



CRIMINAL PENALTY LISTING

The following table sets forth code sections and uncodified ordinance provisions, if any, that specifically impose a criminal penalty under or derived from G.S. 14-4(a) authority. This listing excludes provisions imposing only civil fines, the civil fine portion of provisions imposing civil and criminal fines, and provisions imposing criminal fines derived from other, non-G.S. 14-4(a) related, statutory authority. (See the bottom of the final page for notes concerning the city's general penalty.) The list is in code chapter order with the exception of the Unified Development Ordinance (Chapter 12), which is placed at the end of the list due to its unique internal section numbering.

CODE §	DESCRIPTION	PENALTY
3-1	City cemetery rules and regulations; hours of operation	General penalty— \$500.00 maximum fine
3-3	Curbs, walls, fences, prohibited around plots; trees and shrubs	Same
3-4	Injuring monuments, tombstones and other cemetery property	Same
3-5	Disturbing funeral congregation	Same
3-6	Headstone and foot marker specifications	Same
3-7	Mausoleums prohibited	Same
3-9	Flower policy	Same
3-10	Use of luminaries and other displays	Same
3-21	Burial permit required	Same
3-23	Failure to obtain permit	Same
3-39	No more than four lots to be owned by one person	Same
4-5	Acts unlawful during proclaimed curfew	Class 3 Misdemeanor under G.S. § 14-4 and code § 1-12— \$500.00 maximum fine
5-11	Giving false fire alarms; molesting fire-alarm, fire-detection or fire-extinguishing system	Misdemeanor— \$500.00 maximum fine
5-12	Congregating in streets near fires; interfering with fire department	General penalty— \$500.00 maximum fine
5-13	Roping off space adjacent to fire	Same
5-14	Mounting fire apparatus	Same
5-15	Loitering about fire station	Same
5-16	Obstructing hydrant	Same
5-17	Trespass on fire stations	Same

CODE §	DESCRIPTION	PENALTY
5-18	Driving over fire hose	General penalty— \$500.00 maximum fine
5-19	Injuring apparatus or property of department	Same
7-1	Park schedule; when presence in park areas is prohibited	Same
7-2	Rules of conduct applicable in all city parks and recreational facilities	Same
7-3	Additional rules of conduct applicable to specific parks and recreational facilities	Same
8-5	False reports to law enforcement agencies or officers	Same
8-11	Bows and arrows, slingshots or other missiles	Misdemeanor— \$500.00 maximum fine
8-12	Sale or consumption of alcohol on public property	Class 3 Misdemeanor— \$50.00 minimum fine and \$500.00 maximum fine
8-13	Firearms—Discharging within the corporate limits	General penalty— \$500.00 maximum fine
8-14	Firearms—Careless handling	Misdemeanor— \$500.00 maximum fine
8-15	Loitering for the purpose of engaging in drug-related activity	Misdemeanor— \$50.00 maximum fine, or 30 days incarceration or both such fine and incarceration
8-16	Firearms and other weapons prohibited on city property	Misdemeanor— \$500.00 maximum fine, or 30 days incarceration or both such fine and incarceration
8-18	Urinating or defecating in public	General penalty— \$500.00 maximum fine
8-31	Prohibited noises generally	Class 3 Misdemeanor under G.S. § 14-4 and code § 1-12— \$500.00 maximum fine
8-32	Specific prohibited noises	Same
8-42	Violation of alarm system provisions (8-36 et seq.)	Same
8-54	Animals and fowl running at large generally	Same
8-55	Riding, leading or driving animals upon curb, sidewalk, or public square prohibited; exceptions	Same
8-56	Killing or injuring wildlife; robbing nests	Same
8-57	Keeping of certain animals prohibited	Same
8-58	Number of animals restricted	Same

