

VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

Chapter/ Article	Relevant Section(s) and Text
Chapter 4. Animals; Article II. Rabies Control	<p>Sec. 4-54. Sanctions, penalties, fines and remedies.</p> <p>Violations of this article [and Article II of the Brunswick County Animal Control Ordinance], are punishable by prosecution in criminal court as provided by G.S. 14-4, unless a greater penalty is provided elsewhere, or by the imposition of civil penalties, as prescribed in article VII, or both. Collection of civil penalties may be by civil action or by the use of a collection agency.</p> <p>(1) Failure to keep rabies tags on dogs and cats at all times. It shall be a violation if a dog or cat is observed by an animal services officer not wearing a valid rabies tag, regardless of whether or not the animal is on or off the owner's property and regardless of whether or not the animal has been vaccinated.</p> <p>(2) Failure to produce proof of vaccination and/or failure to have animal vaccinated when the owner is known. In addition to any civil penalties imposed for violation of subsection (1) above, the owner of a dog or cat may be assessed another civil penalty, if he or she fails to produce proof of vaccination and/or fails to have the animal vaccinated within 72 hours of the issuance of a written notice of violation and civil penalty. The notice of violation and civil penalty shall specify that the owner has 72 hours to produce proof of vaccination and/or to have the animal vaccinated and failure to do so shall result in the assessment of a civil penalty. If the owner presents proof of vaccination, within 72 hours of the issuance of the notice of violation, the civil penalty shall not be assessed. Having the animal vaccinated or showing proof of vaccination shall not discharge the civil penalties assessed for violation of subsection (1) above.</p> <p>a. If the animal is not vaccinated and/or the civil penalty is not paid within 72 hours, animal services shall have the authority to summarily seize the animal. The owner shall have give five days from the date of seizure to redeem the animal. The owner may redeem the animal by paying the civil penalty, the redemption fee and all boarding fees. If the owner wishes to request a review of the seizure of the animal, the owner must file a written request with the board of health's environmental committee within five days of the seizure. If a timely request is filed, the board of health's environmental committee shall convene within ten days of the receipt of said request. If the owner disagrees with the board of health's environmental committee decision, the owner must seek a review by the Brunswick County Superior Court within ten days of the issuance of the board committee's written decision. If</p>

VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

	<p>the owner fails to redeem the animal, or fails to timely request a review of the seizure, or fails to timely appeal the board committee's written decision, the animal shall become the property of Brunswick County and shall be disposed of according to this chapter.</p> <p>b. The animal services officer may, in addition, issue a criminal summons or warrant, pursuant to the G.S. 130A-25 for the owner's violation of the G.S. 130A-185 or 130A-192. Any owner, if convicted, shall be guilty of a misdemeanor and shall be fined not more than \$500.00 or imprisoned for not more than six months.</p> <p>(3) Dogs or cats without valid rabies tags and the owner is unknown. If a dog or cat is observed not wearing a valid rabies vaccination tag and the owner is unknown and cannot be found, the animal services director or his designee may impound the animal. Written notice of impoundment shall be posted at the animal shelter for a minimum of five days. If the animal has not been redeemed by the owner after five days the animal shall become the property of Brunswick County to be disposed of according to this chapter. If the owner is found, the animal shall be released upon payment of all redemption fees and a civil penalty for failure to wear a valid rabies vaccination tag. The owner may also be subject to other appropriate penalties described in Article IV [of the Brunswick County Animal Control Ordinance], plus a civil penalty for the animal being at large.</p> <p>(4) Failure to provide animal services with rabies vaccination certificates. Any veterinarian or certified rabies vaccinator who willfully refuses to turn over rabies vaccination certificates to animal services pursuant to G.S. 130A-189, shall be subject to the issuance of a criminal summons or warrants or the filing of a civil action to obtain the certificates.</p> <p>(5) Failure to notify the county health director and/or the animal services director of a biting incident and failure to confine biting dogs and cats. If the owner of a dog or cat, or the person being bitten, or the parent of a child or other legal guardian or person standing in loco parents of the person, fails to notify the health director and/or the animal services director and provide the names and addresses of the person(s) bitten and the names and addresses of the owner(s) of any animals involved in a biting incident; or the owner, who has knowledge of a dog or cat biting incident, fails to confine the animal pursuant to section 4-53, the animal services director or the county health director may seek the issuance of a criminal summons or warrant charging the person with a violation of G.S. 130A-196. (Ord. No. 2007-1001, Art. II, (4), 10-26-2007; Ord. No. 2007-1003, 10-26-2007)</p>
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VILLAGE OF BALD HEAD ISLAND
SL 2018-69 Criminal Law Recodification List

Chapter 4. Animals; Article III. Animal Cruelty	<p>Sec. 4-79. Failure to report animal cruelty. An owner or lessee of property who knows, or based on facts and circumstances should know, that animals are being or have been cruelly treated on the owner's or lessee's real property, shall report said act or acts of cruelty to the animal services department. The owner or lessee of real property who fails to report acts of animal cruelty shall be subject to the appropriate sanctions described in section 4-80, below. (Ord. No. 2007-1001, Art. III, (4), 10-26-2007; Ord. No. 2007-1003, 10-26-2007)</p> <p>Sec. 4-80. Sanctions, penalties, fines and remedies. Violations of this article [and Article III of the Brunswick County Animal Control Ordinance], are punishable by prosecution in criminal court as provided by G.S. 14-4, unless a greater penalty is provided elsewhere, or by the imposition of civil penalties, as prescribed in Article VII, or both. Collection of civil penalties may be by civil action or by the use of a collection agency.</p> <p>(1) Failure to adequately provide for animals and cruel treatment of animals. Whenever it has been determined by an animal services officer that an animal is not being adequately provided for or is being cruelly treated, as defined in section 4-78, above, he may file with the magistrate a sworn complaint requesting an order allowing him to take immediate custody of, and provide suitable care for, the animal. The magistrate, pursuant to G.S. 19A-46 and this chapter, shall issue the order only when he finds probable cause to believe that the animal is being cruelly treated and that it is necessary for the animal services officer to take immediate custody. Any magistrate's order issued under this section shall be valid for only 24 hours after its issuance. After the animal services officer executes the order, he shall return it with a written inventory of the animal(s) seized to the clerk of court.</p> <p>a. The animal services officer may request that a law enforcement officer accompany him to help seize the animal. He may forcibly enter any premises or vehicle when necessary to execute the order only if he reasonably believes that the premises or vehicle is unoccupied by any person and that the animal is on the premises or in the vehicle and only if the animal services officer is accompanied by a law enforcement officer. In any case, he must give notice of his identity and purpose to anyone who may be present before entering the premises. If the premises is occupied and access to the premises and the animal is denied by</p>
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VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

