and pay the penalty prescribed therein, the county may institute a civil action in the nature of debt in the appropriate division of the general court of justice for the collection of the penalty.

Chapter 4. -Animals

Article II.-In General

Sec.4-31.-Penalty for violation.

- (a) The violation of any provision of this chapter shall be a misdemeanor and any person convicted of such violation shall be punishable as provided in G.S. [14-4](#). Each day's violation of this article is a separate offense. Payment of a fine imposed in criminal proceedings pursuant to this subsection does not relieve a person of his liability for fees imposed under this article.
- (b) In addition, enforcement of this article may be by appropriate equitable remedy, injunction or order of abatement issuing from a court of competent jurisdiction pursuant to G.S. 153A-23(d) and (e).
- (c) In addition to and not in lieu of the criminal penalties and other sanctions provided in this article, a violation of this article may also subject the offender to the civil penalties hereinafter set forth.
 - (1) Such civil penalties may be recovered in a civil action in the nature of debt or may be collected in such other amounts as prescribed herein within the prescribed time following the issuance of notice for such violation.
 - (2) Such notice shall, among other things:
 - a. State upon its face the amount of the penalty if such penalty is paid within 72 hours from and after the issuance of the notice and the late fee in an amount as determined by the board of commissioners from time to time, if paid more than 72 hours after its issuance.
 - b. Notify such offender that a failure to pay the penalties within the prescribed time shall subject such offender to a civil action in the nature of debt for the stated penalty plus an additional penalty in an amount as determined by the board of commissioners from time to time, together with the cost of the action to be taxed by the court.
 - c. Further provide that such offender may answer the said notice by mailing said notice and stated penalty to the county sheriff, the county government center at the appropriate address, and that upon payment, such case or claim and right of action will be deemed compromised and settled.
 - d. State that such penalties must be paid within 72 hours from issuance of such notice. Such notice shall further state that if such notice of violation is not paid within said 72-hour period, court action by the filing of a civil complaint for collection of such penalty may be taken.

- (3) The county sheriff is authorized to accept such payments in full and final settlement of the claim or claims, right or rights of action which may be enforced by such penalty by civil action in the nature of debt. Acceptance shall be deemed a full and final release of any and all such claims, or rights of action arising out of such contended violation or violations.
- (4) The civil penalty for violation of this article is to be an amount as determined by the board of commissioners from time to time. Said penalty shall be paid within 72 hours from and after the issuance of the notice referred to above.
- (5) The notice of violation referred to herein may be delivered to the person violating the provisions of this article in person, or may be mailed by registered or certified mail to said person at his last known address.
- (6) In addition to the penalty prescribed in subsection (c)(4) of this section, a penalty in an amount as determined by the board of commissioners from time to time, shall be imposed in all those cases in which the above penalty has not been paid within the authorized 72-hour period. Should it become necessary to institute a civil action to collect any penalty hereunder, then the violation shall also be subject to an additional penalty in an amount as determined by the board of commissioners from time to time.
- (7) All penalties paid to the county sheriff or as may be recovered in a civil action in the nature of debt, as herein provided, shall be paid into the animal control department monies of the county budget. (Ord. No. 1988-1, § XXXI, 1-13-1988; Ord. No. 1989-3, § XXXI, 10-2-1989; [Ord. of 4-8-2015\(1\)](#))

Article III.-Beavers

Sec. 4-86.-Fines

It is expressly understood and agreed that the payment per beaver tail in an amount as determined by the board of commissioners from time to time, applies strictly to beaver tails acquired in the county. A fine will be imposed on anyone bringing beaver tails from outside the county in an amount as determined by the board of commissioners from time to time, for the first illegal beaver tail and then an additional amount to be determined by the board of commissioners from time to time, for each additional illegal beaver tail. Each illegal beaver tail will be considered a separate violation and also will result in a loss of permit issued by the county. A reward in an amount as determined by the board of commissioners from time to time, will be given to anyone who has any information leading to the arrest and conviction of anyone bringing in beaver tails from outside the county and trying to or collecting a bounty on them. Any rewards that are paid will be deducted from the fiscal year amount funded for this program. The county will pursue any violation of state criminal statutes for the taking of beaver tails outside the county and receiving payment for same, including, but not limited to, obtaining property by false pretense, or any other violation of state law concerning criminal violations. Violation of this article is a misdemeanor punishable as provided in G.S. [14-4](#) plus a fine in an amount as determined by the board of commissioners from time to time, per beaver tail brought in from outside of the county for collection.

