

November 29, 2018

Via Electronic Mail

Joint Legislative Administrative Procedure Oversight Committee

Joint Legislative Oversight Committee on Justice and Public Safety

Re: Town of Fremont - Session Law 2018-69 Submission

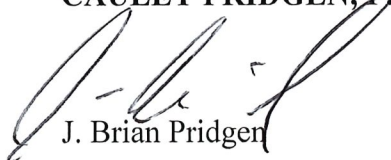
Dear Sirs and Madams:

Attached, please find a listing and description of all ordinances of the Town of Fremont which are punishable pursuant to N.C. Gen. Stat. §14-4(a). Please contact me if additional information is required.

With best regards, I am

Very truly yours,

CAULEY PRIDGEN, P.A.



J. Brian Pridgen

JBP/slf
Attachment
cc: Client

SESSION LAW 2018-69 SUBMISSION

FROM: TOWN OF FREMONT, WILSON COUNTY, NORTH CAROLINA

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TO: THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT
COMMITTEE AND THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE
ON JUSTICE AND PUBLIC SAFETY

DATE: NOVEMBER 29, 2018

Chapter 10 – GENERAL

10.99 General Penalty

Chapter 50 Garbage and Rubbish

Requires disposal of various materials in compliance with the ordinance and prohibits use and placement of waste containers and waste not in compliance with the requirements of the ordinance.

- 50.01 Definitions
- 50.02 Garbage to be promptly removed
- 50.03 Containers required
- 50.04 Collection schedule
- 50.05 Unlawful to displace containers
- 50.06 Wet garbage
- 50.07 Deposit in public places
- 50.08 Transportation by private persons
- 50.09 Removal of dead animals
- 50.10 Trash
- 50.11 Yard rubbish
- 50.12 Bulky items and white goods
- 50.13 Limitations on collections
- 50.14 Recycling required
- 50.15 Collection charges
- 50.16 Collection and transportation
- 50.17 Solid waste management rules adopted

Chapter 51 Recycling

Prohibits (1) comingling of recyclable and non-recyclable materials and (2) scavenging of recyclable materials.

- 51.01 Purpose and declaration of policy
- 51.02 Definitions
- 51.03 Supervision of the recycling program
- 51.04 Mandatory separation of recyclable materials
- 51.05 Collection of recyclable materials
- 51.06 Scavenging and unauthorized collections
- 51.07 Recyclable materials
- 51.99 Penalty

Chapter 52 Town Utilities

Prohibits (1) connection to the Town electric system without approval of the town and (2) tampering with electric lines and equipment.

Electric System

- 52.15 Board to regulate
- 52.16 Permit required
- 52.17 Work on electrical system
- 52.18 Tampering with lines

Chapter 53 Water and Sewers

Prohibits (1) connection to the Town water system without approval of the town; (2) tampering with water lines or meters; and (3) tampering with fire hydrants.

General Provisions

- 53.001 Permit Required
- 53.002 Permit Revocation
- 53.003 Water and sewer charges
- 53.004 Connection required inside town
- 53.005 Conflicting provisions
- 53.006 Sewer taps

Water Use Regulations

- 53.010 Application required
- 53.011 Misrepresentations in application
- 53.012 Contents of application
- 53.013 Director to cause pipe laying
- 53.014 Installation within town
- 53.015 Installation outside of town
- 53.016 Installation in satellite limits
- 53.017 Approval before concealing
- 53.018 New service to be metered
- 53.019 Testing meters
- 53.020 Determining meter size
- 53.021 Inspection to ascertain waste
- 53.022 Leaving faucets open
- 53.023 Tampering with meters
- 53.024 Fire hydrants

Contributors into Wastewater Collection and Treatment System

53.045 Provisions adopted by reference

Statutory reference:

Authority to operate public enterprises, see G.S. § 160A-311 et seq.