	<p>the occupant, the animal services officer shall obtain a judicial order from a district court judge authorizing forcible entry. Forcible entry shall only be used during the daylight hours.</p> <p>b. When the animal services officer seizes an animal, he must leave with the owner, if known, or affix to the premises or vehicle a copy of the magistrate's order and a written notice of the description of the animal, the place where the animal will be taken, the reason for taking the animal, a list of conditions, if any, which must be met before the owner can redeem the animal and the animal services officer's intent to file a complaint in district court requesting custody of the animal if the conditions are not met.</p> <p>c. When the animal services officer takes custody of such an animal, he shall file a verified complaint asking the district court to determine custody of the animal. The animal services officer may also seek injunctive relief and any other relief he deems appropriate. This complaint shall be filed as soon as possible, but in no event longer than 30 days after the taking of the animal. If the owner surrenders the animal, the animal services officer does not have to file a complaint seeking custody of the animal.</p> <p>d. The animal services officer must take any animal seized directly to a safe and secure place and provide suitable care for it. The necessary expenses of caring for a seized animal, including necessary veterinary care, shall be a charge against the animal's owner and a lien on the animal to be enforced as provided by G.S. 44A-4.</p> <p>(2) Alternative remedy and sanction. If it is determined by an animal services officer that an animal is not in immediate danger, or the condition or problem which gives rise to inadequate care or cruel treatment can be corrected immediately or within a short period of time, not to exceed 72 hours, he may, in lieu of subsection (1), above, issue a written notice of violation requesting the owner or possessor of the animal to cease and desist or to correct the problem within 72 hours. If the condition or problem is not corrected within 72 hours or the owner or possessor of the animal fails to cease or desist from the cruel treatment or fails to adequately provide for the animal, the animal services officer may take action as outlined in subsection (1), above.</p> <p>(3) Violation of section 4-78(2); (clean shelter). Notwithstanding the other provisions and sanctions of this article, when it has been determined by an animal services officer that animals have been allowed to live in unsanitary conditions, and that said conditions resulted from the owner's unwillingness or inability to clean the area where animals are housed or that the conditions resulted from the number of animals involved, animal services may</p>
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VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

summarily seize the animals. Before the animals are seized, the animal services director or health director shall issue a declaration of unsanitary conditions and notice of seizure to the owner. If the owner wishes to request a review of the seizure of the animals, the owner must file a written request with the board of health's environmental committee within five days of the seizure. If a timely request is filed, the board of health's environmental committee shall convene within ten days of the filing of said request. If the within ten days of the filing of said request. If the owner disagrees with the board of health's environmental committee decision, the owner must seek a review by the Brunswick County Superior Court within ten days of the issuance of the board committee's written decision. If the owner fails to timely request a review of the seizure or fails to timely appeal the committee's written decision, the animal shall become the property of Brunswick County and shall become the property of Brunswick County and shall be disposed of according to this chapter.

(4) Violation of section 4-78(4)--(9). When it has been determined by an animal services officer that there has been a violation of one or more of the following subsections (4)--(9), he may initiate the issuance of a criminal summons or warrant for violating the following criminal statutes:

- a. G.S. 14-360, Cruelty to Animals;
- b. G.S. 14-361.1, Abandonment of Animals;
- c. G.S. 14-362 and 14-362.1, Cockfighting and other Animal fights;
- d. G.S. 14-363, Transporting Animals Cruelly;
- e. G.S. 14-401, Animal Poisoning;
- f. G.S. 106-403 and 106-405, Disposing of Dead Animals.

Any person found guilty under any of the above criminal statutes shall be subject to the penalty therein prescribed, or if no penalty therein prescribed, or if no penalty is prescribed, then according to G.S. 14.4.

(5) Violation of section 4-78(10); (reporting injured or killed domestic animals). When it has been determined by an animal services officer that a domesticated animal has been injured or killed, as a result of coming into contact with an automobile, motorcycle, bicycle or other vehicle, and the person operating said conveyance fails to report the same, and the operator can be identified by an eyewitness or physical evidence, the animal services officer may issue a written notice of violation and civil penalty to the operator.

VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

	<p>a. Any owner or lessee of real property who fails to report the existence of an injured or suffering domesticated animal on his property as required by section 4-78(10) above, may be issued a written notice of violation and civil penalty.</p> <p>(6) Violation of section 4-78(11) or (12); (animals as prizes and public exhibits of animals). Any person who violates section 4-78(11) shall be subject to the issuance of a criminal warrant or summons and, if convicted, shall be guilty of a misdemeanor punishable by a fine not to exceed \$500.00 or imprisoned for not more than six months. Any person who fails or refuses to close down an exhibit, function or activity after being instructed to do so by animal services shall be subject to the issuance of a criminal warrant or summons and, if convicted, shall be guilty of a misdemeanor punishable by a fine not to exceed \$500.00 or imprisoned for not more than six months.</p> <p>(Ord. No. 2007-1001, Art. III, (5), 10-26-2007; Ord. No. 2007-1003, 10-26-2007)</p>
Chapter 4. Animals; Article IV Dangerous Dog or Other Dangerous Animals	<p>Sec. 4-126. Sanctions, penalties, fines and remedies.</p> <p>Violations of this article [and Article VIII, of the Brunswick County Animal Control Ordinance], are punishable by prosecution in criminal court as provided by G.S. 14-4, unless a greater penalty is provided elsewhere, or by the imposition of civil penalties as prescribed in article VII, or both. Collection of civil penalties may be by civil action or by the use of a collection agency.</p> <p>(1) Dangerous animal or potentially dangerous animal found at large.</p> <p>a. If an animal, which has previously been determined to be dangerous or potentially dangerous by the health director, is found at large, it may be tranquilized or humanely destroyed by an animal services officer with or without prior notice to the owner, only after unsuccessful attempts to catch it and authorization from the animal services director. If an animal services officer does tranquilize or humanely destroy such an animal, he shall submit a written report of the incident to the animal services director within 72 hours of the incident and shall make a good faith attempt to notify the owner of the incident.</p> <p>b. If an animal which previously has been determined to be dangerous or potentially dangerous by the health director is determined by an animal services officer to pose immediate danger to the health and safety of any person or animal, the dangerous animal or potentially dangerous animal may be tranquilized or humanely destroyed at the animal service officer's discretion, with or without prior notification to the owner. In the event the</p>

VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

animal services officer does tranquilize or humanely destroy such animal, he shall submit a written report of the incident to the animal services director within 72 hours of the incident and shall make a good faith attempt to notify the owner of the incident.

c. If a dangerous animal or potentially dangerous animal is caught while at large or seen at large, it may be impounded and humanely destroyed. Animal services may go upon private property to seize the animal. The health director may issue a notice of intent to destroy the animal to the owner. The owner may appeal this intended action by filing a written request with the board of health's environmental committee within five working days of receiving the written decision. The board of health's environmental committee shall schedule a hearing within ten days of receiving the appeal and request for hearing. The board of health's environmental committee shall hear the appeal and render a final written decision within three working days after the hearing and serve the same on the owner. The owner may appeal the board of health's environmental committee decision to the superior court by filing notice of appeal and a petition for review within ten days of the final decision of the board of health's environmental committee. If the owner fails to seek a timely review of the animal services director's notice of intent to destroy the animal or if he fails to file a timely appeal of the board of health's environmental committee's decision, animal services may humanely destroy the animal.