(Ord. No. 2001-9-1, § 6, 10-10-2001; Ord. No. 2006-2, § 1, 6-14-2006; Ord. No. 2007-1, § 1, 1-10-2007)

Chapter 6-Buildings and Building Regulations

Article V.-Certificates of Compliance

Sec. 6-111. - Occupancy without certificate a violation.

Occupying a building or structure in violation of this section will constitute a misdemeanor.
(Ord. No. 1985-1, § 5.4, 10-7-1985)

Article VI. Enforcement

Sec. 6-136. - Stop orders.

- (a) Whenever any building or structure or part thereof is being constructed, reconstructed, altered, repaired, or demolished in a hazardous manner, or in substantial violation of this Code or any other applicable state or local building law, or in a manner that endangers life or property, the appropriate inspector may order the specific part of the work that is in violation or presents such a hazard to be immediately stopped.
- (b) The stop order shall be in writing, directed to the person doing the work, and shall state the specific work to be stopped, the specific reasons therefor, and the conditions under which the work may be resumed.
- (c) Violation of a stop order shall constitute a misdemeanor. (Ord. No. 1985-1, § 6.1, 10-7-1985)

Sec. 6-138. - Equitable enforcement.

In any violation of this article which is a misdemeanor the county, either in addition to or in lieu of other remedies, may initiate any appropriate action or proceeding to prevent, restrain, correct, or abate the violation or to prevent the occupancy of the building involved.

(Ord. No. 1985-1, § 6.3, 10-7-1985)

Article VIII.-Condemnation of Unsafe Buildings

Sec. 6-187. - Unsafe buildings condemned.

The inspector shall condemn as unsafe each building that appears to him to be especially dangerous to life because of its liability to fire, bad condition of walls, overloaded floors, defective construction, decay, unsafe wiring or heating system, inadequate means of egress, or other causes; and he shall affix a notice of the dangerous character of the building to a conspicuous place on its exterior wall. In addition, the inspections department shall bring appropriate actions to prevent violations, require corrective action, or prevent occupancy of the building.

- (1) *Condemnation procedure* . Whenever an inspector finds that a building has not been constructed in compliance with this Code or other applicable state and local laws, or that

a building because of its condition is dangerous to life, contains fire hazards, is unfit for human habitation, or constitutes a nuisance, he shall notify the owner or occupant of the building of its defects, hazardous conditions, or failure to comply with law. He shall also initiate action in accordance with G.S. 153A-368 to vacate, demolish, close, repair, or otherwise correct such conditions. The owner or occupant shall immediately remedy the defects, hazardous conditions, or violations of law in the property that each owns.

- (2) *Removal of notice* . Removal of a notice condemning a building as unsafe or failure to comply with a valid order to correct such conditions shall constitute a misdemeanor.
(Ord. No. 1985-1, § 8.1, 10-7-1985)

Sec. 6-188. - Procedure in the event of failure to take corrective action.

- (a) If the owner of a building that has been condemned as unsafe pursuant to [section 6-187](#) fails to take prompt corrective action, the local inspector shall, by certified mail to his last known address or by personal service, give him written notice:
- (1) That the building is in a condition that appears to constitute a fire or safety hazard or to be dangerous to life, health, or other property;
 - (2) That a hearing will be held before the inspector at a designated place and time, not later than ten days after the date of the notice, at which time the owner is entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
 - (3) That following the hearing, the inspector may issue any order to repair, close, vacate, or demolish the building that appears appropriate.
- (b) If, after due diligence, the name or whereabouts of the owner cannot be discovered, the notice shall be considered properly and adequately served if:
- (1) A copy thereof is posted on the outside of the building in question at least ten days before the day of the hearing; and
 - (2) A notice of the hearing is published at least once not later than one week before the hearing. (Ord. No. 1985-1, § 8.2, 10-7-1985)

Sec. 6-189. - Order to take corrective action.

