

NOTE: Prior to 2014, Lenoir had a provision in our ordinance that specifically declared that, except where specifically referenced, violations of the ordinances would *not* be punishable as misdemeanors pursuant to NCGS 14-4. That language was removed in 2014, so we believe that our entire code of ordinances are criminal offenses pursuant to G.S.14-4(a). Our ordinances are available online on Municode:

https://library.municode.com/nc/lenoir/codes/code_of_ordinances

The following list is the code sections that specifically reference criminal offenses.

Misdemeanor Offenses (explicitly adopted pursuant to NCGS 14-4)			
Ch. Title	Code Citation	What is the criminal violation?	Code Excerpt
1. General Provisions	1-15	Failing to abate a violation, after receiving proper notice from the city ordering a violation to be corrected.	(g) Failure to abate a violation in the specified time period for abatement given pursuant to subsection (a) shall constitute a misdemeanor infraction pursuant to G.S. 14-4. This section is adopted pursuant to G.S. 160A-175(b).
3. Animals	3-28	Violating dog laws – safe and sanitary conditions and running at large (“leash laws”)	The owner of any dog who shall knowingly suffer or permit his dog to run at large on the streets, sidewalks, or upon private property or to occupy unsafe or unsanitary conditions shall be in violation of this article and shall be guilty of a misdemeanor, punishable upon conviction by a fine or imprisonment as provided by G.S. 14-4.
	3-50	Violating rules on urban archery	(l) A violation of any of the provisions of this section shall constitute a misdemeanor offense pursuant to G.S. 14-4.
5. Business Regulation, Licensing and Taxation	5-123	Violating rules regulating massage parlors	Any person convicted of violating any provisions of this article shall be punished by fine or imprisonment as provided by G.S. 14-4.
	5-5	Violating rules about soliciting/peddling (under Chapter 5; this isn’t the same as food trucks, but rather applies to people going place-to-place/door-to-door selling wares)	(e) Any person found to be in violation of the requirements of this section shall be guilty of a misdemeanor, punishable as provided in G.S. 14-4.

10. Housing	10-5	Failing/refusing to comply with an order to abate a minimum housing violation or violating the minimum housing standards	(b) The violation of any provision of this article shall constitute a misdemeanor, as provided by G.S. 14-4.
12. Nuisances	12-1	Failure to abate a nuisance violation, after being given notice OR violating the nuisance ordinance in a way that causes immediate/substantial risk	(c) Any person violating, failing, refusing or neglecting to comply with any of the provisions of this section shall be subject to a civil penalty. This provision is adopted pursuant to and in accordance with G.S. 160A-175(c). Failure to abate a violation may also constitute a misdemeanor or infraction pursuant to G.S. 14-4, as provided in section 1-15(h) of the Lenoir City Code. (d) Any nuisance violation that constitutes an immediate and substantial risk of harm shall constitute a misdemeanor offense pursuant to G.S. 14-4.
	12-2	Violating the noise ordinance	(c) Any person creating unlawful noise as described in this section shall be guilty of a misdemeanor, punishable upon conviction by a fine or imprisonment as provided by G.S. 14-4.
13. Offenses and Miscellaneous Provisions	13-16	Loitering for purpose of engaging in drug-related activities	(d) No arrest or charge is permitted hereunder unless the circumstances established probable cause to believe that the person intended to violate one or more of the provisions of the North Carolina Controlled Substances Act. A violation of this section shall subject the offender to the penalties set forth in G.S. 14-4A.