CODE §	DESCRIPTION	PENALTY
8-59	Setbacks and standards for stables, pens, enclosures, dog lots, tethering, underground fencing, containment structure for dangerous dogs, etc.	Class 3 Misdemeanor under G.S. § 14-4 and code § 1-12— \$500.00 maximum fine
8-60	Animal abuse	Same
8-61	Animals at city-sponsored events	Same
8-62	Dangerous dogs	Same
8-63	Nuisance	Same
8-64	Control of rabies	Same
8-74	Regulations in effect during declared special event	Same
8-111	Cruising restrictions	Misdemeanor— \$200.00 maximum fine or 30 days incarceration
8-112	Designated “no cruising” areas	Same
8-122	Vehicles for hire—Proof of financial responsibility	General penalty— \$500.00 maximum fine
8-123	Vehicles for hire—Establishing rates; failure to comply with set rates	Same
8-124	Vehicles for hire—Displaying rates	Same
8-125	Vehicles for hire—Display of name of certificate holder	Same
8-126	Vehicles for hire—Records of calls	Same
8-127	Vehicles for hire—Report of accidents	Same
8-128	Vehicles for hire—Certificate of convenience and necessity required	Same
8-133	Vehicles for hire—Renewal of certificate of convenience and necessity	Same
8-135	Vehicles for hire—Certificates of convenience and necessity not transferrable	Same
8-139	Vehicles for hire—Driver permit required	Same
8-144	Vehicles for hire—Annual renewal of driver permit required	Same
8-147	Vehicles for hire—Display of driver permit	Same
8-148	Vehicles for hire—Extra passengers and free passengers	Same
8-149	Vehicles for hire—Driver to attend vehicle at all times	Same
9-1	State building code adopted by reference	Class 3 Misdemeanor under G.S. § 14-4 and code § 1-12— \$500.00 maximum fine
9-16	Building permit required	Same

CODE §	DESCRIPTION	PENALTY
9-33(d)	Flood prevention and control—Compliance required	¹ Misdemeanor— \$50.00 maximum fine or 30 days incarceration
9-35	Flood prevention and control—Requirements for flood hazard reduction	Class 3 Misdemeanor under G.S. § 14-4 and code § 1-12— \$500.00 maximum fine
9-44	Flood prevention and control—Minimum standards of fitness for dwellings and dwelling units	Same
9-45	Flood prevention and control—Minimum standards for structural condition	Same
9-46	Flood prevention and control—Minimum standards for basic equipment and facilities	Same
9-47	Flood prevention and control—Minimum standards for ventilation	Same
9-48	Flood prevention and control—Minimum standards for space, use and location	Same
9-49	Flood prevention and control—Minimum standards for safe and sanitary maintenance	Same
9-50	Flood prevention and control—Minimum standards for control of insects, rodents and infestations	Same
9-51	Minimum standards applicable to rooming houses: exceptions	Same
9-52	Flood prevention and control—Responsibilities of owners and occupants	Same
9-55	Flood prevention and control—Inspections; duty of owner and occupants	Same
9-69	Uniform system of house numbering—Assignment and display of numbers	Same
9-86	Uptown Zoning District Commercial Property—Good repair standards—Exterior of all nonresidential buildings	² Misdemeanor under G.S. § 14-4 and code § 1-12— \$500.00 maximum fine or 30 days incarceration
9-87	Uptown Zoning District Commercial Property—Fit for occupancy standards for non-residential buildings	Same

¹ The penalty in this section 9-33(d) conflicts with the penalty in section 9-63. Also, the last sentence of section 9-63 regarding penalties (applying a maximum of \$50) appears to have been inserted in the section in error. For purposes of this listing, I have ignored that sentence.

² This penalty is stated specifically in section 9-86 but conflicts with section 9-63 (which is applicable to the chapter as a whole) in that 9-86 includes an incarceration option while 9-63 does not.