Authority to enter into mutual aid contracts, see G.S. § 160A-318

Authority to enter into Water and Sewer authorities, see G.S. § 162A-1 et seq.

Chapter 54 Storm Drainage Facilities

Prohibits (1) depositing of certain materials/substances into the stormwater system and 2) obstructing the stormwater system.

54.03 Depositing substances in system

54.04 Obstructions

54.05 Permits

54.06 Right of entry

Chapter 55 Sewer Regulations

Prohibits (1) connection to the Town sewer system without approval of the town; (2) use of waste collection other than Town sewer with certain limited exceptions; (3) tampering with sewer lines or meters; and (4) discharge of certain materials/chemicals into the sewer system.

Regulations

55.010 Prohibited discharge standards

55.011 National Categorical Pretreatment

55.012 Local limitations

55.013 State requirements

55.014 Right of revision

55.015 Dilution

55.016 Flow equalization

55.017 Pretreatment of wastewater

55.018 Grease trap regulations

55.019 Accidental and/or slug load discharges

Wastewater Discharge Permit Application

55.050 Wastewater dischargers

55.051 Wastewater permits

Reporting Requirements

55.060 Baseline monitoring reports

55.061 Compliance schedule progress reports

55.062 Reports on compliance with categorical pretreatment standard deadline

55.063 Periodic compliance reports

55.064 Reports of changed conditions

55.065 Reports of potential problems

55.066 Reports from unpermitted users

55.067 Notice of violation/repeat sampling and reporting

55.068 Notification of discharge of hazardous wastes

55.069 Analytical requirements

55.070 Sample collection

55.071 Timing

- 55.072 Record keeping
- Compliance Monitoring*
- 55.080 Monitoring facilities
- 55.081 Inspection and sampling
- 55.082 Search warrants
- Confidential Information*
- 55.090 Confidential Information
- Enforcement*
- 55.100 Administrative remedies
- 55.101 Civil Penalties
- 55.102 Judicial remedies
- 55.103 Other remedies
- 55.104 Remedies nonexclusive

Chapter 90 Abandoned and Junked Motor Vehicles

Prohibits maintaining abandoned, junked, or nuisance vehicles.

- 90.01 Intent and purpose
- 90.02 Definitions
- 90.03 Duty of owner to remove
- 90.04 Removal by town
- 90.05 Costs of removal; notice to owner
- 90.06 Sale of abandoned motor vehicles
- 90.07 Disposition of proceeds of sale of abandoned motor vehicle
- 90.08 Disposition of junked motor vehicles
- 90.09 Disposition of proceeds of sale of junked motor vehicle
- 90.10 Disposition of unidentified vehicles
- 90.11 Immunity
- 90.12 Exemption

Chapter 91 Animal Control

Prohibits (1) cruelty to animals; (2) maintaining dangerous, nuisance, noisy or unsecured animals; (3) failure to comply with rabies, vaccination, and privilege fee requirements; (4) keeping non-domestic animals.

General Provisions

- 91.01 Animal control; composition; responsibility
- 91.02 General responsibilities of department; personal liability of town officers, agents, and employees
- 91.03 Definitions
- 91.04 Bird sanctuary; area designated; hunting, trapping, shooting therein; posting of regulations
- 91.05 Running at-large prohibited
- 91.06 Limitation on number of dogs and cats
- 91.07 Inoculation of dogs, cats, and other pets
- 91.08 Animal defecation on street and private property
- 91.09 Confinement of female animals in heat

