# 10.99 General Provisions

If any person shall violate any provision of this code of ordinances, except any provision regulating the operation or parking of vehicles, the person shall be guilty of a Class Three <u>misdemeanor</u> and shall be fined up to \$500 or imprisoned for not more than 30 days.

(G.S. § 14-4(a)) (Prior Code, § 10.99)

Description: The following Ordinances are found to be Class Three misdemeanors

# 92. Community Beautification

#### **■§ 92.35 JUNKED MOTOR VEHICLES REGULATED; REMOVAL AUTHORIZED.**

(A) It shall be unlawful for the registered owner or person entitled to the possession of a junked motor vehicle, or for owner, lessee or occupant of the real property upon which a junked motor vehicle is located to leave or allow the vehicle to remain on the property after the vehicle has been ordered removed.

#### **■§ 92.45 UNLAWFUL REMOVAL OF IMPOUNDED VEHICLE.**

It shall be unlawful for any person to remove or attempt to remove from any storage facility designated by the town any vehicle which has been impounded pursuant to the provisions of this code unless and until all towing and impoundment fees which are due, or bond in lieu of such fees, have been paid.

# 93. Health & Safety

#### 93.01 UNLAWFUL TO VIOLATE COUNTY HEALTH REGULATIONS.

It shall be unlawful for any person, firm or corporation to violate any lawfully adopted rule or regulation of the county Board of Health. The enforcement of this section shall be under the supervision of the county Health Officer.

# **■§ 93.02 UNLAWFUL TO INTERFERE WITH HEALTH OFFICER.**

It shall be unlawful for any person to hinder, obstruct or delay the Health Officer or any of his or her assistants in the lawful discharge of their duties.

# **■§ 93.06 REMOVAL OF STAGNANT WATERS.**

Stagnant waters in cellars or upon lots shall be removed on notice from the police to the person permitting the same to remain.

## **■§ 93.07 SPITTING PROHIBITED.**

No person shall spit on the sidewalks or on the floors of any public buildings.

## 

All refuse, lumber and debris remaining both as a result of the repair of any new buildings, or of the erection and completion of any new buildings, shall be removed by the property owner within ten days from the completion of the aforesaid work.

## 94. Noise Control

#### § 94.01 UNNECESSARY NOISES PROHIBITED.

It shall be unlawful for any person, firm or corporation to create or assist in creating, permit, continue or permit the continuance of any unreasonably loud, disturbing and unnecessary noise in the town. Noise of a character, intensity and duration as to be detrimental to the life or health of any individual is prohibited.

## 95. Streets & Sidewalks

## **№** 95.01 PERMIT TO DIG IN STREETS.

No person shall make any excavation or opening or dig any ditch, trench, tunnel or hole in, along, across, or under any street, sidewalk or other public place for the purpose of laying or placing therein any pipe, wires or poles for any other purposes, unless a written permit therefor has been issued by the Clerk-Treasurer or some other officer of the town vested with authority to grant the same; provided that, a permit shall not be required where the work is performed under a contract with the town, but in the event that the work requires a sidewalk or street to be wholly or partially obstructed, the person shall notify the Clerk-Treasurer, the Public Works Department and the Police Department at least two hours before obstructing the sidewalk or street, unless prevented by sudden emergency.

## **■§ 95.04 STREET REPAIR.**

When any part of any street, sidewalk, alley or other public place of the town shall be torn or dug up for any purpose, the person making the excavation or opening shall have the duty of refilling the excavation or opening so as to restore it to essentially the same condition that existed prior to the excavation or opening, and the refilling shall be done in accordance with the standards and specifications issued by the Director of Public Works or a duly authorized representative. Each further day of violation shall constitute a distinct offense.

## 

It shall be unlawful for any person, firm or corporation who obtains a permit under the sections of this chapter to do any excavation of any kind which may create or cause a dangerous condition in or near any street, alley, sidewalk or public place of the town without placing and maintaining proper guard rails and signal lights or other warnings at, in or around the same, sufficient to warn the public of the excavation or work and to protect all persons using reasonable care from injuries on account of same.

## **№** 95.06 SUPERVISION AND CONTROL.

All excavations and work in streets, sidewalks, alleys or public places of the town shall be under the supervision and control of the Director of Public Works, whose duty it shall be to inspect the same from time to time during the progress thereof. Upon the completion thereof, the

Director shall make a final inspection and see that the street, sidewalk or public place is restored to a condition as good in all respects as before the excavation or work was made or done and that all debris, materials, tools and equipment are removed therefrom. Any person refusing or failing to comply with any provision of this section shall be guilty of a violation thereof, and where the failure or refusal is continued after notice from the Director of Public Works, every day's continuance shall constitute a separate and distinct offense.

#### **■§ 95.08 SIDEWALK CONSTRUCTION.**

No sidewalk of any description shall be built by any individual, firm or corporation of any brick, wood or other material without a written permit from the town.