	13-19	Having a weapon on city property	(f) Any person in violation of the prohibitions of this section 13-19 shall be guilty of a misdemeanor pursuant to N.C.G.S. 14-4. Any firearm, handgun or other weapon possession in violation of the provisions of this section is and are declared to be contraband, to be disposed of in accordance with applicable North Carolina law.
	13-17	Begging, soliciting, or panhandling in violation of the ordinance (Note: not the same “soliciting” that we permit in Chapter 5 under the “peddlers” section)	(d) Penalty. A violation of this section is a misdemeanor as set forth in G.S. 14-4.
Other criminal offenses adopted pursuant to other statutes, or without specific reference to GS 14-4			
4. Buildings and Building Regulations	4-195	Removing notice from condemned building	If any person removes any notice that has been affixed to any building or structure by a local inspector, stating the dangerous character of the building or structure, he shall be guilty of a Class I misdemeanor.
	4-199	Failing to comply with an order to take corrective action on an unsafe building (might be to close, vacate, repair, or demolish)	If the owner of a building or structure fails to comply with an order issued pursuant to G.S. 160A-429 from which no appeal has been taken, or fails to comply with an order of the city council following an appeal, he shall be guilty of a Class 1 misdemeanor.
5. Business Regulation, Licensing and Taxation	5-146	Violating rules about secondhand precious metals	Violation of any provision of this article by any person shall constitute a misdemeanor and, upon conviction, a violator shall be punished by a fine or imprisonment in the discretion of the court. Each violation shall constitute a separate and distinct offense.
	5-237	Violating rules applying to pawn shops/pawnbrokers	Pursuant to G.S. 91A-11, every person, their guests or employees, who shall knowingly violate any of the provisions of this article shall, on conviction thereof, be deemed guilty of a misdemeanor and shall be

			<p>fined a sum not to exceed \$500.00 for each offense, and at the discretion of the court, may be imprisoned for a period of time not to exceed six months. If the violation is by an owner or major stockholder or managing partner of the pawnshop, and the violation is knowingly committed by the owner, major stockholder or managing partner of the pawnshop, the license of the pawnshop may be suspended at the discretion of the court.</p> <p>(b) Subsection (a) of this section shall not apply to violations of section 5-236(6), which shall be prosecuted under the state criminal statutes.</p> <p>Section 5-236(6), for reference (knowingly taken stolen goods): "Take any article in pawn, pledge or as security from any person, which article is known to such pawnbroker to be stolen, unless there is a written agreement with local or state police;"</p>
	5-28	Engaging in business without a privilege license	<p>(b) No person shall engage in a business within this city upon which a privilege license tax is imposed by this article, without having paid the license tax specified in section 5-40. Violators shall be guilty of a misdemeanor. Each day that a person engages in business in violation of this section constitutes a separate offense.</p>
	5-30	Making a false statement on a privilege license application	<p>(b) Any person who willfully makes a false statement on a license application shall be guilty of a misdemeanor.</p>
7. Civil Emergencies	7-7	Violating provisions during a State of Emergency	<p>During the existence of a proclaimed state of emergency, the violation of any provision of any restriction imposed by any proclamation authorized by this chapter shall constitute a misdemeanor.</p>

9. Flood Damage Prevention	9-28	Violations of the Flood Damage Prevention provisions	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 \$50.00 or imprisoned for not more than 30 days, or both. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Lenoir from taking such other lawful action as is necessary to prevent or remedy any violation.
	9-47	Violating a stop work order issued by the Floodplain Administrator for work in violation of the flood damage prevention ordinance	(16) Issue stop work orders as required. Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this chapter, the floodplain administrator may order the work to be immediately stopped. The stop work order shall be in writing and directed to the person doing or in charge of the work. The stop work order shall state the specific work to be stopped, the specific reason(s) for the stoppage, and the condition(s) under which the work may be resumed. Violation of a stop work order constitutes a misdemeanor.
	9-48	Failure to comply with an order to take corrective action for a violation of flood plain regulations	(5) <i>Failure to comply with order.</i> If the owner of a building or property fails to comply with an order to take corrective action for which no appeal has been made or fails to comply with an order of the governing body following an appeal, the owner shall be guilty of a misdemeanor and shall be punished at the discretion of the court.