Licenses

- 91.10 Dog license required; exceptions

- 91.11 License fees; issuance; transferability
- 91.12 License tags
- 91.13 Cat license required; exceptions
- 91.14 License tags
- Nuisance Animals*
- 91.15 Public nuisance animals
- 91.16 Stable and holding facilities
- 91.17 Anti-climbing fences
- Standards*
- 91.18 Pet shop standards
- 91.19 Kennel standards
- 91.20 Training of security dogs
- 91.21 Standards for catteries
- 91.22 General health conditions in holding facilities
- 91.23 Training of attack dogs
- Administration and Enforcement*
- 91.24 Impoundment
- 91.25 Notice to owner of impounded animal
- 91.26 Periods of impoundment
- 91.27 Redemption of impounded animal
- 91.28 Summary destruction of animals for humane reasons
- 91.29 Confinement of animals with history of biting people
- 91.30 Disposal of animal carcasses
- 91.31 License tax deemed a debt to city; liability for tax and penalty; action to recover moneys
- 91.32 Notice of violations
- 91.33 Refusal to issue license when applicant in violation of law
- 91.34 Unauthorized use of license receipts, tags, or inoculation
- Inherently Dangerous Exotic Animals*
- 91.35 Definitions
- 91.36 Possession of inherently dangerous exotic animals illegal
- 91.37 Exceptions
- 91.38 Impoundment; disposition of impounded animals
- Violations; Penalties; Fees*
- 91.39 Violation a misdemeanor
- 91.40 Interference
- 91.41 Records
- 91.42 Penalty
- 91.43 Schedule of fines and fees

Chapter 92 Civil Emergencies

Prohibits certain conduct during times of a declared state of emergency.

- 92.01 Existence of state of emergency
- 92.02 Proclamation of state of emergency
- 92.03 Imposition of curfew
- 92.04 Acts prohibited
- 92.05 Proclamation may be extended, altered, or repealed
- 92.06 End of state of emergency

Chapter 93 Cemeteries

Prohibits (1) burial within a town cemetery without permission of the town or not in accordance with requirements of the ordinance and (2) tampering with or alteration of a town cemetery.

- 93.01 Regulations
- 93.02 Deed
- 93.03 Transfer of lot
- 93.05 Human bodies only
- 93.06 Gravemarker level
- 93.07 Foundations for gravestones
- 93.08 Marking areas
- 93.09 Destruction of property
- 93.10 Removal of flowers
- 93.11 Cemetery hours
- 93.12 Above ground burials
- 93.13 Excavated gravel
- 93.14 Outer burial container
- 93.15 Inadequate containers
- 93.16 Upright markers
- 93.17 Shrubbery or trees
- 93.18 Deeds for lots
- 93.99 Penalty

Chapter 94 Fair Housing

Prohibits unlawful or discriminatory housing practices.

- 94.01 Short title
- 94.02 Purpose
- 94.03 Definitions
- 94.04 Unlawful housing practices
- 94.05 Exemptions
- 94.06 Enforcement procedure
- 94.07 Agency no defense
- 94.09 Remedy

Chapter 95 Fire Protection

Prohibits (1) congregation of persons or vehicles at scene of fire, (2) following of fire trucks responding to call, (3) false alarms, and (4) burning trash within municipal limits.

Activity at Fires

- 95.01 Following fire equipment
- 95.02 Interfering with fire fighters
- 95.03 Riding on fire apparatus
- 95.04 Interfering with fire alarm apparatus

Fire Hazards

- 95.15 Burning trash within fire limits
- 95.16 Burning trash outside fire limits
- 95.17 Permit required for bonfire
- 95.18 Encumbrances on fire exit
- 95.19 Exit signs in theaters

- 95.20 Passageways to be kept open
- 95.21 Lots to be kept free from fire hazards
- 95.22 Certain fires to be guarded by watchman
- Fire Prevention Code***
- 95.23 Adoption
- 95.24 Fire Inspector
- 95.25 Establishment of limits of districts in which storage of certain flammables or explosives is restricted.
- 95.26 Permits required
- 95.27 Inspections
- 95.28 Fees
- 95.29 Notice and hearing
- 95.30 Violation of Code

Chapter 96 Nuisances

Prohibits (1) violation of county health regulations; (2) not keeping property free of trash, waste, or items generating stagnant water; (3) unsanitary food establishments; (4) untimely removal of garbage or garbage cans; (5) maintaining public nuisances; (6) unpermitted posting of advertisements and other printed matter; (7) maintaining privies; and (8) creating excess noise.

