



## TOWN OF HUNTERSVILLE

### Report to the Joint Legislative Administrative Procedure Oversight Committee and the Joint Legislative Oversight Committee on Justice and Public Safety mandated by House Bill 379, enacted as Session Law 2018-69

CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
TITLE 1 GENERAL PROVISIONS CHAPTER 10 – RULES OF CONTRUCTION; GENERAL PENALTY	10.99	<b>General penalty</b>  (A) In accordance with G.S. § 160A-175, and unless this code of ordinances provides otherwise, violation of any provision hereof shall be a Class 3 misdemeanor as provided in G.S. § 14-4, punishable upon conviction by a fine not exceeding \$50.00 or by imprisonment not exceeding 30 days. An ordinance may provide by express statement that the maximum fine or term of imprisonment to be imposed for its violation shall be some figure or number of days less than the maximum penalties prescribed by G.S. 14-4.  (C) An ordinance may provide, when appropriate, that each day’s continuing violation shall be a separate and distinct offense.	
TITLE III ADMINISTRATION CHAPTER 33 – EMERGENCY MANAGEMENT	33.02	<b>Power of municipality to deal with state of emergency</b>  (B) The prohibitions and restrictions authorized by this Chapter include:  (1) Restriction of movements of people in public places (2) Operation of offices, business establishments and other places to which people may travel or congregate (3) Possession, transportation, sale, purchase and consumption of alcoholic beverages (4) Possession, transportation, sale, purchase, storage and use of dangerous weapons and substances and gasoline	Class 3 misdemeanor Fine not more than \$100 or Imprisonment not more than 20 days

CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
		(5) Activities or conditions the control of which may be reasonably necessary to maintain order and protect lives or property during the state of emergency (6) Restrictions on increases in prices of goods to prevent price gouging.	
	33.99	<b>Penalty</b> Anyone violating provisions of this chapter shall be guilty of a Class 3 misdemeanor and shall be fined not more than \$100.00 or imprisoned for not more than 20 days.	
<b>TITLE V PUBLIC WORKS CHAPTER 50 – STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES ARTICLE I – PUBLIC RIGHT-OF-WAY CUTS AND ENCROACHMENTS</b>	50.02	<b>Permit Required</b>  (A) No person shall cut into any street, sidewalk, square or other public right-of-way for any purpose, including but not limited to installation of and repair to utility systems, or disturb the right-of-way by removing any dirt, sod, sand, or paving material therefrom or otherwise disturb the right-of-way, without first obtaining an encroachment permit from the Director of Engineering and public Works.  (B) It shall be unlawful for any person to plan or set out any tree, vine, shrub, bush or flowers or cause or authorize any person to plant or set out any tree, vine, shrub, bush, or flowers in or upon any public place without first obtaining permission from the town and without complying in all respects with all conditions set out in connection with any such permission granted by the town.	Class 3 misdemeanor Max fine of \$50 Imprisonment not more than 20 days, or both
<b>ARTICLE II – PUBLIC STREET AND SIDEWALK USE AND CLOSURES</b>	50.10	<b>Street and Sidewalk Closure</b>  It shall be unlawful to close or block any public street or sidewalk without the permission of the Director of Engineering and Public Works. The town is the sole entity which has the authority to close a public street or sidewalk as needed.	Class 3 misdemeanor Max fine of \$50 Imprisonment not more than 20 days, or both
	50.11	<b>Use of public streets and sidewalks</b>  No person shall use the town’s streets and sidewalks for purposes other than vehicular or pedestrian travel except where otherwise permitted by town ordinances. A permit must be submitted and approved by the Chief of Police for parades, assemblies and picketing.	Class 3 misdemeanor Max fine of \$50 Imprisonment not more than 20 days, or both
<b>ARTICLE III – DRIVEWAY CONNECTIONS</b>	50.20	<b>Compliance with construction requirements.</b>	Class 3 misdemeanor Max fine of \$50 Imprisonment not more than 20 days, or both

CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
		...it shall be unlawful to construct, maintain, or use a driveway connecting to a public street except in accordance with the town's driveway connection requirements and the terms and conditions of a valid and unrevoked driveway connection permit.	
	50.30	<p><b>Obstruction of storm water conveyance.</b></p> <p>(A) It shall be unlawful to obstruct or in any way interfere with any gutter, ditch, or other manmade or natural water drains located in the right-of-way or recorded storm drainage easement. ...</p> <p>(B) It shall be unlawful to construct buildings, fences or any other structures which impede stormwater flow or system maintenance within a storm drainage easement. ...</p>	<p>Class 3 misdemeanor</p> <p>Max fine of \$50</p> <p>Imprisonment not more than 20 days, or both</p>
	50.31	<p><b>Obstruction of streets and sidewalks</b></p> <p>(A) It shall be unlawful for any person to obstruct or impede travel in the streets or sidewalks of the town or to place or allow to exist any natural or artificial object in a town right –of-way that could create an unsafe condition for pedestrians or motorists ...</p> <p>(B) It shall be unlawful for any person to place or maintain any wood, coal, brick, stone, boxes, barrels, rubbish, leaves, trash, snow or other obstruction on any of the sidewalks or streets, or public right-of-ways of the town ...</p>	<p>Class 3 misdemeanor</p> <p>Max fine of \$50</p> <p>Imprisonment not more than 20 days, or both</p>
	50.32	<p><b>Obstructions by foliage</b></p> <p>(A) It shall be unlawful for any person to allow or tolerate the limbs of trees, vines, bushes, shrubbery, flowers or other growth to project into or overhang a public sidewalk or other public way at a distance closer than seven feet above the surface of such sidewalk or other public way or in any manner so as to interfere with the free and safe passage of the public way or sidewalk by pedestrians or vehicular traffic.</p>	<p>Class 3 misdemeanor</p> <p>Max fine of \$50</p> <p>Imprisonment not more than 20 days, or both</p>
	50.33	<p><b>Deposit of trash, dirt, debris or liquids on streets and sidewalks; duties of owners</b></p> <p>(A) It shall be unlawful for the owner or occupant of any lot or building to discharge or cause to be discharged water or liquid of any kind upon streets, sidewalks or alleys, sufficient to cause these public rights-of-way to become hazardous.</p>	<p>Class 3 misdemeanor</p> <p>Max fine of \$50</p> <p>Imprisonment not more than 20 days, or both</p>

CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
		(B) It shall be unlawful for any person to sweep or throw trash, dirt or debris upon any public right-of-way.	
	50.34	<p><b>Removal of dirt and debris on streets and sidewalks as a result of construction</b></p> <p>(A) In the event that dirt, mud, construction materials or other debris shall be deposited upon any street or sidewalk as a result of a construction project in progress, the contractor in charge of the project shall be required to remove the debris.</p> <p>(B) The failure of the contractor to remove debris set forth in division (A) of this section, on a daily basis constitutes a violation subject to a penalty as set out in Section 50.99.</p>	<p>Class 3 misdemeanor</p> <p>Max fine of \$50</p> <p>Imprisonment not more than 20 days, or both</p>
	50.35	<p><b>Permanent Obstructions</b></p> <p>No person shall permanently leave or install any of the following obstructions within the public right-of-way without first obtaining an encroachment permit ...</p> <p>NOTE: Specifically identified prohibited obstructions are listed.</p>	<p>Class 3 misdemeanor</p> <p>Max fine of \$50</p> <p>Imprisonment not more than 20 days, or both</p>
ARTICLE V – SIGHT VISIBILITY	50.41	<p><b>Sight triangle</b></p> <p>(A) It shall be unlawful for a person owning and/or having the legal control of any land within the corporate limits to maintain or permit upon such land any fence, sign, billboard, shrubbery, bush, tree, mailbox or other object, or any combination thereof, which obstructs the view of motorists using any street or the approach to any street intersection so as to constitute a traffic hazard or a condition dangerous to the public safety.</p> <p>(B) [Designates the sign triangles for different types of intersections.]</p> <p>(C) Within such triangles, it shall be unlawful to install, set out or maintain, or allow the installation, setting out, or maintenance of, any sign, hedge, shrubbery, tree, natural growth, earthen berm, or other object of any kind which obstructs cross visibility at a level between 30 inches and 72 inches above the level of the center of the adjacent intersection.</p>	<p>Class 3 misdemeanor</p> <p>Max fine of \$50</p> <p>Imprisonment not more than 20 days, or both</p>
	50.99	<b>Penalty</b>	

CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
		Any person who violates any of the provisions of this chapter shall be guilty of a class 3 misdemeanor as provided in G.S. §14-4 and, upon conviction, shall be subject to a maximum fine of \$50.00 or imprisonment, not to exceed 20 days or both.	
<b>TITLE IX – GENERAL REGULATIONS CHAPTER 91 – PARADES, ASSEMBLIES AND PICKETING</b>	<b>91.03</b>	<b>Permit Required</b>  No parade or assembly shall occupy, march or proceed along any street, sidewalk or any other public place, nor shall any person conduct any public or private assembly on any street, sidewalk or other public place in the town of Huntersville without first obtaining a permit issued by the Chief of Police. ...	Class 3 misdemeanor Max fine of \$100 or Imprisonment not more than 20 days
	<b>91.08</b>	<b>Conducting or participating in a parade or assembly as to create a public disturbance or nuisance.</b>  It shall be unlawful for any person to conduct or participate in any parade or assembly whereas the nature and duration of such event creates a public disturbance, tends to create a nuisance or tends to create or threaten rioting, disorderly conduct or public or private mischief.	Class 3 misdemeanor Max fine of \$100 or Imprisonment not more than 20 days
	<b>91.09</b>	<b>Interfering with picketing or demonstrations</b>  (A)(5) It shall be unlawful for any person participating in a picket or demonstration to address profane, indecent, abusive or threatening language to or at another person which would tend to provoke such persons or to others to a breach of the peace.  (B) It shall be unlawful for any person to physically interfere with any lawful pickets or demonstrators in the use of the designated sidewalk or town property or address profane, indecent, abusive or threatening language to or at such pickets or demonstrators which would tend to provoke such pickets or others to a breach of the peace.	Class 3 misdemeanor Max fine of \$100 or Imprisonment not more than 20 days
	<b>91.99</b>	<b>Penalty</b>  Anyone violating this chapter shall be guilty of a Class 3 misdemeanor and shall be fined not more than \$100.00 or imprisoned for not more than 20 days.	
<b>CHAPTER 92 ABANDONED MOTOR VEHICLES</b>	<b>92.03</b>	<b>Abandoned vehicle unlawful; removal authorized</b>	Class 3 misdemeanor Fine not exceeding \$50.00 or

CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
		(A) It shall be unlawful for the registered owner or person entitled to possession of a vehicle to cause or allow such vehicle to be abandoned.	Imprisonment not exceeding 30 days.
	92.04	<b>Nuisance vehicle unlawful; removal authorized</b>  (A) It shall be unlawful for the registered owner or person entitled to possession of a motor vehicle or for the owner, lessee or occupant of the real property upon which the vehicle is located to leave or allow the vehicle to remain on the property after it has been declared a nuisance vehicle.	Class 3 misdemeanor Fine not exceeding \$50.00 or Imprisonment not exceeding 30 days.
	92.05	<b>Junked vehicle regulated; removal authorized.</b>  (A) It shall be unlawful for the registered owner or person entitled to the possession of a junked motor vehicle or for the 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 to be removed.  (B) It shall be unlawful to have more than one junked motor vehicle on the premises of public or private property. Single, permitted junked motor vehicles must strictly comply with the location and concealment requirements of this section.  (C) It shall be unlawful for any owner, person entitled to the possession of a junked motor vehicle or for the owner, lessee or occupant of the real property upon which a junked motor vehicle is located to fail to comply with the requirements of this section.	Class 3 misdemeanor Fine not exceeding \$50.00 or Imprisonment not exceeding 30 days.
	92.15	<b>Unlawful removal of impounded vehicle</b>  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 chapter unless and until all towing and impoundment fees which are due or bond in lieu of such fees have been paid.	Class 3 misdemeanor Fine not exceeding \$50.00 or Imprisonment not exceeding 30 days.
	92.99	<b>Penalty</b>  Any violation of this chapter or the failure to abide by any lawful order issued pursuant to this chapter shall be an infraction and punishable as provided in Section 10.99.	Class 3 misdemeanor Fine not exceeding \$50.00 or Imprisonment not exceeding 30 days.
<b>CHAPTER 93 – NUISANCES</b>	<b>93.03</b>	<b>Nuisances prohibited</b>	Class 3 misdemeanor

CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
ARTICLE I GENERAL PROVISIONS		<p>It shall be unlawful for any person to create or cause a nuisance to be created or for the owner, lessee, occupant, caretaker or person in possession of any lot, parcel or tract of land in the town to create a nuisance or otherwise permit, allow or suffer a nuisance to be created or to allow a nuisance to remain on such property after it has been declared a nuisance.</p> <p>NOTE: Specifically identified nuisances are listed in Section 93.01(B)</p>	Fine not exceeding \$50.00 or Imprisonment not exceeding 30 days.
ARTICLE II – LITTERING	93.26	<p><b>Littering prohibited</b></p> <p>(A) It shall be unlawful for any person to throw, scatter, spill or place or to cause to be blown, scattered, spilled, thrown or placed or otherwise dispose of any litter upon any public property or private property not owned by such person within the Town of Huntersville ...</p> <p>(B) It shall be unlawful for any person to cause or allow litter to be blown, scattered, spilled, thrown, placed or otherwise disposed of from any private or commercial vehicle upon any public right-of-way within the Town of Huntersville.</p>	Class 3 misdemeanor and Fine not exceeding \$100.00 or Imprisonment not exceeding 20 days.
ARTICLE III – NOISE	93.40	<p><b>Unnecessary noise prohibited.</b></p> <p>It shall be unlawful for any person to create, assist in creating, permit, continue or permit the continuance of any unreasonably loud, disturbing or unnecessary noise in the town.</p> <p>NOTE: Specifically identified unnecessary noises are listed in Section 93.41.</p>	Class 3 misdemeanor and Fine not exceeding \$50.00 or Imprisonment not exceeding 20 days.
	93.99	<p><b>Penalty</b></p> <p>(A) Whoever shall violate any provision of this chapter for which no specific penalty is provided shall be punished as set forth in Section 10.99 of this Code.</p> <p>(B)(1) Any violation of Section 93.01 through 93.09, or the failure to abide by any lawful order issued pursuant to Section 93.01 through 93.09 shall be punishable as provided in Section 10.99.</p>	

CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
		<p>(C)(1) Anyone violating Section 93.25 through 93.27 shall be guilty of a Class 3 misdemeanor and shall be fined not more than \$100.00 or imprisoned for not more than 20 days.</p> <p>(D)(1) Anyone violating Section 93.40 and 93.41 shall be guilty of a Class 3 misdemeanor and shall be fined not more than \$50.00 or imprisoned for not more than 20 days.</p>	
<b>CHAPTER 94 – ANIMALS</b> <b>ARTICLE I – GENERAL PROVISIONS</b>	<b>94.05</b>	<p><b>Responsibility of animal owners</b></p> <p>All owners or custodians shall keep animals under sanitary and humane conditions; provide proper food and water daily; provide shelter from the weather and maintain reasonably clean quarters for such animals; and provide medical attention for sick, diseased or injured animals and comply with [vaccination laws].</p>	Class 3 misdemeanor Fine not more than \$500.00 or Imprisonment for not more than 20 days for each offense
<b>ARTICLE II – REGISTRATION AND INNOCULATION</b>	<b>94.20</b>	<p><b>Dog and cat registration.</b></p> <p>(A) The owner or keeper of a dog or cat older than four months kept in the town limits shall register each animal annually. ...</p> <p>(C) It shall be unlawful for any owner or keeper of a dog or cate\ required by this chapter to be registered to fail registering such animal.</p>	Class 3 misdemeanor Fine not more than \$500.00 or Imprisonment for not more than 20 days for each offense
	<b>94.21</b>	<p><b>Rabies inoculation.</b></p> <p>(A) It shall be unlawful for an owner to fail to provide current inoculation against rabies for any dog or cat four months of age or older.</p> <p>(C) It shall be unlawful for an owner to allow a dog or cat to be within the Town of Huntersville unless the owner can provide proof of rabies inoculation immediately upon demand by an animal control officer or police officer.</p>	Class 3 misdemeanor Fine not more than \$500.00 or Imprisonment for not more than 20 days for each offense
<b>ARTICLE III – REGULATIONS</b>	<b>94.35</b>	<p><b>Abandoned animals</b></p> <p>It shall be unlawful for any person owning, possessing or harboring an animal to abandon that animal.</p>	Class 3 misdemeanor Fine not more than \$500.00 or Imprisonment for not more than 20 days for each offense
	<b>94.36</b>	<b>Abuse of animals</b>	Class 3 misdemeanor Fine not more than \$500.00 or



CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
		(A) IT shall be unlawful for a person to: [abuse an animal]  NOTE: Specific abuses are listed, including but not limited to failure to provide food and water, overworking or overdriving, beating, torture, torment, poison, mutilation, failure to provide medical attention, gaming, failure to provide adequate shelter, leaving animal in car under dangerous conditions.	Imprisonment for not more than 20 days for each offense
	<b>94.37</b>	<b>Animal bite</b>  It shall be unlawful for an animal to bite a human being who does not ordinarily reside on the premises, unless the animal has been subject to provocation or unless the victim has been trespassing ...	Class 3 misdemeanor Fine not more than \$500.00 or Imprisonment for not more than 20 days for each offense
	<b>94.38</b>	<b>Nuisances</b>  It shall be unlawful for any person to own, keep, possess, or maintain an animal in such a manner as to constitute a public nuisance or a nuisance to neighbors ...	Class 3 misdemeanor Fine not more than \$500.00 or Imprisonment for not more than 20 days for each offense
	<b>94.39</b>	<b>Failure to surrender animal</b>  It shall be unlawful for any person to fail or refuse to surrender any animal for quarantine or destruction as required by this chapter.	Class 3 misdemeanor Fine not more than \$500.00 or Imprisonment for not more than 20 days for each offense
	<b>94.40</b>	<b>Unlawful killing or releasing of certain animals</b>  It shall be unlawful for any person to kill or release any animal under observation for rabies, any animal suspected of having been exposed to rabies or any animal biting a human or to remove such animal from the Town of Huntersville without written permission from the animal control officer.	Class 3 misdemeanor Fine not more than \$500.00 or Imprisonment for not more than 20 days for each offense
	<b>94.41</b>	<b>At large</b>  (A) It shall be unlawful for any person owning or having possession, charge, custody or control of any animal, excluding cats, to keep such animal upon his or her own premises, or off the premises, unless such an animal is under restraint as that term is defined in Section 94.03.	Class 3 misdemeanor Fine not more than \$500.00 or Imprisonment for not more than 20 days for each offense
	<b>94.41A</b>	<b>Town Parks, Town Events</b>	Class 3 misdemeanor Fine not more than \$500.00 or

CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
		<p>(A) It shall be unlawful for any person owning or having possession, charge, custody, or control of any dog to take the dog into or allow the dog to enter any Town parks or to attend any Town event without the dog being at all times under Physical Restraint. [Exceptions are listed.]</p> <p>(B) Dogs and other animals are specifically prohibited from [certain] areas within Town parks</p>	Imprisonment for not more than 20 days for each offense
	<b>94.42</b>	<p><b>Stray animals</b></p> <p>It shall be unlawful for any person without the actual consent of the owner, to harbor an animal, unless he or she has within 24 hours of the time the animal came into his or her possession, notified Animal Control</p>	Class 3 misdemeanor Fine not more than \$500.00 or Imprisonment for not more than 20 days for each offense
	<b>94.43</b>	<p><b>Wild or exotic animals</b></p> <p>(A) It shall be unlawful for any person to maintain, possess or have under their control within the Town of Huntersville any venomous reptile or any other wild or exotic animal as defined in [the ordinance].</p> <p>[Exceptions are listed – e.g. pet shops, research labs, veterinary offices, etc.]</p>	Class 3 misdemeanor Fine not more than \$500.00 or Imprisonment for not more than 20 days for each offense
	<b>94.44</b>	<p><b>Sanitary disposal of dog feces</b></p> <p>It shall be unlawful for the owner, custodian or keeper of any dog to leave its feces on public streets, sidewalks town parks, other town property, or the property of another without permission of the owner of the property.</p>	Class 3 misdemeanor Fine not more than \$500.00 or Imprisonment for not more than 20 days for each offense
	<b>94.45</b>	<p><b>Dangerous animals</b></p> <p>(A) It shall be unlawful for people to own, maintain or harbor an animal cited and identified as a dangerous animal as defined [in the ordinance] within the Town of Huntersville.</p>	Class 3 misdemeanor Fine not more than \$500.00 or Imprisonment for not more than 20 days for each offense
	<b>94.46</b>	<p><b>Livestock</b></p> <p>(A) No person, firm or corporation shall keep, possess or maintain, within the corporate limits of the town, any livestock, including horse, mule, pony, cow, cattle, hog, swine (except potbellied pigs considered to be domestic pets), sheep, goat or any rabbits or</p>	Class 3 misdemeanor Fine not more than \$500.00 or Imprisonment for not more than 20 days for each offense

CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
		fowl, (with the exception of pet birds maintained within a residence), except in compliance with this chapter.	
	94.62	<b>Interfering with an animal control officer</b>  It shall be unlawful for any person to interfere, threaten or otherwise prevent an animal control officer from carrying out and performing their lawful duties.	Class 3 misdemeanor Fine not more than \$500.00 or Imprisonment for not more than 20 days for each offense
	94.63	<b>Disposition of a dead animal</b>  [Requires disposition in accordance with the terms of the ordinance.]  (C) It is unlawful to remove the carcass of dead domesticated animals from the premises of one person to the premises of another without the written permission of the person having charge of the premises to which the animal is moved.	Class 2 misdemeanor Fine of not more than \$500.00 or imprisonment for not more than six months.
	94.99	<b>Penalty</b>  (A) Anyone violating this chapter, except Section 94.63 and 94.41(2)[should be B], shall be guilty of a Class 3 misdemeanor and shall be fined not more than \$500.00 or imprisoned for not more than 20 days for each offense. Pursuant to G.S. § 106-405, anyone violating Section 94.63 shall be guilty of a Class 2 misdemeanor. The violator shall be fined not more than \$500.00 or imprisoned for not more than six months.	
<b>Chapter 95 – SOLICITATION</b>	<b>95.01</b>	<b>Prohibited acts</b>  (A) It shall be unlawful for any person to enter upon any privately-owned premises or business without permission or invitation of the occupant of such premises or business for the purpose of soliciting orders for immediate or future delivery of goods, wares, merchandise, or services, including the taking of subscriptions for magazines and the procuring of applications and contracts without first receiving a permit from the Chief of Police.  (B) It shall be unlawful for any person holding a permit to fail to display the permit ...  (C) It shall be unlawful for persons authorized to work for a permit holder to fail to display the permit ...	Class 3 misdemeanor Fine not exceeding \$100.00 or Imprisonment for not more than 20 days.

CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
		(D) It shall be unlawful to conduct business as listed in division (A) during the hours between 8:00 pm and 7:00 am.	
	95.09	<b>Panhandling and begging regulated</b>  (B) Prohibited acts. It shall be unlawful for any person to beg, solicit or panhandle on a public sidewalk, public right-of-way or within a public park owned by the town:  [Specific prohibited behavior constituting begging, soliciting or panhandling are listed.]	Class 3 misdemeanor Fine not exceeding \$100.00 or Imprisonment for not more than 20 days.
	95.99	<b>Penalty</b>  (A) Anyone violating this chapter shall be guilty of a Class 3 misdemeanor and shall be fined not more than \$100.00 or imprisoned for not more than 20 days.	
CHAPTER 98 – EXTRAORDINARY EVENTS	98.01	<b>Definition</b>  Extraordinary event means a large-scale special event of national or international significance and/or an event expected to attract a significant number of people to a certain portion of the town.	
	98.04	<b>Regulations</b>  (A) During the period of time and within the boundaries of an extraordinary event, it shall be unlawful for any person other than governmental employees in the performance of their duties to push, pull or transport any vehicle, cart or float, unless a permit specifically authorizes the use of the item(s).  (B) During the period of time and within the boundaries of an extraordinary event, it shall be unlawful for any person other than governmental employees in the performance of their duties to throw any item, unless a permit specifically authorizes such throwing.  (C) During the period of time and within the boundaries of an extraordinary event, it shall be unlawful for any person other than governmental employees in the performance of their duties to willfully or intentionally possess, carry, control, or have immediate access	Per Section 10.99: Class 3 misdemeanor Fine not exceeding \$50.00 or Imprisonment not exceeding 30 days.

CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
		to any of the following: [items that could be used as a weapon, flammables, police scanner, body armor, projectiles or anything that could be used as a projectile; masks, etc.]	
<b>CHAPTER 99 – CAMPING ON PUBLIC PROPERTY</b>	<b>99.01</b>	<b>Camping and other activity prohibited on public property</b>  (C) It shall be unlawful for any person to camp on any public property owned by the town, including public right-of-ways and sidewalks.  (E) It shall be unlawful to light or use a campfire or bonfire on public property, except as may be specifically authorized by a permit.	Per Section 10.99: Class 3 misdemeanor Fine not exceeding \$50.00 or Imprisonment not exceeding 30 days.
	<b>99.02</b>	<b>Possession of obstruction devices prohibited; placing objects in roadway, public right-of-way prohibited.</b>  (A) It shall be unlawful for any person, other than governmental employees in the performance of their duty to possess any obstruction object or instrument with the intent to obstruct a public road, public sidewalk, public right-of-way, entrance or exit to private property, or any other area open to the public.  (B) It shall be unlawful for any person, other than governmental employees in the performance of their duty, to place any instrument ... with the intent to obstruct pedestrian or vehicular movement on a public road, public sidewalk, public right-of-way, entrance or exist to private property or any other area open to the public.  (C) It shall be unlawful for any person, other than governmental employees in the performance of their duty, to attach themselves to another person, building vehicle or fixture with the intent to obstruct pedestrian or vehicular movement on a public road, public sidewalk, public right-of-way, entrance or exist to private property or any other area open to the public.	Per Section 10.99: Class 3 misdemeanor Fine not exceeding \$50.00 or Imprisonment not exceeding 30 days.
	<b>99.03</b>	<b>Possession and dispersal of noxious substances</b>  (A) It shall be unlawful for any person to possess any noxious substance with the intent to use it to interfere with a lawful assembly, emergency services, or a person’s right to enter or leave a place.	Per Section 10.99: Class 3 misdemeanor Fine not exceeding \$50.00 or Imprisonment not exceeding 30 days.

CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
		(B) It shall be unlawful for any person to throw, emit, cause to be used as a projectile, or otherwise disperse any noxious substance.	
	99.04	<b>Police lines and barricades</b>  It shall be unlawful for any person to intentionally cross over a police line or barricade.	Per Section 10.99: Class 3 misdemeanor Fine not exceeding \$50.00 or Imprisonment not exceeding 30 days.
	99.05	<b>Kindling bonfires</b>  It shall be unlawful for any person to set a fire on any public street, avenue, highway, public property or right-of-way unless expressly allowed by a permit.	Per Section 10.99: Class 3 misdemeanor Fine not exceeding \$50.00 or Imprisonment not exceeding 30 days.
	99.06	<b>Attachments to public or private property</b>  It shall be unlawful for any person to hang, fasten, or attach any rope, wire, chain, sign, banner, or electrical device or power cord to any public or private property, including buildings, bridges, overpasses, vehicles, construction equipment, memorials, utility poles or artwork, unless express permission has been granted by the owner or manager of the property.	Per Section 10.99: Class 3 misdemeanor Fine not exceeding \$50.00 or Imprisonment not exceeding 30 days.
CHAPTER 910 – ALCOHOLIC BEVERAGES	910.01	<b>Possession or consumption of alcoholic beverages</b>  It shall be unlawful to possess or consume any alcoholic beverages, malt beverages or unfortified wine while in a part or recreation center, or on designated public property which is the site of an event sponsored or sanctioned by the Town’s Parks and Recreation Department unless a special consumption permit has been issued by the Town’s Parks and Recreation Director ...	Per Section 10.99: Class 3 misdemeanor Fine not exceeding \$50.00 or Imprisonment not exceeding 30 days.
CHAPTER 110 - SEXUALLY ORIENTED BUSINESSES ARTICLE II – LICENSES	110.20	<b>License required</b>  (A) No sexually oriented business shall be permitted to operate without a valid sexually oriented business license issued by the Chief of Police for the particular classification of business. It shall be unlawful for any person to operate or cause to be operated a sexually	

CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
		oriented business without said license, or without the presence of an operator who has been disclosed pursuant to [this ordinance].	
	110.26	<b>Notice of violation and suspension of license</b>  (D) It shall be unlawful for any person to operate or cause to be operated a sexually oriented business [when] said person knows or should know that the business has a license which has been suspended.	Misdemeanor Max of \$500.00 fine and/or Imprisonment
	110.27	<b>Revocation of license</b>  (E) It shall be unlawful for any person to operate or cause to be operated a sexually oriented business [when] said person knows or should know that the business has a license which has been revoked.	Misdemeanor Max of \$500.00 fine and/or Imprisonment
	110.30	<b>Expiration of license</b>  (C) It shall be unlawful for any person to operate or cause to be operated a sexually oriented business and the person knows or should know that the business has a license which has expired.	Misdemeanor Max of \$500.00 fine and/or Imprisonment
ARTICLE III – REGULATIONS	110.45	<b>Prohibitions regarding minors and sexually oriented businesses</b>  It shall be unlawful for a licensee, owner, operator or employee of a sexually oriented business, regardless of whether or not a license has been issued for said business under this chapter, to knowingly, or with reasonable cause to know, permit or allow: [admission of, presence of, purchasing of goods and services by, or employment of a person under 18 years of age.]	Misdemeanor Max of \$500.00 fine and/or Imprisonment
	110.46	<b>Regulations pertaining to adult live entertainment business</b>  (C) It shall be the duty of the operator and an owner who is present on the premises to insure that adult live entertainment is not performed in the presence of patrons in violation of [the regulations of the ordinance]. It shall be unlawful to [sic] any such operator or owner to knowingly fail to fulfill that duty.  (D) It shall be unlawful for an adult live entertainer to engage in or perform adult live entertainment in violation of [the regulations contained in the ordinance].	Misdemeanor Max of \$500.00 fine and/or Imprisonment
	110.47	<b>Regulations pertaining to adult mini motion picture theaters</b>	Misdemeanor

CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
		(B) It shall be the duty of the operator and any owner or employees who are present on the premises to insure compliance with the [regulations of the ordinance]. It shall be unlawful for any person having such a duty to knowingly fail to fulfill that duty.	Max of \$500.00 fine and/or Imprisonment
	110.48	<p><b>Regulations pertaining to clothing modeling studios</b></p> <p>(A) A clothing modeling studio, regardless of whether or not a license has been issued for said business under this chapter, shall be subject to the following:</p> <p>[specific prohibited acts are listed such as exposing specified anatomical areas, straddling a patron, and other sexual activities]</p> <p>(B) It shall be the duty of the operator and any owner or employees who are present on the premises to insure compliance with the [regulations of the ordinance]. It shall be unlawful for any person having such a duty to knowingly fail to fulfill that duty.</p> <p>(C) It shall be unlawful for a model to violate any of the provisions [the prohibited activities listed in (A) above.]</p>	Misdemeanor Max of \$500.00 fine and/or Imprisonment
	110.99	<p><b>Penalty</b></p> <p>(A) <i>Criminal penalty.</i> Any person who violates any of the following provisions of this chapter shall be guilty of a misdemeanor as provided in G.S. § 14-4, and upon conviction shall be subject to a maximum fine of \$500.00, or imprisonment, or both: Sections 110.20(B)(9)(a), 110.23, 110.26(D), 110.27€, 110.30(C), 110.45, 110.46(C) and (D), 110.47(B) and 110.48(B) and (C). Each violation is a separate and distinct offense, and each day of continued violation shall be considered as a separate offense. [Some of the references to sections appear to be incorrect in the ordinance.]</p>	
<b>CHAPTER 111 – ESCORT AND DATING SERVICES</b>	<b>111.02</b>	<p><b>Permit required</b></p> <p>(A) It shall be unlawful for any person to engage in, conduct, carry on or to permit to be engaged in, conducted or carried on the operation of:</p> <p>(1) An escort service without a valid escort service permit. ...</p> <p>(2) A dating service, without a valid dating service permit ...</p>	Per Section 10.99: Class 3 misdemeanor Fine not exceeding \$50.00 or Imprisonment not exceeding 30 days.



CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
<b>TITLE XIII – GENERAL OFFENSES</b>	<b>130.01</b>	<p><b>Model glue; possession, use regulated.</b></p> <p>(B) <i>Inhalation of fumes prohibited.</i> No person shall, for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction or dulling of the senses or nervous system, intentionally smell or inhale the fumes from any model glue ...</p> <p>(C) <i>Possession or transfer for unlawful purposes prohibited.</i> No person shall, for the purposes of violation or aiding another to violate any provision of this section, intentionally possess, buy, sell, transfer possession or receive possession of any model glue.</p> <p>(D) <i>Use by minors regulated.</i> [minors may not possess or buy model glue; no person shall sell or transfer possession of model glue to a minor except with permission of parent]</p>	<p>Per Section 10.99: Class 3 misdemeanor Fine not exceeding \$50.00 or Imprisonment not exceeding 30 days.</p>
	<b>130.02</b>	<p><b>Public possession, consumption of alcoholic beverages; disposal of containers</b></p> <p>(A) <i>Public possession, consumption.</i> It shall be unlawful for any person to display or consume any wine, beer, liquor or alcoholic beverage upon any public street, alleyway or sidewalk within the town limits or upon the private or public property or premises of another without permission of the owner or person in control of such property or premises.</p> <p>(B) <i>Disposal of containers.</i> It shall be unlawful for any person to drop, throw, cast or deposit any used wine, beer, liquor or alcoholic beverage container upon any street, alleyway or sidewalk within the town limits or upon the private property or premises of another without the permission of the owner or person in control of such property or premises.</p> <p>(C) Any person violating this section shall be guilty of a Class 3 misdemeanor and shall be fined not more than \$50.00 or imprisoned for not more than 20 days.</p>	<p>Class 3 misdemeanor Fine of not more than \$50.00 or Imprisonment for not more than 20 days.</p>
	<b>130.05</b>	<b>Registered sex offenders not allowed in town parks and recreation centers</b>	<p>Class 3 misdemeanor Maximum fine of \$500.00 or</p>

CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
		<p>(B) <i>Prohibition.</i> No registered sex offender shall enter into or upon any park or recreation center owned, operated or maintained by the town except as permitted by division (C) of this section.</p> <p>(C) <i>Limited exceptions</i> [polling place, official meetings, consistence with the Jessica Lunsford Act]</p> <p>(H) <i>Penalty.</i> Violation of division (B) of this section shall be a Class 3 misdemeanor and shall be punishable by a fine of up to \$500.00 and/or incarceration for a period of time as outlined in G.S. § 15A-340.20 <i>et seq.</i> Each and every separate entrance to a park or recreation center is a separate offense.</p>	Imprisonment pursuant to G.S. § 15A-340.20 <i>et seq.</i>
<b>CHAPTER 131 – YOUTH PROTECTION</b>	<b>131.01</b>	<p><b>Offenses</b></p> <p>The following are offenses of this chapter:</p> <p>(A) A juvenile commits an offense if in a public place or at an establishment during restricted hours. [10pm-6am for persons 12 and under; 11:00 pm until 6am for ages 13, 14, and 15; age 16 no restriction]</p> <p>(B) A parent or guardian of the juvenile commits an offense by allowing the juvenile to be in a public place or establishment during restricted hours.</p> <p>(C) The owner, operator or any employee of an establishment commits an offense if they knowingly allow a juvenile to remain on premises during restricted hours.</p> <p>(D) It shall be a violation of this chapter for any person 16 years of age or older to aid or abet a juvenile in the violation of division (A) of this section.</p> <p>(E) It shall be a violation of this chapter for a parent or guardian to refuse to take custody during the restricted hours of a juvenile for whom the parent is responsible.</p> <p>[Section 131.04 contains exceptions, such as being accompanied by the parent or guardian, or an adult 21 years of age or older authorized by parent or guardian, to and from work, emergency, etc.]</p>	Class 3 misdemeanor Maximum fine of \$50.00 or Imprisonment for not more than 20 days.
	<b>131.99</b>	<p><b>Penalty</b></p> <p>(A) Any person violating this chapter shall be guilty of a Class 3 misdemeanor and shall be fined not more than \$50.00 or imprisoned for not more than 20 days.</p>	

CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
<b>CHAPTER 132 – FIREARMS</b>	<b>132.03</b>	<b>Reasonable regard for safety by persons discharging firearms</b>  Each person discharging a firearm is responsible for exhibiting reasonable regard for the safety and property of other persons and for discharging the firearm in such a manner as to assure that all projectiles come to rest safely within the boundary or boundaries of the property or properties on which the person is authorized to be shooting.	Class 3 Misdemeanor Maximum fine of \$50.00 or Imprisonment for not more than 20 days
	<b>132.04</b>	<b>Discharging firearms prohibited; exception</b>  (A) Except as provided in division (B) of this section, it shall be unlawful for any person to discharge a firearm other than a shotgun or black powder rifle. ... [Restricts under what conditions shotgun and black powder rifle can be fired.]  (B) [Excepts specific list of activities like skeet shooting, target shooting on own property, hunting on own property or with permission, law enforcement in the line of duty, killing dangerous animal or reptile, and self-defense.]	Class 3 Misdemeanor Maximum fine of \$50.00 or Imprisonment for not more than 20 days
	<b>132.05</b>	<b>Discharging firearms into public area prohibited</b>  It shall be unlawful for any person to discharge a firearm, including shotguns and black powder rifles, in such a way as will result in the projectile therefrom passing across a sidewalk or across a highway, street or other public vehicular area.	Class 3 Misdemeanor Maximum fine of \$50.00 or Imprisonment for not more than 20 days
	<b>132.06</b>	<b>Possession of firearms by minors prohibited</b>  It shall be unlawful for any person .... to permit such child to have possession or custody of or use in any manner whatsoever any firearm, whether such firearm is loaded or is not loaded without direct, active adult supervision of the child at all times the child is holding the firearm.  It shall be unlawful for any person ... to permit such child to discharge a firearm without direct, active adult supervision of the child at all times the child is firing the firearm unless that child has passed a Hunter Safety Course or similarly recognized course in firearms safety.	Class 3 Misdemeanor Maximum fine of \$50.00 or Imprisonment for not more than 20 days
	<b>132.07</b>	<b>Firing of automatic firearms prohibited.</b>	Class 3 Misdemeanor Maximum fine of \$50.00 or

CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
		It shall be unlawful for any person to fire any firearm in a fully automatic mode except on a firing range operated by a recognized gun club or law enforcement agency ...	Imprisonment for not more than 20 days
	132.99	<b>Penalty</b>  The violation of any provision of this chapter shall be a Class 3 misdemeanor and may be punishable by a fine of not more than \$50.00 or imprisonment for not more than 20 days.	
<b>NOTE: ALL ORDINANCES LISTED BELOW ARE LAND USE ORDINANCES. THE TOWN OF HUNTERSVILLE PRIMARILY ENFORCES LAND USE ORDINANCES THROUGH CIVIL REMEDIES, INCLUDING CIVIL PENALTIES AND INJUNCTIVE RELIEF FROM THE COURT SYSTEM. FOR THIS REASON, VIOLATIONS OF THESE LAND USE ORDINANCES ARE BEING INCLUDED IN A SUMMARY FASHION UNLESS SPECIFIC REFERENCE IS PROVIDED IN THE ORDINANCE FOR A CRIMINAL PENALTY, SEPARATE AND APART FROM SECTION 10.99, THE GENERAL CRIMINAL PENALTY FOR VIOLATION OF ANY TOWN ORDINANCE, LISTED ABOVE.</b>			
<b>TITLE XV – LAND USAGE CHAPTER 150 – MINIMUM HOUSING STANDARDS</b>		This chapter requires that every dwelling unit used for human habitation be maintained pursuant to a minimum housing code. It prohibits occupancy if a dwelling unit does not maintain the minimum housing code. An extensive administrative procedure is mapped out for enforcing this ordinance.	
	150.99	<b>Penalty</b>  (A) It shall be unlawful for the owner of any dwelling or dwelling unit to fail, neglect, or refuse to repair, alter, or improve the same, or to vacate and close and remove or demolish the same, upon order of the Inspector duly made and served as herein provided, within the time specified in such order, and each day that any such failure, neglect, or refusal to comply with such order continues shall constitute a separate and distinct offense.  It shall be unlawful for the owner of any dwelling or dwelling unit, with respect to which an order has been issued ... to occupy or permit the occupancy of the same after the time prescribed in such order for its repair, alteration or improvement or its vacation and closing, and each day that such occupancy continues after such prescribed time shall constitute a separate and distinct offense.	Misdemeanor pursuant to G.S. § 14-4

CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
		(B) The violation of any provision of this Chapter shall constitute a misdemeanor, as provided by G.S. § 14-4.	
<b>CHAPTER 151 – FLOOD DAMAGE PREVENTION</b>		This chapter governs development within the flood hazard areas of Huntersville and Huntersville’s land use jurisdiction, which include extraterritorial jurisdiction areas. A floodplain development permit is required. All development within the flood hazard areas must comply with the regulations contained within this Chapter.	
	<b>151.10</b>	<b>Compliance</b>  No structure of land shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this ordinance and other applicable regulations. [It provides corrective procedures to be followed when a violation is found.]	Misdemeanor Max fine of \$500.00 or Imprisonment of not more than 30 days.
	<b>151.34</b>	<b>Penalties for violation</b>  Violation of the provision of this ordinance or failure to comply with any of its requirements including violations of conditions and safeguards established in connection with grants of floodplain development permits, variances or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500.00 or imprisoned for not more than 30 days. Each day such violation continues shall be considered a separate offense. [Says nothing prevents pursuit of other remedies, including injunctive relief.]	
<b>CHAPTER 152 – NONRESIDENTIAL BUILDING CODE</b>		This ordinance contains minimum standards for construction and maintenance of nonresidential structures which are open to members of the public, or other invitees. It provides for a civil penalty but states that this shall not limit the use of any other lawful remedies available to the town for the enforcement of any ordinances adopted pursuant to this section. This would include the general penalties provisions of Section 10.99, listed above.	
<b>THE TOWN OF HUNTERSVILLE ZONING ORDINANCE</b>		The zoning ordinance regulates land development within the Town limits, and the Town’s extraterritorial zoning jurisdiction. It divides the Town into use districts which govern the types of land uses that can occur within each district. The ordinance also provides overlay districts to superimpose additional development regulations separate and apart from the	

CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
		use districts. The ordinance requires a zoning permit, conditional use permit, or special use permit for any development that occurs. The Zoning Ordinance also regulates the placement of signs within the Town’s land use jurisdiction.	
	11.2.3	<p><b>Enforcement</b></p> <p><b>3. Penalties</b></p> <p>In case any structure is erected, constructed, reconstructed, altered, repaired, converted or maintained in violation of this ordinance, an action for injunction, mandamus, or other appropriate action or proceeding to prevent such violation may be instituted by the Zoning Administrator or other authority designated by the Board of Commissioners as enforcement agent(s) for this ordinance. Penalties and remedies are as follows:</p> <p>(a) Criminal. Any person, firm or corporation convicted of violating the provision of this ordinance shall, upon conviction, be guilty of a misdemeanor and shall be fined an amount of not to exceed five hundred dollars (\$500) and/or imprisoned for a period not to exceed thirty (30) days. Each day of violation shall be considered a separate offense, provided that the violation of this ordinance is not corrected within thirty (30) days after notice of said violation is given.</p> <p>[(b) – (g) provide other remedies, including equitable remedies, injunctions, orders of abatement, execution of court decisions, stop work orders, revocation of permits, and civil penalties.]</p>	
THE TOWN OF HUNTERSVILLE SUBDIVISION ORDINANCE		The subdivision ordinance regulates the division of land in the Town of Huntersville and the Town’s extraterritorial zoning jurisdiction. It requires that, unless exempted, all subdivisions of land must comply with the standards of the ordinance, and go through a process to get approval from the Town.	
	9.000	<p><b>ENFORCEMENT</b></p> <p>2. Any person who, being the owner or the agent of the owner of any land located within the area of jurisdiction or this ordinance, subdivides land in violation of this ordinance or transfers or sells land by reference to, exhibition of, or any other use of a plat showing a subdivision of land before the plat has been properly approved under this ordinance and</p>	

CODE CHAPTER	SECTION	RELEVANT CODE PROVISION	CLASSIFICATION/PENALTY
		recorded in the Office of the Register of Deeds of Mecklenburg County shall, upon conviction, be guilty of a misdemeanor which shall be punishable by a fine not to exceed \$500.00, or imprisonment for not more than 30 days for each and every offense. ...	