If, upon a hearing held pursuant to [section 6-188](#)(2), the inspector finds that the building is in a condition that constitutes a fire or safety hazard or renders it dangerous to life, health, or other property, he shall issue a written order, directed to the owner of the building, requiring the owner to remedy the defective conditions by repairing, closing, vacating, or demolishing the building or taking other necessary steps, within such period, not less than 60 days, as the inspector may prescribe. (Ord. No. 1985-1, § 8.3, 10-7-1985)

Sec. 6-190. - Appeal of condemnation order to county board of commissioners.

An owner who has received an order under [section 6-189](#), may appeal that order to the board of commissioners by giving written notice of appeal to the inspector and to the clerk within ten days

following the day the order is issued. In the absence of an appeal, the order of the inspector is final. The board of commissioners shall hear any appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.

(Ord. No. 1985-1, § 8.4, 10-7-1985)

Sec. 6-191. - Failure to comply with an order.

If the owner of a building fails to comply with an order issued pursuant to [section 6-189](#) from which no appeal has been taken, or fails to comply with an order of the board of commissioners following an appeal, he is guilty of a misdemeanor. The county may also initiate appropriate action or proceedings to ensure compliance with this article.

Article IX.-Minimum Housing Standards

Sec. 6-236.-Procedure for enforcement.

(c) *Failure to comply with order.*

(1) If the owner fails to comply with an order to repair, alter or improve or to vacate and close the dwelling, the public officer may cause the dwelling to be repaired, altered or improved or to be vacated and closed; the public officer may cause to be posted on the main entrance of any dwelling so closed, a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Occupation of a building so posted shall constitute a Class 1 misdemeanor. The duties of the public officer set forth in this subsection shall not be exercised until the board of commissioners shall have by ordinance ordered the public officer to proceed to effectuate the purpose of this article with respect to the particular property or properties which the public officer shall have found to be unfit for human habitation and which property or properties shall be described in the ordinance. The ordinance shall be recorded in the office of the register of deeds in the county wherein the property is located and shall be indexed in the name of the property owner in the grantor index.

Sec. 6-242. - Violations; penalty.

- (a) It shall be unlawful for the owner of any dwelling or dwelling unit to fail, neglect, or refuse to repair, alter, or improve the same, or to vacate and close and remove or demolish the same, upon order of the officer duly made and served as herein provided, within the time specified in such order. Each day that any such failure, neglect, refusal to comply with such order continues shall constitute a separate and distinct offense.
- (b) It shall be unlawful for the owner of any dwelling or dwelling unit, with respect to which an order has been issued pursuant to [section 6-236](#), to occupy or permit the occupancy of the same after the time prescribed in such order for its repair, alteration or improvement or its vacation and closing. Each day that such occupancy continues after such prescribed time shall constitute a separate and distinct offense.

- (c) The violation of any provision of this article shall constitute a misdemeanor, as provided by G.S. [14-4](#), and shall carry a penalty of a fine of an amount as established by the board of commissioners from time to time, for each separate occurrence.
- (d) In addition to the penalty established by subsection (c) of this section, and the remedies provided by other provisions of this article, this article may be enforced by an appropriate equitable remedy issued by a court of competent jurisdiction. (Ord. No. 1993-5, § 21, 5-19-1993)

Chapter 7.-Business and Business Regulations

Article II.-Peddlers and Solicitors

Sec.7-21.-Intent; Permit Requirements and Applications; evocation of Permits; Exceptions.