Public Nuisances

- 96.01 Enforcement
- 96.02 Hindering the chief of police
- 96.03 Right of entry
- 96.04 Property to be kept clean or free
- 96.05 Investigation of public nuisances
- 96.06 Violators to be notified of hearings
- 96.07 Notification after hearing
- 96.08 Failure to comply or to abate
- 96.09 Costs of abatement
- 96.10 Failure to pay costs of abatement
- 96.11 Criminal prosecution
- Noise***
- 96.15 Unnecessary noise
- 96.16 Blowing horns
- 96.17 Gongs or siren
- 96.18 Musical instruments
- 96.19 Use of vehicle
- 96.20 Blowing whistles
- 96.21 Exhaust discharge
- 96.22 Devices using compressed air
- 96.23 Excessive noises near churches
- 96.24 Excessive noises near public institutions
- 96.25 Building operations
- 96.26 Sounding bells
- 96.27 Loading and unloading operations
- 96.28 Noises to attract attention
- 96.29 Loud speakers or amplifiers on vehicles
- 96.30 Garages and filling station operations
- 96.31 Combustible substances

96.32 Loud noises created by steam

Chapter 98 Streets and Sidewalks

Prohibits (1) damaging streets or sidewalks; (2) unpermitted construction impacting Town streets or sidewalks; (3) obstructing streets or sidewalks by assembly, construction, placement of objects, or display of goods; (4) burning or throwing trash on streets; (5) and riding bicycles or playing baseball on streets or sidewalks.

General Provisions

- 98.01 Throwing or burning trash
- 98.02 Liquids on street
- 98.03 Tree trimmings
- 98.04 Snow and ice removal
- 98.05 Playing ball on sidewalk
- 98.06 Horses prohibited

Obstructing Streets and Sidewalks

- 98.15 Assembling on sidewalk; parades
- 98.16 Display of goods
- 98.17 Placing of objects
- 98.18 Construction near sidewalk
- 98.19 Sheds and awnings
- 98.20 Gates and doors

Damaging Streets and Sidewalks

- 98.30 Permit to dig required
- 98.31 Sidewalk construction
- 98.32 Street repair
- 98.33 Excavations
- 98.34 Damaging street surface
- 98.35 House moving
- 98.36 Bridges and culverts
- 98.37 Lights and signs

Chapter 99 Trees and Shrubs

Prohibits (1) maintaining nuisance trees or shrubbery; (2) placing vegetative debris on town property, and (3) intentionally damaging town trees.

- 99.01 Establishment
- 99.02 Definitions
- 99.03 Nuisances on private property
- 99.04 Permits required for work or activity
- 99.05 Planting
- 99.06 Maintenance
- 99.07 Removal and replacement
- 99.08 Placing materials on town property
- 99.09 Public utility companies
- 99.10 Abuse or mutilation of town trees
- 99.11 Emergencies

99.98 Violations

Chapter 110 Amusements

Prohibits pool rooms from allowing underage customers.

Pool Rooms and Billiard Parlors

110.01 Age requirement

Chapter 112 Peddlers, Hawkers and Solicitors

Prohibits certain peddling and solicitation activities.

General Provisions

112.01 Peddling, hawking, and soliciting

Solicitors

112.15 Solicitors

Chapter 113 Taxicabs

Prohibits (1) operation of a taxicab business without proper permits and (2) utilizing a taxi service without paying the fare.