d. If the owner of a dangerous or potentially dangerous animal has failed to adhere to the written dangerous dog instructions provided by the health director, the health director may issue an order of seizure with intent destroy the animal to the owner. The owner may appeal this intended action by filing a written request with the board of health's environmental committee within five working days of receiving the written decision. The board of health's environmental committee shall schedule a hearing within ten days of receiving the appeal and request for hearing. The board of health's environmental committee shall hear the appeal and render a final written decision within three working days after the hearing and serve the same on the owner. The owner may appeal the board of health's environmental committee decision to the superior court by filing notice of appeal and a petition for review within ten days of the final decision of the board of health's environmental committee. If the owner fails to seek a timely review of the health director's notice of intent to destroy the animal or if he fails to file a timely appeal of the board of

VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

	<p>health's environmental committee's decision, animal services may humanely destroy the animal.</p> <p>(2) Failure to confine or restrain a dangerous animal and failure to provide notice of transfer. Any owner who fails to confine or restrain a dangerous animal or any owner who fails to provide the written notices described in section 4-125, above or violates any provisions of this article shall be subject to the sanctions, fines, penalties and remedies mentioned above as well as being subject to the issuance of a criminal warrant or summons. If convicted, the owner shall be guilty of a misdemeanor punishable by a fine not to exceed \$500.00 or imprisonment for not more than six months, or both (G.S. 67-4.2)(c)). (Ord. No. 2007-1001, Art. VIII, (6), 10-26-2007; Ord. No. 2007-1003, 10-26-2007)</p>
Chapter 4. Animals; Article V. Interference	<p>Sec. 4-146. Interference.</p> <p>It shall be unlawful for any person to interfere with, hinder, or molest an employee of animal services or any other person duly authorized by this chapter while in the performance of duty. It shall also be unlawful for any person to seek release, or attempt to release, or to release any animal in the custody of animal services, except as otherwise specifically provided in this chapter. The animal services director may initiate the issuance of a criminal warrant for any person violating this article. If convicted, the person shall be guilty of a misdemeanor punishable by a fine of up to \$500.00 or imprisonment for not more than six months. (Ord. No. 2007-1001, Art. X, 10-26-2007; Ord. No. 2007-1003, 10-26-2007)</p>
Chapter 4. Animals; Article XV. Sea Turtle Sanctuary	<p>Sec. 4-480. Activities within sea turtle sanctuaries.</p> <p>(a) The areas within the village limits above the mean low water mark, including the foreshore, are hereby declared to be a sea turtle sanctuary.</p> <p>(b) It shall be unlawful for any person to willfully take any sea turtle or to take any action that may or will disturb or destroy any sea turtle, including but not limited to green, hawksbill, Kemp's ridley, loggerhead, and leatherback turtles, their nests, hatchlings, or eggs within the sea turtle sanctuary.</p> <p>(c) Commercial fishing activities permitted by law that are conducted as specified in the General Statutes shall not be governed by this section.</p>

VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

	<p>(d) Notwithstanding article VII of this chapter, any violations of this article shall be deemed a civil violation, punishable by a civil fine of \$100.00. In addition, violation of this section shall be punishable pursuant to G.S. 14-4 as a class 3 misdemeanor with a fine that shall not exceed \$500.00 in the discretion of the court. Any violation of this section may also result in criminal charges as provided in G.S. 113-189 and 113-337. Nothing contained in this section shall prevent the village from taking such other lawful action as is necessary to prevent or remedy any violation.</p>
Chapter 4. Animals; Article XVI. Livestock and Wild Animals	<p>Sec. 4-501. Feeding or harassment of wild animals is prohibited.</p> <p>(a) It shall be unlawful for any person to intentionally feed any wild animal within the confines of the village.</p> <p>(b) It shall be unlawful for any person to intentionally annoy, harass, provoke, injure or otherwise infuriate or enrage a wild animal within the confines of the village. (Ord. No. 2009-0901, 9-18-2009)</p> <p>Sec. 4-502. Possession of livestock or wild animals prohibited.</p> <p>(a) It shall be unlawful for any person to bring or keep any livestock or wild animals within the confines of the village.</p> <p>(b) Any violations of this article shall be deemed a civil violation, punishable by a civil fine pursuant to article VII of this chapter. To the extent article VII does not apply to a violation of this article, the violation shall be punishable by civil fine of \$50.00. Each day during or on which the violation continues to occur shall be deemed a separate offense. In addition, a violation of this section shall be punishable pursuant to G.S. 14-4 as a class 3 misdemeanor with a fine that shall not exceed \$500.00 in the discretion of the court. (Ord. No. 2009-0901, 9-18-2009)</p>
Chapter 4. Animals; Article XVII. Unrestrained Dogs	<p>Sec. 4-521. Unrestrained dogs prohibited.</p> <p>(a) It shall be unlawful for any owner to maintain an unrestrained dog within the confines of the village, whether by intentional or negligent act or omission of the owner.</p> <p>(b) From sunset to sunrise of every day during turtle season, any dog on any beach must be physically restrained by a leash.</p> <p>(c) The owner or custodian of any dog or cat that excretes any feces on public property, including the beach strand, or on private property without the consent of the owner or person</p>

VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

	<p>in lawful possession thereof shall immediately remove such feces deposited by such animal and dispose of the feces in an appropriate manner.</p> <p>(d) Any violations of this article shall be deemed a civil violation, punishable by a civil fine pursuant to article VII of this chapter. To the extent article VII does not apply to a violation of this article, the violation shall be punishable by a civil fine of \$50.00. In addition, a violation of this section shall be punishable pursuant to G.S. 14-4 as a class 3 misdemeanor with a fine that shall not exceed \$500.00 in the discretion of the court. (Ord. No. 2009-0901, 9-18-2009)</p>
Chapter 6. Buildings and Building Regulations; Article II. Inspections	<p>Sec. 6-21. Key boxes required on all commercial structures.</p> <p>(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:</p> <p>Building inspector means and refers to the village building official or his duly authorized designee.</p> <p>Commercial structure means any structure defined by the state fire prevention code as a commercial building.</p> <p>Key Box means a secure box of approved design in which shall be located a building key, which shall permit access to such structure by the village department of public safety in the event of a fire alarm emanating from such structure and which is referenced in section 506 of the state fire prevention code.</p> <p>(b) Approval by building inspector. No commercial structure shall be constructed, nor any certificate of occupancy issued therefor, unless the owner thereof shall have installed a key box approved in design, with the location approved by the building inspector, and the means of access to such box having been delivered to the director of the department of public safety or his duly authorized designee. Further, such key box shall be continuously thereafter maintained so as to permit access to such structure by the director of the department of public safety or his duly authorized designee in the event of a fire or medical emergency therein or alarm indicating the presence of fire or medical emergency.</p> <p>(c) Violations. Violation of this section shall constitute a class 3 misdemeanor, punishable by a fine not to exceed \$500.00. Each day during which such violation exists shall constitute a separate violation of this section. (Ord. No. 2003-005, §§ 1--3, 3-21-2003; Ord. No. 2013-0501, 5-17-2013)</p>