- (a) *Intent.* The purpose of this section is to regulate the door-to-door offering for sale and selling of goods, wares, merchandise, food, periodicals and services and the solicitation of orders therefore countywide, and to thereby promote the public safety and welfare. This chapter is written in accordance with the provisions of G.S. § 153A-125 and G.S. §§ 66-250 through 66-259.
- (b) *Permit required.* It is unlawful for any person, firm or corporation to sell, offer for sale, or solicit orders for goods, wares, merchandise, food, periodicals or services by going from door-to-door ("peddle" or "solicit") or to beg or panhandle, within the county without having first secured a peddler/solicitor's permit from the county as provided for in this section, unless it is done with the prior request or invitation of the residents or occupants of the premises visited. This permit is only required for areas of Martin County that are unincorporated (there may be additional permits required by other municipalities) and this permit shall not supersede or interfere with any ordinance or law of those localities. Additionally, it is unlawful to peddle, solicit, beg, or panhandle unless the following requirements are met:
 - (1) Such peddling, soliciting, begging or panhandling shall be permitted only between the hours of 9:00 a.m. and 6:00 p.m.
 - (2) The peddler/solicitor permit issued for that person shall be carried and displayed at all times while conducting such solicitations in such a manner as to be clearly visible to a reasonable person of adequate vision.
 - (3) All other permits or licenses required by law shall have been obtained.
- (c) *Permit applications.*
 - (1) Applications for peddler/solicitor permits under this section shall be submitted to include a \$25.00 permit fee during normal business hours (Monday through Friday, 9:00 a.m. to

5:00 p.m.) on a form provided by the sheriff's office and shall include, but not be limited to, the following information.

- a. The full name of the applicant;
 - b. The permanent residence address of the applicant;
 - c. The applicant's temporary address in or in the vicinity of the county, if applicable;
 - d. The name and address of the applicant's employer or the organization with which the applicant is associated in connection with the begging, panhandling, sale activity, or solicitation of orders;
 - e. A description of the automobile or other vehicle to be used in the business, including make, model, body style, color and license number;
 - f. The type of donations, goods, wares, merchandise, food, periodicals and services to be requested, sold or offered for sale;
 - g. The period for which the application is sought, which shall not exceed 60 consecutive calendar days; provided that the permit may be renewed for 60-day periods without limit, upon proper application therefore;
 - h. A record of any and all crimes of which the applicant has been convicted or has pleaded no contest in the ten years preceding the submittal of the application;
 - i. The age, height, weight, and any other additional information which the county may reasonably require for identification, including a copy of the document used by the applicant to verify personal identification (e.g., driver's license, passport, picture I.D.);
 - j. A complete listing of and information concerning all other permits or licenses, such as privilege licenses, which were obtained by the applicant.
- (2) If an application is filed by an employer, there shall also be filed separate applications for each peddler, solicitor, beggar and panhandler, giving the information set forth above for each peddler, solicitor, beggar and panhandler and signed and sworn to by each peddler/solicitor, and a separate permit shall be issued for each applicant.

(d) *Procedures for considering applications.*

- (1) Upon receipt of a complete application, the sheriff or designee (hereafter "sheriff") shall make or cause to be made such investigation as reasonably necessary to verify the information in the application and to assure compliance with the provisions of this section and shall issue a permit unless the applicant:
 - a. Has not submitted a completed application;

