



November 14, 2018

North Carolina General Assembly
Legislative Building
16 West Jones Street
Raleigh, North Carolina 27601
Joint Legislative Administrative
Procedure Oversight Committee

Re: Session Law 2018-69
House Bill 379

Ladies and Gentlemen:

Please accept the attached schedule offered in compliance with An Act To Assist The Criminal Law Recodification Working Group on behalf of the City of Kannapolis. The attached schedule contains a list of the City's Code of Ordinances and Unified Development Ordinance which create offenses pursuant to G. S. 14-4(a). A brief description is provided for each offense.

In the event additional information is required, please advise.

Sincerely,

Walter M. Safrin, II
City Attorney

WMS/bb

Enclosure

KANNAPOLIS, NORTH CAROLINA – ORDINANCE VIOLATION MISDEMEANORS

Ordinance	Subject Matter	Section	Description
Emergency Management Ordinance	Compliance with declared regulations during emergency	Code Section 2-42	Any person who violates and condition or restriction imposed pursuant to the provisions of this article shall be deemed guilty of a Class 2 Misdemeanor.
Abuse of Animal	Cruelty to animals, tethering, care of animals	Code Section 3-6	Each violation of this chapter shall constitute a misdemeanor punishable by fine or imprisonment.
Buildings and Building Code Regulations	Maintenance requirements for residential structures	Code Section 4-49	Violation of this Article shall constitute a misdemeanor punishable by fine or misdemeanor.
Fire Prevention and Protection	No open burning, hazardous materials	.	Any person violating the provisions of this article shall be guilty of a local ordinance misdemeanor.
Garbage and Refuse	Solid waste storage, dangerous items, individual waste	Section 7-36	Any person violating the provisions of this article shall be guilty of a misdemeanor and punishable by fine not to exceed fifty dollars or imprisonment for not more than thirty days or both.
Licenses and Miscellaneous Business Regulations	Operation of business without license, insurance etc.	Section 9-3	Any person who violates any provision of this chapter shall be fined and/or imprisonment in accordance with law.
Pawnshops	License requirements, records	Section 9-100	Every person, firm or corporation, their guests or employees who shall knowingly violate any provision (of this ordinance) shall, on conviction thereof be deemed guilty of a Class 2 Misdemeanor.
Public Assemblies and Parades	Requirements for lawful Assembly, permitting	Section 10-276	Violations are subject to Section 1-14 of the Code of Ordinances.
Picketing	Requirements for picketing, permitting	Section 10-283	Violations are subject to Section 1-14 of the Code of Ordinances.
Unreasonable Loud and Disturbing Noises	Violation of standards for noise generally, permitting	Section 11-27	Any person violating or allowing violation of this article shall be guilty of a misdemeanor and subject to a fine of one hundred dollars or thirty days imprisonment.
Discharging Firearms Prohibited	Unlawful discharge within the city limits	Section 22-1(c)	Any person violating the provisions of this Section shall, upon conviction be guilty of a misdemeanor and shall be fined or imprisoned in accordance with the law.
Weapons Prohibited On City Property	Limitations of open and concealed carry in various city properties	Section 11-1.1(d)	Any person in violation of this Section shall be guilty of a misdemeanor and upon conviction shall be fined five hundred dollars or imprisoned for six months or both.
Unlawful Conditions On Private Property	Control of dangerous, unsanitary, unsightly conditions on private property	Section 11-2(e)	(In addition to abatement) this chapter shall not prevent the City from proceeding in a criminal action against any person, firm or corporation violating the provisions of this chapter as provided in GS 14-4.

Loitering For The Purpose Of Illegal Drug Activity	Prohibition of known drug users and sellers in public places	Section 11-3(h)	A violation of any provision of this Section shall be subject to the penalties set forth in Code Section 1-14.
Regulation Of Citizen Band Radios	Unauthorized use of citizens band radio equipment	Section 11-42	Any person violating or allowing violation of this article shall be guilty of a misdemeanor and upon conviction shall be fined not to exceed five hundred dollars or thirty days imprisonment.
Parks and Recreation	Violation of park and recreation area regulations	Section 12-24	A violation of this article shall be subject to a penalty of \$200 to be paid within 15 days the failure of which shall render such person subject to punishment for a misdemeanor.
Stormwater Management	Illegal discharge or failure to observe standard	Section 17-204	Any violation of this article shall constitute a misdemeanor subject to the provisions of Section 1-14.
Illegal Subdivision Of Land	Failure to meet property subdivision and recording standards	UDO Section 1.6.2.2	Any violation for illegal subdivision of land is a Class I misdemeanor.
Illegal Transfer Or Sale Of Land	Failure to meet other property partition standards for land	UDO Section 1.6.2.2	Any violation for illegal transfer or sale of land is a Class I misdemeanor.
Environmental Control Regulations	Violation of health and safety regulations regarding the environment. Illicit discharges	UDO Section 9.4 9.5.2C	Violation of this Ordinance may be enforced as a misdemeanor subject to the maximum fine permissible under NC law.