	18-2	Trespassing on or under bridges	(b) Enforcement. Enforcement of this section is authorized for any law enforcement officer with jurisdiction to arrest in the city. The offense is a misdemeanor offense of second-degree trespassing, G.S. 14-159.13.
21. Water and Sewer	21-75	Turning back on water when it's been disconnected by the City	(c) Any person whose water and sewer services have been discontinued by the director as provided in this section and whom shall thereafter cut on the water or otherwise make such services available, except by renewal as provided above, shall be deemed guilty of a misdemeanor.
	21-87		Any person desiring to run a large pipe from the city main to his premises within the city for the purpose of providing a hydrant for use in case of fire shall be permitted to connect with the street main at his own expense and shall be permitted to use water there from, for fire purposes only, at no charge. All hydrants so constructed on premises of patrons shall be sealed with suitable material. Any person breaking or permitting another to break such seal, except for the purpose of obtaining water for firefighting purposes, shall be deemed guilty of a misdemeanor. Each week the seal remains broken shall be constructed to be a separate and distinct offense.
	21-101	Tampering with City water and sewer infrastructure	It shall be unlawful for any person to obstruct, break, remove, damage, deface or otherwise tamper with any appurtenances of the Lenoir Water and Sewer System. Likewise, it shall be unlawful for any person to obstruct or hinder an employee of the City of Lenoir from performing their duties. Damage to or obstruction of any part of the system will be considered a misdemeanor subject to both civil and, in some cases, criminal penalty. Each violation shall be considered a separate violation subject to

			penalties set forth by the Lenoir City Council. Each day a violation continues will be considered a separate occurrence. In some cases, violators may also be subject to state and federal laws for tampering with a public water supply.
	21-109	Falsifying information or tampering with monitoring equipment (Sewer system)	Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this article or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this article, shall, upon conviction, be punished by a fine of not more than \$1,000.00 or by imprisonment for not more than six months, or by both. Such punishment shall not relieve the person from further civil or criminal penalties imposed as a result of legal action brought by the city, the state, or the United States.

	21-353	Violating wastewater rules; discharging untreated wastewater; violating pre-treatment requirements; violating permit conditions (Sewer System)	<p>(1) Criminal violations. The district attorney for the applicable judicial district may, at the request of the city, prosecute noncompliant users who violate the provisions of G.S. 143-215.6B.</p> <p>[Note: Under North Carolina law, it is a crime to negligently violate any term, condition, or requirement of a pretreatment permit, or negligently fail to apply for a pretreatment permit, issued by local governments (G.S. 143-215.6B(f)), to knowingly and willfully violate any term, condition, or requirement of a pretreatment permit, or knowingly and willfully fail to apply for a pretreatment permit, issued by local governments (G.S. 143-215.6B(g)), to knowingly violate any term, condition, or requirement of a pretreatment permit issued by local governments, or knowingly fail to apply for a pretreatment permit, knowing at the time that a person is placed in imminent danger of death or serious bodily injury, (G.S. 143-215.6B(h)), and to falsify information required under article 21 of chapter 143 of the General Statutes (G.S. 143-215.6B(i)).]</p>
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Appendix A: Zoning	Appendix A; Section 713	Violating a stop work order issued for a zoning violation	Whenever any building or structure is being demolished, constructed, altered, or repaired in a hazardous manner, that endangers life or property, or insubstantial violation of this ordinance, the zoning officer may order the specific part of the work that is in violation or presents such a hazard to be immediately stopped. The stop order shall be in writing, directed to the person doing the work, and shall state the specific work to be stopped, the specific reasons therefor, and the conditions under which the work may be resumed. The owner or builder may appeal from a stop order to the City Manager within a period of five (5) days after the order is issued. Notice of appeal shall be given in writing to the City Manager with a copy to the zoning officer. The City Manager shall promptly conduct a hearing, at which the appellant and the zoning officer shall be permitted to submit relevant evidence, and shall rule on the appeal as expeditiously as possible. Pending the ruling by the City Manager on an appeal, no further work shall take place in violation of a stop order. Violation of a stop order shall constitute a misdemeanor.
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