- b. Is not permitted by law to engage in such activity due to age;
 - c. Has been convicted of, or has pleaded no contest to, a felony charge within the ten years preceding the submittal of the application;
 - d. Has been, within the previous five years, convicted of, or pleaded no contest to, a misdemeanor charge involving theft, fraud, forging, uttering, or other crimes of like nature or any crime involving moral turpitude;
 - e. Does not have valid driving privileges in the state in those cases where the applicant will be operating a vehicle in the course and scope of the peddling, soliciting, begging, or panhandling; or
 - f. Has not obtained any necessary licenses.
- (2) The sheriff shall approve or deny an application and issue a permit as soon as possible and, except in the case of extraordinary circumstances, as when a number of applications are submitted within a short period of time, should act within five business days of receipt of the completed application. Such issued permit shall be nontransferable.
- (e) *Permit renewal.* A peddler/solicitor permit may be renewed for an unlimited number of 60-day periods, provided an application for renewal is made on such form as provided by the sheriff's office no later than the expiration date on the current valid permit. Applications received after that date shall be processed as new applications. The sheriff shall review each application for renewal to determine that the applicant is in full compliance with the provisions of this section. If the sheriff's office finds that the application meets the above requirements, the renewal permit shall be issued.
- (f) *Appeals.* The appeal of a refusal to issue a permit or the revocation of a permit shall be made to the sheriff's office by filing a written notice of appeal, specifying with particularity the grounds upon which the appeal is made, no later than ten days from the date of the refusal to issue a permit or the revocation of a permit. The sheriff's office or designee shall fix a reasonable time for the hearing of the appeal, shall give due notice to all parties, and shall render a decision within a reasonable time. The order or decision of the sheriff shall be the final county action for the purpose of judicial review.
- (g) *Revocation of permit.* Permits issued under this section may be revoked at the discretion of the sheriff or if evidence arises that the permit application was falsified in any way. Additional grounds for revocation of a permit include, where evidence is presented, that the applicant has been arrested for a felony or a misdemeanor involving theft, fraud, forgery, moral turpitude, criminal trespass, or a threat to the public safety during the peddling/solicitation period, or has otherwise violated the provisions of this section. A permit which has been revoked shall be immediately surrendered to the sheriff's office. Appeals of revocations may be made pursuant to the same process as for denied permits.
- (h) *Exemptions.* This section shall not apply to:

- (1) A peddler or an itinerant merchant who sells only one or more of the following types of merchandise:
 - a. Farm or nursery products produced by the merchant;
 - b. Crafts or goods made by the merchant;
 - c. The merchant's own household personal property;
 - d. Wood for fuel produced by the merchant; and/or
 - e. Ice, seafood, meat, poultry, livestock, eggs, dairy products, bread, cakes or pies; produced by the merchant.
- (2) A peddler or an itinerant merchant who is an authorized automobile dealer licensed pursuant to G.S.[Chapter 20](#).
- (3) A peddler or an itinerant merchant who is a nonprofit charitable, educational, religious, scientific or civic organization.
- (4) An itinerant merchant who meets any of the following descriptions:
 - a. Locates at a farmer's market;
 - b. Is part of the state fair or an agriculture fair that is licensed by the commissioner of agriculture pursuant to G.S. § 106-520.3; and/or
 - c. Sells goods at an auction conducted by an auctioneer licensed pursuant to G.S. Chapter 85B.
- (5) A peddler who complies with the requirements of G.S. §§ 25A-38 through 25A-42, or who complies with the requirements of G.S. § 14-401.13.
- (6) The delivery of goods or services which have been ordered before delivery.
- (7) The circulation of petitions for signature or lawful distribution of advertising materials, flyers, or materials expressing views on political, social or religious matters.
- (8) The lawful promotion or expression of views concerning political, social, religious and other like matters.
- (9) The sale or delivery of goods to business establishments. ([Ord. of 5-13-2015\(2\)](#))

Sec. 7-22. - Licenses or Permits; Refusal to Issue, Suspension, Revocation; Notice, Hearing.

- (a) The sheriff may refuse to issue a license or permit, or the licenses or permits issued pursuant to this chapter, unless otherwise provided hereunder, may be suspended or revoked by the county manager or other authorized official, department, board or agency where applicable, after notice and hearing for any of the following causes:
- (1) Any fraud, misrepresentations or false statements contained in the application for permit or license;
 - (2) Any fraud, misrepresentation or false statement made in connection with the selling of goods, wares, merchandise and services;
 - (3) Any violation of this chapter and/or any ordinance of the county;
 - (4) Conviction of the applicant, licensee or permittee of any crime or misdemeanor involving moral turpitude or a violation of any act of this state, or any law of the United States having a reasonable relationship to the purpose and scope of the permit or license;
 - (5) Conducting the activity under this chapter and/or any ordinance of the county in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety, morals or general welfare of the public.
- (b) Notice of hearing for the suspension or revocation of a license or permit shall be in writing given by the sheriff or his designee, setting forth specifically the grounds of the complaint and the time and place of the hearing. Service of such notice shall be made either by personal service or by certified mail, return receipt requested, to the applicant, licensee or permittee at the last known address, at least five days prior to the date set for the hearing.
- (c) In case of refusal to issue a permit or license or the suspension or revocation of a license or permit as herein provided, no portion of the application, license or permit fee shall be returned to the applicant, licensee or permittee unless otherwise provided in this chapter and/or any ordinance of the county.
- (d) Any suspension or revocation hereunder shall not be considered a recovery or penalty so as to bar any other penalty from being enforced.
- (e) The order of the sheriff or other authorized official, department, board or agency where applicable, shall be the final county action for the purpose of judicial review. ([Ord. of 5-13-2015\(2\)](#))

