

**From:** [Town Of Bogue](#)  
**To:** [Rep. Jonathan Jordan](#); [Sen. Andy Wells](#); [Susan L. Sitze \(Legislative Analysis\)](#); [Rep. Ted Davis](#); [Sen. Shirley B. Randleman](#); [Rep. Jamie Boles, Jr](#)  
**Cc:** ["Donna Boggs"](#)  
**Subject:** Criminal Ordinance List  
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**TOWN OF BOGUE**  
**LIST OF ORDINANCE OFFENSES**  
**As of December 1, 2018**

**§ 10.99 GENERAL PENALTY--** Any person, firm or corporation violating any of the provisions of any section or division of this code of ordinances for which no other penalty is provided, or failing or neglecting or refusing to comply with same, shall, upon conviction, be guilty of a Class 3 misdemeanor and subject to a fine not to exceed \$50 or imprisonment not to exceed 30 days, and each day that any of the provisions of this code of ordinances are violated shall constitute a separate offense.

**Streets and Sidewalks** Prior to any construction or major clearing taking place on any lot or parcel within the zoning jurisdiction of the town, a security deposit, in the amount of \$750 must be posted to cover any damages or problems that may occur as a result of the clearing or construction. . It shall be unlawful for any person, firm or corporation to place or cause to be placed any vehicle, structure, object or material of any kind in any of the streets or rights-of-way of the Town of Bogue which shall obstruct the free passage of persons and vehicles. It shall likewise be unlawful for any person, firm or corporation to place any topsoil, dirt, debris, trash or other materials on or within any town street rights-of-way, swales or drainage ditches within the town street rights-of-way, which shall block or obstruct the flow of drainage or surface waters within ditches or swales so as to prevent the free flow of water on or over the street rights of way of the Town of Bogue or thereby cause flooding or the accumulation of stagnant water and/or saturation of the soils and the elevation of the ground water. For all new construction or improvements to existing structures and uses which require a driveway connection from a town right-of-way or street to adjoining or abutting property, the owner or developer of the property shall first be required to install a culvert within the ditch or swale providing stormwater drainage for the lot before the construction of the driveway or access.

**§ 90.99 PENALTY--** (A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99. (B) A violation of § 90.02 shall constitute a misdemeanor punishable by a fine of \$50 or imprisonment for not more than 30 days, or both, as determined by the court. Each day that the violation continues shall be a separate violation in accordance with G.S. § 14-4.

**Public Health Nuisances** Uncontrolled growth of weeds or grass, accumulation of rubbish, trash, accumulation of animal or vegetable matter creating offensive odor, accumulation of soil, trash or other to block ditches, any condition detrimental to the public health, open storage of household items not normally used or stored outside, or a motor vehicle, recreational vehicle or trailer that is operative and does not have a valid state registration. In the event charges for removal or abatement of the public nuisance are not paid within 30 days after receipt of a statement of charges as provided for in this section, the charges shall become a lien upon the land or premises where the public nuisance existed or from which the public nuisance adjoined or originated, and shall be collected as unpaid taxes, as provided in G.S. § 160A-193.

**§ 91.99 PENALTY--** (A) Any willful violation of this chapter shall constitute a misdemeanor punishable as provided in G.S. § 14-4.

**Fire Safety Inspections § 92.99 PENALTY--** (A) *Notice of violation; penalty for violations.* The Fire Inspector is empowered to issue notices of violation when he or she has reasonable cause to believe that any person has violated any provision of the North Carolina Fire Code or the provisions of this chapter. The penalty for a violation imposed shall be a \$100 fine civil penalty for violation of the North Carolina Fire Code or this chapter. (B) *Penalty for violations of this chapter.* Unless otherwise noted in the appropriate section, any violations of this chapter shall constitute a misdemeanor punishable by a fine not to exceed \$500.

**Flood Damage Prevention** A floodplain development permit shall be required in conformance with the provisions of this chapter prior to the commencement of any development activities within special flood hazard areas as determined in § 150.07. No structure or land shall hereafter be located, extended, converted, altered or developed in any way without full compliance with the terms of this chapter and other applicable regulations. Plans and application for a floodplain development permit complete with required information. If the owner of a building or property fails to comply with an order to take corrective action from which no appeal has been taken, or fails to comply with an order of the governing body following an appeal, he or she shall be guilty of a misdemeanor and shall be punished in the discretion of the court.

**§ 150.99 PENALTY--** 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 not more than \$50 or imprisoned for not more than 30 days, or both. Each day the violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Town of Bogue from taking other lawful action as is necessary to prevent or remedy any violation.

**Group Housing** All group housing projects shall adhere to and comply with the design standards set forth in this subchapter. Plans review and permit compliance need to be followed.

**§ 151.99 PENALTY--** Violation of the provisions of this chapter or failure to comply with any of the requirements of this chapter (including violations of conditions and safeguards established in connection with grants for variances) shall constitute a misdemeanor. Any person who violates this chapter shall upon conviction thereof be punished by imprisonment for up to 30 days, or a fine not exceeding \$500 per occurrence or both as determined by the court. Each day the violation continues shall be a separate offense.

**Mobile Homes and Travel Trailers** Parks must be permitted and have a CO from inspections. Commercial sales of mobile homes and selling spaces prohibited. No additions other than those designed for mobile homes. No additions to or new construction of camping vehicle parks unless final plans approved and permits obtained.

**§ 152.999 PENALTY--** Any person violating any provision of this chapter shall be guilty of a misdemeanor and upon conviction shall be punished for each offense by a fine not exceeding \$50 or by imprisonment not to exceed 30 days. Each day the violation continues shall be deemed a separate offense.

**Subdivisions** Name and streets cannot duplicate another name or street. Must comply with minimum design standards, drainage and construction procedures, preliminary and final plat review.

**§ 153.99 PENALTY--** After the effective date of these regulations, any person who, being the owner or the agent of any land located within the jurisdiction of these regulations,

intentionally violates these regulations, shall be guilty of a misdemeanor, for the conviction of which, the maximum penalty permitted by law may be imposed. Each day's continuing violation is a separate and distinct offense.

**Zoning** A zoning permit is required prior to any construction, accessory building or change of use. Specific dimensional and design requirements must be followed. Telecommunication towers have specific conditions and standards to be followed.

**§ 154.999. PENALTY--** (A) *Signs* Upon failure to comply with any of the requirements of §§ 154.160 *et seq.*, the Zoning Enforcement Officer shall cause the removal of any nonconforming sign as hereinafter provided: (1) The Zoning Enforcement Officer or his or her designated agent shall give the owner of the sign notice of the violation by registered or certified mail. The notices shall contain a brief statement of the particulars in which these sections are violated and the manner in which the violation is to be remedied. (2) Failure to correct the violation within 30 days shall constitute a misdemeanor punishable by a fine of not more than \$50, or by imprisonment for not more than 30 days. Each day's continuing violation shall be a separate and distinct offense. (B) *Generally* Any person, firm or corporation convicted of a violation of any other provision of this chapter will be guilty of a misdemeanor. A conviction is punishable by a fine not exceeding \$50 or imprisonment not exceeding 30 days. After notice of a violation is given, the violator will have 30 days to correct the violation. After that time, each additional day that the violation continues to exist will be considered a separate violation.

*Elizabeth Sweeney*  
Town of Bogue  
252.393.3055 office  
252.764.0845 fax  
[www.bogue-nc.org](http://www.bogue-nc.org)

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