General Provisions

113.01 Unlawful use

113.02 Riding without paying fare

113.03 Identification of vehicles

113.04 Insurance

Driver's Permit

113.20 Taxicab driver's permit required

113.21 Application

113.22 Revocation

113.23 Investigation of applicant; permit issuance

113.24 Fee

113.25 Display of permit and rates

Administration and Enforcement

113.35 Inspector of taxicabs; creation of office

113.36 Cab and driver inspection

Chapter 130 Offenses Against Town Regulations

Prohibits (1) drinking alcohol in public, (2) certain firearm usage, maintaining a criminal nuisance house, (3) violation of the town curfew requirements for minors, and (4) other dangerous or disruptive activities.

General Provisions

130.01 Drinking in public

130.02 Firearms

130.03 Molotov cocktails; firebombs

130.04 Loitering

130.05 Disorderly houses

130.06 Adult entertainment

- 130.07 Police dogs
- Curfew for Minors*
- 130.15 Purpose of curfew
- 130.16 Definitions
- 130.17 Curfew established
- 130.18 Time limits
- 130.19 Exceptions
- 130.20 Responsibility of guardian
- 130.21 Responsibility of business establishments
- 130.22 Enforcement
- 130.23 Aiding and abetting by adult or guardian
- 130.24 Refusal of guardian to take custody of minor
- 130.25 Emergency curfew
- Public Property*
- 130.35 Posting bills

Chapter 150 Building Code

Prohibits violations of the County or State Building Codes.

Building Code

- 150.01 County Building Code adopted

Property Numbering

- 150.19 Defacing number; prohibited

Fire Limits

- 150.31 Regulations

Chapter 151 Minimum Housing Standards

Prohibits (1) failure to maintain a dwelling that meets the minimum housing standards and (2) maintaining an abandoned dwelling.

Housing Standards

- 151.01 Purpose
- 151.02 Definitions
- 151.03 Fitness
- 151.04 Structural condition
- 151.05 Basic plumbing, heating, and electrical equipment and facilities
- 151.06 Ventilation
- 151.07 Space, use and location
- 151.08 Safe and sanitary maintenance
- 151.09 Control of insects, rodents, and infestations
- 151.10 Applicable to rooming houses
- 151.11 Responsibilities of owners and occupants
- 151.12 Powers and duties of minimum housing code enforcement officer
- 151.13 Inspections
- 151.14 Procedure for enforcement
- 151.18 Alternative Remedies

Abandoned Structures

151.51 Finding; intent of subchapter

151.55 Standards for enforcement

151.56 Procedure for enforcement

151.58 Violations

151.99 Penalty

Chapter 152 Subdivisions

Prohibits the construction of a subdivision without (1) obtaining approval from the town or (2) not in compliance with Town subdivision regulations.

152.15 General procedure for plat approval

152.31 Plat shall be required on any subdivision of land

152.99 Penalty

Chapter 153 Flood Damage Prevention

Prohibits (1) building within a floodplain without a permit and (2) failure to comply with floodplain regulations when permitted to building within a floodplain.

153.02 Permit requirements; application

153.03 Permit application; procedures

153.04 Building standards for flood damage reduction

153.05 Standard for water and sewer systems

153.06 Setbacks from streams and lakes

153.07 Standards for subdivision proposals and other large developments

153.08 Abrogation and greater restrictions; interpretation

153.09 Warning and disclaimer of liability

153.99 Penalty

Chapter 154 Zoning Code

Prohibits (1) development of property not in accordance with district use regulations and (2) development or change of use of property without Town approval.

154.057 Failure to comply voids permit

Regulations for Permitted Conditional Uses

154.070 Uses established

154.071 Bed and breakfast dwellings

154.072 Oil, gasoline, and other flammable material bulk storage

154.073 Clubs, lodges, and fraternal organizations

154.074 Hospitals, clinics, health center, and nursing and rest homes

154.075 Kennels

154.076 Mobile/manufactured home parks

154.077 Use-Mobile/manufactured homes (individual)

154.078 Use-Mobile/manufactured homes (individual) for office and/or exhibition

154.079 Multi-family dwellings

154.080 Planned unit development (residential)

154.081 Private recreation facility

- 154.082 Public recreation facility
- 154.083 Public safety facilities
- 154.084 Public utilities facilities
- 154.085 Radio, television, telephone or personal communication facilities (commercial)