Sec. 7-23. - Penalty.

Violations of the provisions of this chapter or failure to comply with any of its requirements, shall constitute a misdemeanor, punishable by a fine of up to \$500.00 or a maximum of 30 days imprisonment, as provided in G.S. [§ 14-4](#). ([Ord. of 5-13-2015\(2\)](#))

Section XII.-Penalties

Appendix A-Airport Height

Each violation of this Ordinance or of any regulation, order, or ruling promulgated hereunder shall constitute a misdemeanor and shall be punishable by a fine of not more than two hundred (\$200.00) dollars; and each day a violation continues to exist shall constitute a separate offense.

Chapter 8-Emergency Management

Article I.-In General

Sec.8-8.-Violations.

It shall be a misdemeanor for any person to violate any of the provisions of this chapter 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 chapter, or any plan issued thereunder. (Ord. No. 1988-2, § 8, 3-1-1988)

Sec. 8-42. – Restriction on Possession, Transportation, and Transfer of Dangerous Weapons and Substances.

- (a) The declaration may prohibit the transportation or possession off one's own premises, or the sale or purchase of any dangerous weapon or substance. The chairperson may exempt from some or all of the restrictions classes of people whose possession, transfer, or transportation of certain dangerous weapons or substances is necessary to the preservation of the public's health, safety, or welfare. The declaration shall state the exempted classes and the restrictions from which each is exempted.
- (b) The term "dangerous weapon or substance" means:
 - (1) Any deadly weapon, ammunition, explosive, incendiary device, radioactive material or device as defined in G.S. 14-288.B(c)(5), gasoline, or other instrument or substance designed for a use that carries a threat of serious bodily injury or destruction of property.
 - (2) Any other instrument or substance that is capable of being used to inflict serious bodily injury or destruction of property, when the circumstances indicate that there is some probability that such instrument or substance will be so used.
 - (3) Any part or ingredient in any instrument or substance included above when the circumstances indicate a probability that such a part or ingredient will be so used.
- (c) If imposed, the restrictions shall apply throughout the jurisdiction of the county or such part thereof as designated in the declaration.

(d) A violation of this section shall be punishable as provided in G.S. 14-288.7. (Ord. No. 1988-3, § 6, 3-1-1988)

Sec. 8-49. - Penalty for Violation.

Except as provided in [section 8-42](#), any person violating any prohibition or restriction imposed by a declaration authorized by this article shall be guilty of a misdemeanor, punishable upon conviction by a fine in an amount as specified by the board of commissioners from time to time, or imprisonment not exceeding 30 days, as provided by G.S. [14-4](#). (Ord. No. 1988-3, § 13, 3-1-1988)

Chapter 12-Environmnet

Article II. Watershed Protection/Division 1.-Generally

Sec. 12-23. –Criminal Penalties.

Any person violating any provisions of this article shall be guilty of a misdemeanor and, upon conviction, shall be punished in accordance with G.S. [14-4](#). The maximum fine for each offense shall not exceed \$500.00. Each day that the violation continues shall constitute a separate offense. (Ord. No. 2014-1, § 105, 8-14-2013)

Sec.12-60. –Penalties for Transferring Lots in Unapproved Subdivisions/Division 2. – Subdivision Regulations

Any person who, being the owner or agent of the owner of any land located within the jurisdiction of the county, thereafter subdivides his land in violation of this article or transfers or sells land by reference to, exhibition of, or any other use of a plat showing a subdivision of the land before the plat has been properly approved under this article and recorded in the office of the register of deeds, shall be guilty of 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 may bring an action for injunction of any illegal subdivision, transfer, conveyance, or sale of land, and the court shall, upon appropriate findings, issue an injunction and order requiring the offending party to comply with this article. (Ord. No. 2014-1, § 205, 8-14-2013)

Chapter 14-Flood Damage Prevention

Article I. - In General.