VILLAGE OF BALD HEAD ISLAND
SL 2018-69 Criminal Law Recodification List

<p>Chapter 10. Environment; Article V. Groinfield Protection</p>	<p>Sec. 10-161. Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: <i>Geo-textile tube</i> shall mean and include any of those sand-filled tubes purchased and installed by the Village of Bald Head Island upon the beaches of the island and/or extending along such beaches out into the Atlantic Ocean or Cape Fear River and installed for stabilization of the said beaches. (Ord. No. 48, § 1, 10-12-1996; Ord. No. 2005-013, § 1, 7-15-2005) Cross References—Definitions generally, § <u>1-2</u>.</p> <p>Sec. 10-162. Walking on or damaging tubes prohibited. (a) It shall be unlawful for any person to walk upon, traverse, come in contact with, or conduct any activity from any geo-textile tube below the mean high-water mark thereof. (b) It shall be unlawful for any person to damage, in any manner whatsoever, any geo-textile tube or portion thereof. (Ord. No. 48, §§ 2, 3, 10-12-1996)</p> <p>Sec. 10-163. Penalty for violation of this article. Any person who shall violate this article shall be guilty of a class 3 misdemeanor, punishable by a fine not to exceed \$500.00 pursuant to G.S. 14-4 (a). (Ord. No. 48, § 4, 10-12-1996; Ord. No. 2005-013, § 2, 7-15-2005)</p>
<p>Chapter 14. Floods; Article II. Flood Damage Prevention</p>	<p>Sec. 14-63. Duties and responsibilities of the floodplain administrator. The floodplain administrator shall perform, but not be limited to, the following duties: (1) Review all floodplain development applications and issue permits for all proposed development within special flood hazard areas to assure that the requirements of this article have been satisfied. (2) Review all proposed development within special flood hazard areas to assure that all necessary local, state and federal permits have been received, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.</p>

VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

	<p>(3) Notify adjacent communities and the North Carolina Department of Public Safety, Division of Emergency Management, State Coordinator for the National Flood Insurance Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA).</p> <p>(4) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is maintained.</p> <p>(5) Prevent encroachments into floodways and non-encroachment areas unless the certification and flood hazard reduction provisions of Article 5, Section F are met.</p> <p>(6) Obtain actual elevation (in relation to NAVD 1988) of the reference level (including basement) and all attendant utilities of all new and substantially improved structures, in accordance with the provisions of section 14-62(c).</p> <p>(7) Obtain actual elevation (in relation to NAVD 1988) to which all new and substantially improved structures and utilities have been floodproofed, in accordance with the provisions of section 14-62(c).</p> <p>(8) Obtain actual elevation (in relation to NAVD 1988) of all public utilities in accordance with the provisions of section 14-62(c).</p> <p>(9) When floodproofing is utilized for a particular structure, obtain certifications from a registered professional engineer or architect in accordance with the provisions of section 14-62(c) and section 14-82(2).</p> <p>(10) Where interpretation is needed as to the exact location of boundaries of the special flood hazard areas, floodways, or non-encroachment areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.</p> <p>(11) When BFE data has not been provided in accordance with the provisions of section 14-62, obtain, review, and reasonably utilize any BFE data, along with floodway data or non-encroachment area data available from a federal, state, or other source, including data developed pursuant to Article 5, Section D(2)(c), in order to administer the provisions of this article.</p> <p>(12) When BFE data is provided but no floodway or non-encroachment area data has been provided in accordance with the provisions of section 14-62, obtain, review, and</p>
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VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

	<p>reasonably utilize any floodway data or non-encroachment area data available from a federal, state, or other source in order to administer the provisions of this article.</p> <p>(13) When the lowest floor and the lowest adjacent grade of a structure or the lowest ground elevation of a parcel in a special flood hazard area is above the BFE, advise the property owner of the option to apply for a letter of map amendment (LOMA) from FEMA. Maintain a copy of the LOMA issued by FEMA in the floodplain development permit file.</p> <p>(14) Permanently maintain all records that pertain to the administration of this article and make these records available for public inspection, recognizing that such information may be subject to the Privacy Act of 1974, as amended.</p> <p>(15) Make on-site inspections of work in progress. As the work pursuant to a floodplain development permit progresses, the floodplain administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the floodplain administrator has a right, upon presentation of proper credentials, to enter on any premises within the jurisdiction of the community at any reasonable hour for the purposes of inspection or other enforcement action.</p> <p>(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(s) for the stoppage, and the condition(s) under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.</p> <p>(17) Revoke floodplain development permits as required. The floodplain administrator may revoke and require the return of the floodplain development permit by notifying the permit holder in writing stating the reason(s) for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, and specifications; for refusal or failure to comply with the requirements of state or local laws; or for false statements or misrepresentations made in securing the permit. Any floodplain development permit mistakenly issued in violation of an applicable state or local law may also be revoked.</p> <p>(18) Make periodic inspections throughout the special flood hazard areas within the jurisdiction of the community. The floodplain administrator and each member of his or her</p>
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VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

	<p>inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.</p> <p>(19) Follow through with corrective procedures of section 14-64.</p> <p>(20) Review, provide input, and make recommendations for variance requests.</p> <p>(21) Maintain a current map repository to include, but not limited to, historical and effective FIS report, historical and effective FIRM and other official flood maps and studies adopted in accordance with the provisions of section 14-37, including any revisions thereto including letters of map change, issued by FEMA. Notify state and FEMA of mapping needs.</p> <p>(22) Coordinate revisions to FIS reports and FIRMs, including letters of map revision based on fill (LOMR-Fs) and letters of map revision (LOMRs).</p> <p>(Ord. of 9-26-2008, Art. 4, § B; Ord. of 3-20-2018)</p>
Chapter 16. Offenses and Miscellaneous Provisions; Article III. Offenses Against the Public Safety	<p>Sec. 16-81. Pyrotechnics restricted.</p> <p>The possession and/or use within the confines of the village of pyrotechnics by any individual except by special permit of the county is declared unlawful. Violation of this section shall be a civil violation punishable by a civil fine of \$100.00. Any individual cited for violation of this section shall pay the civil penalty at the office of the village clerk within 48 hours of the issuance of the citation. In addition, violation of this section shall constitute a class 3 misdemeanor punishable by a fine not to exceed \$500.00 and/or imprisonment pursuant to G.S. 14-4. Nothing in this section shall prevent the village from taking such other lawful action as is necessary to prevent or remedy any violation.</p> <p>(Ord. No 41, § 1, 7-16-1994; Ord. No. 2001-036, § 1, 10-26-2001)</p>
Chapter 16. Offenses and Miscellaneous Provisions; Article IV. Offenses Against the Public Peace	<p>Sec. 16-153. Notice to owner of false alarms; civil penalties.</p> <p>(a) The director of public safety shall note and keep an official register of all responses to both monitored and unmonitored alarms by the department of public safety. Upon the reporting of two false alarms within 12 months from any single address, the director of public safety shall cause to be mailed to the owner of such alarm system (in this division referred to as owner) by certified mail, return receipt requested, a notice of malfunction:</p>

VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

	<p>(1) Informing the owner that the department of public safety has received two false alarms; and</p> <p>(2) Containing a warning that the occurrence of additional false alarms to which the department of public safety shall respond occurring within the next 365 days shall result in a civil penalty based on the following schedule:</p> <table><tr><td>1st additional false alarm</td><td>\$ 50.00</td></tr><tr><td>2nd additional false alarm</td><td>75.00</td></tr><tr><td>3rd additional false alarm</td><td>100.00</td></tr><tr><td>4th additional false alarm</td><td>150.00</td></tr><tr><td>5th additional false alarm</td><td>200.00</td></tr><tr><td>6th additional false alarm</td><td>250.00</td></tr><tr><td>7th and each additional false alarm thereafter</td><td>500.00</td></tr></table> <p>The notice of malfunction shall be forwarded to the record owner at the address shown on the records of the village tax administrator.</p> <p>(b) Notice of assessment of a civil penalty shall be mailed by first class mail to the owner at his address. If any civil penalty is not paid within ten days of the date of mailing of such notice of assessment or the date on which any appeal is determined adversely to the owner, whichever comes later, the village may undertake a civil action to enforce the payment of such penalty. If the village is required to undertake a civil action to enforce the payment of such penalty, the defendant shall be liable for all costs incurred by the village in the pursuit of such action. In addition to any civil sanctions imposed in this section, violation of this division shall constitute a class 3 misdemeanor, punishable by imprisonment and/or fine not to exceed \$500.00 Nothing contained in this division shall prevent the village from taking such other lawful action as is necessary to prevent or remedy any violation. (Ord. No. 2000-23, §§ 2,3, 10-21-2000; Ord. No. 2001-49, §§ 2,3, 11-17-2001; Ord. No. 2013- 0501, 5-17-2013)</p>	1st additional false alarm	\$ 50.00	2nd additional false alarm	75.00	3rd additional false alarm	100.00	4th additional false alarm	150.00	5th additional false alarm	200.00	6th additional false alarm	250.00	7th and each additional false alarm thereafter	500.00
1st additional false alarm	\$ 50.00														
2nd additional false alarm	75.00														
3rd additional false alarm	100.00														
4th additional false alarm	150.00														
5th additional false alarm	200.00														
6th additional false alarm	250.00														
7th and each additional false alarm thereafter	500.00														
Chapter 18. Parks and Recreation; Article I. In General	Sec. 18-1. Personal watercraft safety.														

VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

	<p>(a) <i>Definition.</i> For purposes of this section, the term "personal watercraft" shall be as defined in the G.S. 75A-13.3(a).</p> <p>(b) <i>Operator.</i> The restrictions for operation of a personal watercraft shall be as described in G.S. 75A-13.3(b), except that only persons at least 13 years of age but under 16 years of age may operate personal watercraft pursuant to subparagraphs (1) and (2) of that statute.</p> <p>(c) <i>Speed.</i> In all village waters, no person may operate a personal watercraft in excess of an idle speed or a slow speed creating no appreciable wake in the following areas:</p> <ol style="list-style-type: none">(1) Within 50 feet of posted waterbird sanctuaries or management areas;(2) Within 25 feet of the marsh or shore within the intracoastal waterway.(3) Within Bald Head Creek. <p>(d) <i>Wildlife.</i> In accordance with G.S. 113-291.1, it shall be unlawful for an operator of a personal watercraft on the waters in the county to chase, harass, molest, or disturb any wildlife except when lawfully angling for hunting or trapping such wildlife.</p> <p>(e) <i>Sale.</i> At the time of purchase, a dealer in personal watercraft shall require the buyer of personal watercraft to receive instruction addressing safe operation of the watercraft.</p> <p>(f) <i>Lease.</i> A personal watercraft livery owner or the livery's agent or employee shall:</p> <ol style="list-style-type: none">(1) Require positive identification from all renters;(2) Post personal watercraft regulations;(3) Require all renters to read the regulations;(4) Require all renters to sign a rental contract, containing a clause stating that the renter has read and understood all applicable safety regulations; and(5) Instruct all renters in the safe operation of the personal watercraft. <p>(g) <i>Penalties.</i> Any person who shall violate the provisions of this section shall be guilty of a class 3 misdemeanor punishable by a fine of not more than \$500.00 or imprisonment of not more than 20 days, in the discretion of the court, as provided by G.S. 14-4. (Ord. of 7-15-2000, § 1; Ord. No. 2011-0901, 9-16-2011)</p>
Chapter 18. Parks and Recreation; Article II. Creek Access	<p>Sec. 18-35. Administration and penalties.</p> <p>(a) Administration. The village manager shall be responsible for administering the village creek access policy.</p> <p>(b) Violations. Any failure to comply with a requirement, prohibition, or limitation imposed by the provisions of this article, shall constitute a violation of this article.</p>

VILLAGE OF BALD HEAD ISLAND
SL 2018-69 Criminal Law Recodification List

(c) Criminal penalties. Violation of the provisions of this article shall constitute a class 3 misdemeanor punishable by imprisonment and/or fine not to exceed \$500.00, as specified by G. S. 14-4. Each day that the violation continues to exist shall be considered a separate and distinct offense. Nothing contained in this subsection shall prevent the village from taking such other lawful action as is necessary to prevent or remedy any violation.

(d) Civil penalties.

(1) In addition to other remedies cited in this article for the enforcement of this article, violations of this article may subject the offender to civil penalties as set forth in subsections (2), (3), and (4) of this subsection (d). The village may recover this penalty by civil action if not paid at the village offices within 48 hours of the issuance of any civil citation. In addition, failure to pay the civil penalty within the 48-hour period may subject the offender to criminal sanctions as set forth in subsection (c) of this section.

(2) The following civil penalties are established for violations of section 18-36(a), (b) and (d):

a. First violation: Warning citation

b. Second citation; each successive occurring within six months: \$300.00

If violation has not been corrected within ten days after the first citation, the subject property shall be determined to be abandoned and may be seized and a fine will be assessed daily, until the violating party takes corrective action.