Home Occupations

- 154.100 Permitted only as an incidental use
- 154.101 Occupation limited to one person
- 154.102 Usable floor area limited
- 154.103 Parking requirement
- 154.104 Residential character in exterior appearance to be maintained
- 154.105 Noise and other nuisances prohibited
- 154.106 Equipment affecting the fire rating prohibited

Mobile/Manufactured Home Park Regulations

- 154.120 Failure to comply with chapter
- 154.121 Existing home parks a nonconforming use
- 154.122 Zoning Administrator approval required to establish, alter, or expand a home park
- 154.123 Plan submission required
- 154.124 Sale of mobile/manufactured homes limited
- 154.125 Transfer of title prohibited
- 154.126 Sign size and illumination limited
- 154.127 Screening required
- 154.128 Administrative office allowed
- 154.129 Commercial convenience establishments
- 154.130 Land contours required
- 154.131 Home spaces to be marked
- 154.132 Flood-prone areas to be avoided
- 154.133 District regulations applicable
- 154.134 Recreation areas required
- 154.135 Street access required
- 154.136 Dead end street and cul-de-sacs regulated
- 154.137 Intersections; right angles required
- 154.138 Sight lines at intersections
- 154.139 New street names
- 154.140 Automobile parking spaces
- 154.141 Water supply system plans
- 154.142 Sewage disposal facilities
- 154.143 Collection system sewer riser pipes
- 154.144 Concrete aprons for sewer connection riser pipes
- 154.145 Sewer connection diameter, slope, number, branch fittings, and joints
- 154.146 Sewer connection material composition
- 154.147 Sewer pipe installation and plugging
- 154.148 Solid waste storage, collection, and disposal; nuisances prohibited
- 154.149 Solid waste container regulations
- 154.150 Solid waste containing garbage
- 154.151 Home park operator responsibility for solid waste disposal
- 154.152 Insect and rodent infestation prohibited
- 154.153 Brush, weeds, and grass
- 154.154 Illumination
- 154.155 Sedimentation pollution

Miscellaneous Provisions

- 154.181 Zoning affects all land and buildings

- 154.182 One principal building on any lot
- 154.183 Reduction or change in lot size
- 154.184 Maintenance of open spaces
- 154.185 Location of accessory uses or buildings
- 154.186 Visibility at intersections
- 154.187 Street access
- 154.188 Lots with multiple frontage
- 154.189 Minimum frontage
- 154.190 Uses prohibited
- 154.191 Required buffers
- 154.192 Walls and fences
- 154.193 Substandard lots of record
- 154.194 Exceptions to height regulations
- 154.195 No structure in public right-of-way
- 154.196 Establishment of a zoning vested right
- 154.197 Landscape requirements

Nonconforming Uses

- 154.210 Intent
- 154.211 Nonconforming structures and uses
- 154.212 Repairs
- 154.213 Avoid undue hardship

Off-Street Parking and Loading Requirements

- 154.225 Permanent off-street parking required
- 154.226 Permit application information
- 154.227 Combining parking spaces for separate uses
- 154.228 Parking provided on lots apart from the principle use
- 154.229 Minimum number of required off-street parking spaces
- 154.230 Off-street loading required

Signs

- 154.240 Purpose
- 154.241 Location
- 154.242 Traffic safety
- 154.243 Illumination prohibited
- 154.244 Dangerous signs
- 154.245 Nonconforming signs
- 154.246 Setback requirements
- 154.247 Signs not requiring a permit
- 154.248 Separate use signs (billboards)
- 154.249 Principal use signs

- 154.261 Zoning permit required

- 154.263 Certificate of occupancy required

- 154.265 Penalties for violations