Sec.-14-13.-Penalties for Violation.

Violation of the provisions of this chapter or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be fined an amount as specified by the board of commissioners from time to time, or imprisoned for not more than 30 days, or both. Each day such violation continues shall be considered a separate offense. Nothing

herein contained shall prevent the county from taking such other lawful action as is necessary to prevent or remedy any violation. (Ord. No. 2007-4, art. 3, § H, 9-12-2007)

Article II.-Administrator.

Sec. -14-47. –Duties and Responsibilities of the Floodplain Administrator.

(16) Issue stop-work orders as required. Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this article, the floodplain administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing or in charge of the work. The stop-work order shall state the specific work to be stopped, the specific reason for the stoppage, and the condition under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.

Sec. 14-48. – Corrective Procedures.

(e) *Failure to comply with order.* If the owner of a building or property fails to comply with an order to take corrective action for which no appeal has been made or fails to comply with an order of the governing body following an appeal, the owner shall be guilty of a misdemeanor and shall be punished at the discretion of the court.

Chapter 16 – Offenses and Miscellaneous Provisions

Article II – Firearms

Section 16-20. – Unlawful discharge of firearm

Any person convicted of violating the provisions of this article shall be fined a sum as shall be determined by the board of commissioners from time to time or imprisoned for a period of not to exceed 30 days or both, in the discretion of the court.

Chapter 18-Solid Waste/Article IV.-Penalties and Remedies

Sec. 18-91. - Criminal violation and penalty.

A violation of any of the provisions of this chapter shall constitute a misdemeanor, punishable by a fine as shall be determined by the board of commissioners from time to time or by imprisonment not to exceed 30 days, or both, in the discretion of the court.

([Ord. of 12-1-2014\(2\)](#))

Sec. 18-123. - Violations.

It shall be a misdemeanor for any person to violate any of the provisions of this article, or to willfully obstruct, hinder or delay any authorized person in the enforcement of the provisions of this article. Violation of this article is punishable by a fine in an amount as shall be determined by the board of commissioners from time to time or 30 days' imprisonment.

([Ord. of 12-1-2014\(2\)](#))

Chapter 20-Roads, Bridges, and Other Public Places/Article II-Road Names & Bridges.

Sec.20-31.-Violations.

Any person, firm, or agent thereof who intentionally violates the terms of this article shall be guilty of a misdemeanor and subject to the penalties thereof.
(Ord. No. 2001-8, § 11, 9-12-2001)

Sec. 20-56. - Penalty.

Any person who violates any provision of this article shall be guilty of a misdemeanor and shall be fined in an amount as shall be determined by the board of commissioners from time to time, or imprisoned for not more than 30 days. (Ord. No. 2011-01, § 3, 11-9-2011)

Chapter 22-Taxation**Tax on Gross Receipts Derived from Retail Short-Term Lease or Rental of Motor Vehicles****Sec. 22-23. – Misdemeanor for willful violation.**

Any person, firm, corporation or association who willfully attempts in any manner to evade a tax imposed herein or who willfully fails to pay the tax or make and file a return shall, in addition to the penalties provided by law and herein, be guilty of a misdemeanor punishable as provided by law. (Ord. No. 2000-3, § 5, 8-14-2000)

Appendix A – Airport Height**Section XII. – Penalties**

Each violation of this ordinance or of any regulation, order, or ruling promulgated hereunder shall constitute a misdemeanor and shall be punishable by a fine or not more than two hundred (\$200) dollars; and each day a violation continues to exist shall constitute a separate offense.