(3) The following civil penalties shall be enforced for violations other than those referenced above:

First citation \$ 50.00

Second citation for same offense 100.00

Sequential violations for same offense 100.00

These civil penalties are in addition to any other penalties which may be imposed by the court of law for violations of the provisions of this article.

(4) In addition to the foregoing enforcement provisions, this article may be enforced by any remedy provided in G.S. 160A-175, including, but not limited to, all appropriate equitable remedies issued from a court of competent jurisdiction as provided in G.S. 160A-175(d) and particularly the remedy of injunction and order of abatement as allowed by G.S. 160A-175(e).

VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

	<p>(e) Abandoned vessels.</p> <p>(1) If the violator fails to remove his vessel from the creek access within the specified period of time allowed, the vessel will be determined to be abandoned and the village may seize such abandoned vessels. The owner of any vessel removed pursuant to this article from any property owned by the village or any private property shall pay to the village all reasonable costs incidental to the removal and storage of such vessel.</p> <p>(2) Written notice of each removal of any abandoned vessel and of the possible sale or disposition thereof shall be given as promptly as possible to the owner thereof at the owner's last known address according to the latest registration certificate or certificates of title on file with the state division of motor vehicles or department of public safety and shall describe the vessel, place of storage and procedure of recovery thereof. Notice need not be given to the registered owner when the vessel does not display a license plate or a valid registration certificate.</p> <p>(3) Any time that an abandoned vessel shall be removed to a place of storage, the village shall collect the current towing fee and a daily storage fee. Any owner shall have the right to a hearing to determine whether the vessel was abandoned within the village in order to contest the towing and/or storage fees. The hearing shall be heard by the village manager who shall determine by preponderance of the evidence as to whether the vessel was in fact abandoned. The right of appeal from such decision shall be to the district court for Brunswick County. At the conclusion of the hearing the village manager shall render his decision; the decision shall be further reduced to writing and forwarded to the owner or other individual seeking a hearing who shall be entitled to appeal the decision to the district court for Brunswick County by giving due notice of appeal within ten days of the date that such notice shall have been mailed to the individual appealing. Pending any hearing or appeal pursuant to this article, the owner or other individual may obtain a release of the vessel at any time after the towing and/or storage fees are paid or by posting a bond with the village in the form of cash in the amount of the towing and/or storage fees. Unless the cash bond shall be paid, storage fees shall continue to accrue pending resolution of the appeal.</p> <p>(4) If an abandoned vessel is worth \$100.00 or more and should the owner thereof refuse to pay the costs referenced in this section or should the identity or the whereabouts of such owner be unknown and unascertainable after a diligent search, it shall, after being held by the village for 30 days and after seven days advertisement in a local newspaper and</p>
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VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

after 20 days' written notice to the registered owner at the last known address, if his identity is known, and to the holders of any liens of record against the vessel and to the state division of motor vehicles, be sold by the director of public safety or his designee at public auction; provided, however, that any person having an interest in the vessel may redeem it at any time prior to the sale by paying all costs accrued to date. Such costs shall include advertisement fees.

(Ord. No. 52, art. VI, 11-15-1997; Ord. No. 2013-0501, 5-17-2013)

Sec. 18-36. General regulations.

(a) Storage facilities. The village creek access, located at 109 North Bald Head Wynd (the "Access"), is equipped with storage facilities for canoes, kayaks, and small Jon boats. Use of such storage facilities is limited to those types of vessels and any trailers designed to store or transport said vessels. Property owners wanting to utilize the storage facilities may purchase a permit from the village at the currently required rate to be renewed annually at a cost to be determined by the village council. The amounts of such fees are on file and available in the clerk's office. These registration permits shall be nontransferable. Storage for such vessels and trailers shall be made available on a first come, first serve basis. The village manager may make provisions to utilize the available storage area in the most effective manner, while preserving the aesthetic beauty of the Access. These permits shall be made available to the public on January 1 of each year, or the first working day thereafter. No vessel or trailer shall be stored at the facility without having affixed thereto a valid permit. Notwithstanding the non-transferable nature of the registration permits, property owners with a valid permit to utilize the storage facilities at the Access may transfer the permit rights to another vessel of the same type owned by the property owner and obtain a new permit. The rights and duration of the prior permit shall apply to the new permit and the prior permit shall be cancelled. The transfer shall require payment to the village of a transfer administration fee as set forth on the then-current fee schedule set by the village manager from time to time and maintained at Village Hall. The initial transfer fee shall be \$50.00 for a vessel and trailer and \$25.00 for a kayak, canoe or similar small vessel. Different fees may apply to different types of vessels and/or trailers.

VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

	<p>(b) Parking areas. The access is intended to allow daily use of the facilities, with parking spaces for boat trailers. The parking facilities shall be limited to daytime use. Overnight storage of trailers or boats shall require a permit pursuant to section 18-36(a).</p> <p>(c) Size limitations/restrictions. Use of the Access shall be limited to boats under 16 feet in length with motors smaller than 25 horsepower. The launching of boats with larger motors shall be prohibited.</p> <p>(d) Mooring of vessels. No person shall allow a boat or vessel owned by, registered in his name or under his control to be moored at the Access overnight.</p> <p>(e) Prohibited activities. In addition to other prohibited activities listed elsewhere in this article, the following activities are hereby prohibited on or at the Access:</p> <ol style="list-style-type: none">(1) Littering;(2) Use of crabpots;(3) Cooking, except for cooking in village installed permanent grills;(4) Cleaning of fish or shellfish;(5) Consumption of alcoholic beverages;(6) Blocking of Access boat ramp or parking areas;(7) Launching of jet skis. <p>Signs stating the prohibitions enacted in this section shall be posted at the Access, notifying the public of their restriction.</p> <p>(Ord. No. 52, art. V, 11-15-1997; Ord. No. 2001-011, § 1, 5-19-2001; Ord. No. 2011-1202, 12-16-2011; Ord. No. 2013-0601, 6-19-2013)</p>
Chapter 20. Solid Waste Management; Article I. In General	<p>Sec. 20-1. Littering.</p> <p>(a) Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:</p> <p>Litter means any rubbish, waste material, cans, refuse, garbage, trash, debris or discarded material of every kind and description.</p> <p>Watercraft means any boat or vessel, whether motorized or not, used for transport upon or across the water.</p> <p>(b) Prohibited. It shall be unlawful for any person, firm, organization or corporation to carelessly, recklessly, or intentionally throw, scatter, spill, or place or carelessly, recklessly,</p>

VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

	<p>or intentionally permit to be blown, scattered, spilled, thrown or placed or otherwise disposed of any litter upon any public property or private property not owned by that person within the corporate limits or in the waters or marshlands located within the corporate limits of the village, including but not limited to all public highways, public parks, beaches, campgrounds, marshlands, roads, streets, alleys or waterways, except in such instances as the litter shall be deposited into litter receptacles in such a manner that the litter deposited therein shall be prevented from being carried away or deposited by the elements upon any part of such private or public property or waters.</p> <p>(c) Vehicles and watercraft. When litter is carelessly, recklessly, or intentionally thrown, scattered, spilled or placed or carelessly, recklessly, or intentionally caused to be blown, scattered, spilled, thrown or placed from any vehicle or watercraft, the operator thereof shall be presumed to have committed such offense.</p> <p>(d) Violation and penalty. A violation of this section shall subject the offender to a civil citation and civil fine in the amount of \$50.00 per offense. Any individual cited for violation of this section shall pay the civil penalty at the Village clerk within 48 hours of the issuance thereof. In addition to any civil sanctions imposed in this section, violation of this section shall constitute a class 3 misdemeanor, punishable by imprisonment and/or fine not to exceed \$500.00.</p> <p>(Ord. No. 21A, § 1, 2-20-1998; Ord. No. 2001-026, § 1, 10-26-2001)</p>
Chapter 20. Solid Waste Management; Article II. Collection and Disposal	<p>Sec. 20-31. Definition.</p> <p>The following, words terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:</p> <p>Solid waste means all animal, fruit and vegetable matter; tin can; glassware and crockery in which such matter has been stored and discarded from a kitchen and all rags, papers and discarded refuse properly compacted, except building materials, wood scraps and tree or plant trimmings.</p> <p>(Ord. No. 17A, § I, 7-13-1998)</p> <p>Sec. 20-32. Removal required.</p> <p>Any solid waste that shall be a menace to public health and safety shall not be allowed to remain in any dwelling unit, restaurant, store, or other building, or on any premises, longer</p>

VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

	<p>than reasonably necessary to remove and deposit in a container, properly shielded from view and protected from prowling animals. (Ord. No. 17A, § II, 7-13-1998)</p> <p>Sec. 20-33. General requirements.</p> <p>(a) The occupant of each building, premises, or place where solid waste may be generated or exist, shall provide for himself a garbage container made of a nonrusting material in which he shall deposit all solid waste.</p> <p>(b) All garbage containers shall be placed in a location that can be conveniently served by the sanitation worker.</p> <p>(c) No garbage container shall be placed, or left on any public street for any purpose except for those serving the designated beach access points and street intersections.</p> <p>(d) All garbage containers shall be kept reasonably clean and in an animalproof enclosure with a lid and door opening for access. (Ord. No. 17A, § III, 7-13-1998)</p> <p>Sec. 20-34. Residential requirements.</p> <p>In order to receive solid waste collection at any residential structure the following requirements shall be met:</p> <p>(1) All garbage containers shall be a size not to exceed a holding capacity of 33 gallons and shall be provided with handles and a tightfitting cover, made of the same material as the container, and shall be watertight. All garbage containers will be kept in an animalproof enclosure.</p> <p>(2) Owners of dwelling units of up to four bedrooms shall provide a minimum of two garbage containers of no more than 33 gallons holding capacity for their units. For every dwelling unit with more than four bedrooms, the owner shall provide one additional 33-gallon container for every two bedrooms, or portion thereof.</p> <p>(3) The owner or agency acting for the owner will be responsible for keeping the garbage enclosure clean and free of overflow solid waste.</p> <p>(4) All cardboard boxes shall be flattened to reduce volume of the solid waste items.</p> <p>(5) The garbage can enclosure shall be made animalproof by lining with hardware cloth or some other acceptable method.</p>
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VILLAGE OF BALD HEAD ISLAND
SL 2018-69 Criminal Law Recodification List

	<p>(Ord. No. 17A, § IV, 7-13-1998)</p> <p>Sec. 20-35. Commercial requirements.</p> <p>In order to receive solid waste collection at any commercial establishment the following requirements shall be met:</p> <p>(1) The occupants of each building engaged in commercial activities, shall be required to provide solid waste collection services at the expense of the owner. All cardboard boxes shall be flattened to require less space in this container.</p> <p>(2) All restaurants must place their container on a concrete slab with proper drainage to meet the regulations of the county health department. The area around the container must be kept clean at all times.</p> <p>(3) The village and its contractors shall not be responsible for commercial pickup.</p> <p>(Ord. No. 17A, § V, 7-13-1998)</p> <p>Sec. 20-36. Pickup of major discarded items and yard debris.</p> <p>(a) Major discarded items. Discarded items such as appliances, furniture or scrapped vehicles that cannot be handled in regular garbage pick-up shall be removed at the expense of the owner. The placing or leaving of such articles along the streets is forbidden and each day, or portion of a day, that said articles are placed or left constitutes a separate violation. The public works department will provide assistance to owners in disposing of limited quantities of this type material on a schedule to be determined by the director and at a fee level to be determined by the village. This service will be provided with the following limitations:</p> <p>(1) Arrangements must be made in advance with the public works department.</p> <p>(2) If the items are too large or heavy, the property owner may request the assistance of village personnel to remove the items from the property as long as the property owner signs a waiver relieving village personnel from any damage occurred to the move.</p> <p>(3) Vehicles, tires and batteries are excluded from this service.</p> <p>(b) Yard debris. The public works department will provide mulching or removal services for yard debris on a schedule to be determined by the director. This service will be provided with the following limitations:</p> <p>(1) Arrangements must be made in advance with the public works department.</p>
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VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

	<p>(2) Only yard debris generated by the owner as part of the maintenance of the property will be processed. Mulch will be left at the residence unless otherwise specified.</p> <p>(3) Yard debris is to be left in an accessible place adjacent to the road, but not impeding access on the road.</p> <p>(4) No yard debris in excess of six inches in diameter will be processed.</p> <p>(5) This service will not be provided for large quantities of debris generated by clearing a property for sale or construction, whether to work is carried out by the owner or by a contractor.</p> <p>(6) In all cases in which debris is generated by a contractor, the village will not be responsible for the removal of the waste generated. (Ord. No. 2007-0401, 4-20-2007)</p> <p>Sec. 20-40. Authority to regulate. G.S. 130A-309 gives a municipality the authority to regulate solid waste collection. A violation of this article shall subject the offender to a civil citation and civil fine of \$50.00 per offense. Any individual cited for violation of this article shall pay the civil penalty at the office of the village clerk within 48 hours of the issuance thereof. In addition to any civil sanctions imposed in this section, violation of this article shall constitute a class 3 misdemeanor, punishable by imprisonment and/or fine not to exceed \$500.00. (Ord. No. 17A, § X, 7-13-1998; Ord. No. 2001-021, § 1, 10-26-2001)</p>
Chapter 24. Streets, Sidewalks and Other Public Places; Article III. Location Identification for Buildings	<p>Sec. 24-76. Defacement, alteration, removal or destruction prohibited. It shall be unlawful for any person to deface, alter, remove or destroy any location identifier erected pursuant to this article. (Ord. No. 44, § 6, 3-16-1996)</p> <p>Sec. 24-77. Violation. Any violation of this article shall constitute a class 3 misdemeanor punishable in accordance with section 1-6. (Ord. No. 44, § 7, 3-16-1996)</p>
Chapter 28. Traffic and Vehicles; Article I. In General; Article II. Operation of Vehicles	<p>Sec. 28-3. Penalties. Unless otherwise stated herein, village enforcement of any penalty for violation of any provision in this chapter shall be nonexclusive and shall not restrict further enforcement</p>

VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

pursuant to G.S. 14-4. Computation of time within which to satisfy any civil penalty assessed pursuant to this chapter shall not include Saturdays, Sundays, or holidays during which the village office is closed. Further, failure to satisfy any civil penalty assessed pursuant to this chapter within the prescribed time may be recovered by the city in a civil action in the nature of debt pursuant to G.S. 160A-175.