#### **■§ 95.09 STREETS NOT TO BE DAMAGED.**

It shall be unlawful for any person, firm, or corporation to drag, or run, or cause to be dragged or run any harrow or other implement, engine, machine or tool upon any asphalt or other type of permanently paved street of the town which shall damage or cut the surface thereof. It shall also be unlawful to damage any dirt street in the same manner.

#### **■§ 95.10 HOUSE MOVING.**

No person shall move any house or building upon or across the public streets or sidewalks without the written consent of the Board and the deposit of a good and sufficient bond in the sum of \$500 to cover damage done to the street or sidewalk or to any property of any person.

#### **■§ 95.11 DAMAGE TO MUNICIPAL PROPERTY.**

No person shall injure, tamper with, remove or paint upon or deface any bridge, culvert, ditch and drain, sign, sign post, street light, traffic signal or bulletin board or other municipal property upon the streets and sidewalks except employees of the town in performance of their duties.

## 130. General Offenses

## **№ § 130.01 FIREARMS REGULATED.**

It shall be unlawful for any person to discharge any gun, pistol or other firearm within the corporate limits, except a peace officer in the performance of his or her duty.

## **■§ 130.02 FIRE BOMBS PROHIBITED.**

It shall be unlawful for any person or persons to manufacture, possess, transport or use any Molotov Cocktail or other firebomb.

# **№** § 130.04 DRINKING IN PUBLIC.

No person shall consume, serve, or drink wine, beer, whiskey, or alcoholic beverages of any kind on the public streets, boulevards, alleys, or in public buildings.

#### **OBSTRUCTING PUBLIC WAYS**

#### **■§ 130.20 ASSEMBLY ON SIDEWALK.**

All persons are forbidden from assembling or collecting and standing so as to obstruct any sidewalk or street, and all persons so collecting and standing shall disperse and move upon the demand of any police officer.

#### **§ 130.21 DISPLAY OF GOODS PROHIBITED.**

No person shall place for display or sale any goods, wares or merchandise of any kind upon any of the sidewalks of the town, which shall extend out on the sidewalks.

#### **■§ 130.22 PLACING OBJECTS ON STREET AND SIDEWALKS.**

No brick, stone or wood or other substances obstructing the free passage of persons and vehicles shall be placed or suffered to lie in any of the alley ways, streets or other routes of the town, nor shall any person place on or in any of the streets, sidewalks or alley ways of the town any boxes, crates, casks or barrels of any description, or any other obstruction of any kind; provided that, any person erecting a building may, with permission, place building material for immediate use on the streets in a way as not to interfere with the usual traffic.

#### MAINTENANCE OF PUBLIC SPACES

#### **■§ 130.40 LITTERING PROHIBITED.**

*General prohibition.* It shall be unlawful for any person, firm, organization or private corporation to throw or deposit or to allow to be thrown or deposited upon any street or sidewalk or upon any private property, except with written permission of the owner or occupant of the property, any trash, refuse, garbage, building material, cans, bottles, broken glass, paper or any type of litter.

#### **■§ 130.41 PRIVATELY-OWNED SPACES USED BY THE PUBLIC.**

Maintenance required by owner or occupant. Every owner, lessee, tenant, occupant or person in charge of any commercial establishment or premises which maintains any paved or unpaved areas for the use of the public, either for parking or as access area, and incident to the carrying on of the principal business of any commercial establishment or premises and which parking or access areas abut or lie within ten feet of any public street or other public way, shall keep and maintain areas clean and free from trash, litter, rubbish and any materials liable to be blown, deposited or cast upon the street or other public way.

# 151. Minimum Housing Standards

#### § 151.34 FAILURE TO COMPLY WITH ORDER OF INSPECTOR.

If the owner of any deteriorated dwelling or dwelling unit shall fail to comply with an order of the Building Inspector to repair, alter, or improve or to vacate and close the same within the time specified therein the Building Inspector may submit to the Board of Commissioners directing the Town Attorney to petition the superior court for an order to comply. After these steps, the occupation of a building so posted shall constitute a Class I <u>misdemeanor</u>.

# 152. Repair, Closing, or Demolition of Abandoned Structures

## **■§ 152.08 IN REM ACTION BY INSPECTOR; PLACARDING.**

(A) After failure of an owner of a structure to comply with an order of the Inspector issued pursuant to the provisions of this chapter, and upon adoption by the Board of Commissioners of an ordinance authorizing and directing him or her to do so, as provided by G.S. § 160A-443(5) and § 152.05(C) of this chapter, the Inspector shall proceed to cause such structure to be repaired, altered, improved, removed or demolished, as directed by the ordinance of the Board of Commissioners, and shall cause to be posted on the main entrance of such structure a placard prohibiting the use or occupation of the structure. Use or occupation of a building so posted shall constitute a misdemeanor.