(Ord. No. 2002-018, § 3, 9-20-2002; Ord. No. 2010-0902, 9-24-2010)

Sec. 28-31. Stop signs.

(a) Intersections. When a stop sign has been erected or installed at an intersection within the municipal limits of the village, it shall be unlawful for the driver of any vehicle to fail to stop in obedience thereto and yield the right-of-way to vehicles operating on the designated main traveled or through highway or street.

(b) Other sites. When a stop sign has been erected or installed at a place other than an intersection, it shall be unlawful for the driver of any vehicle to fail to stop in obedience thereto and yield the right-of-way to pedestrians or other vehicles.

(c) Penalties. Any person who shall violate this section shall be required to pay a penalty in the amount of \$ 50.00 pursuant to G.S. 160A-175. Any individual cited for violation of this section shall pay the civil penalty at the office of the village clerk within 48 hours following receipt of the citation.

(Ord. No. 10A, §§ 1, 2, 2-20-1998; Ord. No. 2010-0902, 9-24-2010)

Sec. 28-32. Speed limit.

(a) Established. It shall be unlawful to operate a vehicle in excess of 18 miles per hour inside the village corporate limits. Be it further provided, it shall be unlawful to operate a vehicle in excess of five miles per hour on a street classified as a service access thoroughfare pursuant to section 26-124.

(b) Signs. There shall be erected upon all major streets within the village appropriate signs giving notice of the speed limit established in this section.

(c) Penalties.

(1) Violation of this section shall subject the offender to a civil penalty in the amount of \$50.00 for a first offense. A civil citation shall be issued by authorized officers of the village, on a form approved by the village manager. The citation form shall state that if the civil

VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

	<p>penalty is not paid in full within 48 hours of issuance of the citation, it may be recovered in a civil action in the nature of debt.</p> <p>(2) The second violation of this section within a 12-month period, by any person, shall be subject to a civil penalty in the amount of \$75.00. Third and subsequent violations of this section within a 12-month period, by any person, shall be subject to a civil penalty in the amount of \$ 100.00.</p> <p>(Ord. No. 10B, §§ 1—3, 12-19-1986; Ord. No. 2001-023, § 1, 10-26-2001; Ord. No. 2010-0902, 9-24-2010; Ord. No. 2014-0801, 8- 22-2014; Ord. No. 2016-0401, 4-15-2016)</p> <p>Sec. 28-34. Transporting an open container of alcoholic beverage.</p> <p>(a) Prohibited. No person shall possess an alcoholic beverage other than in the unopened manufacturer's original container, or consume an alcoholic beverage, in a motor vehicle while the motor vehicle is on a village street. Only the person who possesses or consumes an alcoholic beverage in violation of this section shall be charged with this offense.</p> <p>(b) Violation. Any person who shall violate this section shall be required to pay a penalty in the amount of \$50.00 pursuant to G.S. 160A-175. Any individual cited for violation of this section shall pay the civil penalty at the office of the village clerk within 48 hours following receipt of the citation.</p> <p>(Ord. No. 2010-0902, 9-24-2010)</p> <p>Sec. 28-35. Reckless driving.</p> <p>(a) Prohibited. It shall be unlawful for any person to operate a motor vehicle on a village street carelessly and heedlessly in willful or wanton disregard of the rights or safety of others.</p> <p>(b) Prohibited. It shall be unlawful for any person to operate a motor vehicle on a village street without due caution and circumspection and at a speed or in a manner so as to endanger or be likely to endanger any person or property.</p> <p>(c) Violation. Any person who shall violate this section shall be required to pay a penalty in the amount of \$50.00 pursuant to G.S. 160A-175. Any individual cited for violation of this section shall pay the civil penalty at the office of the village clerk within 48 hours following receipt of the citation.</p> <p>(Ord. No. 2010-0902, 9-24-2010)</p>
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VILLAGE OF BALD HEAD ISLAND
SL 2018-69 Criminal Law Recodification List

	<p>Sec. 28-91. Operation of electric carts by unlicensed drivers.</p> <p>(a) Prohibited. It shall be unlawful for any unlicensed driver to operate an electric cart on the streets of the village. It shall further be unlawful for any person, entity or corporation who is the owner of an electric cart to permit an unlicensed driver to operate an electric cart on the streets of the village. It shall be lawful for an individual privileged to operate a motor vehicle on the streets or highways of the state pursuant to G.S. 20-11(b) - (e) to operate an electric cart on the streets of the village, so long as they comply with the requirements and restrictions set forth in G.S. 20-11.</p> <p>(b) Penalties. Any person who shall violate this section shall be required to pay a penalty in the amount of \$250.00 pursuant to G.S. 160A-175. Any individual cited for violation of this section shall pay the civil penalty at the office of the village clerk within 48 hours following receipt of the citation.</p> <p>(Ord. No. 19A, 3-20-1998; Ord. No. 2001-030, § 1, 10-26-2001; Ord. No. 2010-0902, 9-24-2010; Ord. No. 2018-0602, 6-27-2018)</p>
Chapter 32. Zoning	<p>Sec. 32-307. Enforcement provisions.</p> <p>(a) Any person violating any section of this chapter shall be guilty of a class 3 misdemeanor and punishable by a fine not to exceed \$50.00 or imprisonment not to exceed 20 days. Each day that a violation continues shall be considered a separate and distinct offense.</p> <p>(b) In addition to and not in lieu of any criminal remedies set forth in subsection (a) of this section, the village may apply to any court of competent jurisdiction for a temporary restraining order, preliminary injunction and permanent, mandatory or prohibitory injunction preventing the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use of any land or structures in violation hereof, including order of abatement directing that buildings or other structures located on any property subject hereto be closed, demolished or removed, if necessary, to come into compliance herewith.</p> <p>(c) The village's remedies for violations hereof as set forth in this section shall be cumulative.</p> <p>(Ord. No. 29, § 13.17, 8-17-1991)</p>

VILLAGE OF BALD HEAD ISLAND

SL 2018-69 Criminal Law Recodification List

	<i>*Please note the entirety of Chapter 32. Zoning has not been included here. An online copy may be accessed at https://bit.ly/2PuiCKZ.</i>
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