CODE §	DESCRIPTION	PENALTY
9-91	Uptown Zoning District Commercial Property— Occupied buildings in violation of occupancy standards, which are declared dangerous or injurious, but not unsafe	Misdemeanor under G.S. § 14-4 and code § 1-12— \$500.00 maximum fine or 30 days incarceration
9-92	Uptown Zoning District Commercial Property— Unsafe buildings	Same
9-96	Violations of certain types and sections declared unlawful	Same
9-113	Abandoned vehicles declared unlawful	General penalty— \$500.00 maximum fine
9-115	Certain junk vehicles declared unlawful	Same
9-125	Unlawful removal of impounded vehicles	Same
10-16	Preparation of waste for disposal; refuse containers	Class 3 Misdemeanor under G.S. § 14-4 and code § 1-12— \$500.00 maximum fine or 30 days incarceration
10-18	Maintenance of bulk refuse containers	Same
10-31	Waste, refuse, junk, other matters not to be placed/dumped on lot	Same
10-32	Maintenance of litter-free premises	Same
10-33	Storing of refuse and waste	Same
10-34	Scattering of refuse and littering prohibited	Same
10-46	Industrial waste	Same
10-47	Dead animals	Same
10-48	Building materials	Same
10-49	Hazardous, liquid, combustible waste	Same
10-50	Cardboard boxes and cartons	Same
10-51	Tree and shrubbery trimmings	Same
10-54	Recycling; separation of waste	Same
10-56	Regulations applicable to waste collection services	Same
10-57	Hypodermic instruments	Same
10-59	Recycling	Same
11-1	Grass and weeds on sidewalks; gutters to be kept open	Misdemeanor— \$500.00 maximum fine
11-2	Walking on newly paved sidewalks	Same
11-3	Keeping sidewalks clean; removal of snow	Same
11-4	Damage to streets or sidewalks	Same
11-5	Hauling coal, dirt, sand, or waste matter	Same
11-7	Sale of farm products, merchandise from vehicles within fire limits	Same
11-8	Skating and skateboarding on streets and sidewalks	General penalty— \$500.00 maximum fine

CODE §	DESCRIPTION	PENALTY
11-9	Planting of trees or shrubs	Misdemeanor— \$500.00 maximum fine
11-10	Throwing materials on streets, sidewalks and public places	Same
11-11	Placing trash or garbage in gutter, driveway or drain	General penalty— \$500.00 maximum fine
11-31	Permits required for excavation on public ways and easements, etc.	Same
11-33	Restoration of earth	Same
11-34	Replacement of pavement	Same
11-35	Guard rails and signal lights	Same
11-36	Supervision and control by city engineer (noncompliance constitutes violation)	Same
11-37	Negligence in excavating on lot contiguous to street or sidewalk	Same
11-41	Driveways—Location generally	Same
11-42	Driveways—Entering directly into street intersection prohibited; turning traffic into main stream or side street	Same
11-43	Commercial driveways	Same
11-44	Driveways—Angle	Same
11-45	Driveways—Radii	Same
11-46	Driveways—Grade of entrance and exit	Same
11-47	Driveways—Frontage on street right-of-way other than driveway itself; modifications	Same
11-48	Driveways—Intersections with sight distance or clear vision areas	Same
11-49	Driveways—Intersections without sight distance or clear vision areas	Same
11-50	Driveways—Drainage of driveways not to be altered; drainage structures at entrances and exits	Same
³ 13-2	Tapping natural gas, water or wastewater lines	Same
13-3	Deposits for connections required; exception	Same
13-5	Connecting utility service without permission	Misdemeanor— \$500.00 maximum fine
13-7	Acts generally constituting a misdemeanor	Same
13-8	Opening fire hydrants	General penalty— \$500.00 maximum fine
13-9	Climbing upon standpipes and water tanks	Same

³ Some offenses under this utilities chapter 13 are covered by statutes and penalties separate from those in G.S. § 14-4. However, since section 13-62 makes those remedies cumulative, the appropriate sections are also listed in this table.

CODE §	DESCRIPTION	PENALTY
13-10	Contamination of water supply	General penalty— \$500.00 maximum fine
13-28	Prohibited discharge standards	Same
13-29	National categorical pretreatment standards	Same
13-33	Dilution	Same
13-34	Pretreatment of wastewater	Same
13-36	Hauled wastewater	Same
13-41	Wastewater dischargers require city approval	Same
13-42	Wastewater permits required	Same
13-43	Baseline monitoring reports	Same
13-44	Compliance schedule progress reports	Same
13-45	Reports on compliance with categorical pretreatment standard deadline	Same
13-46	Periodic compliance reports	Same
13-47	Reports of changed conditions	Same
13-48	Reports of potential problems	Same
13-49	Reports from unpermitted users	Same
13-51	Notification of the discharge of hazardous waste	Same
13-55	Record keeping	Same
13-56	Monitoring facilities	Same
13-67	Special discharges	Same
13-70	Garbage grinders	Same
13-151	Water conservation—Conditions justifying declaration of water shortage	Same
13-153	Water conservation—Compliance with restrictions; water conservation generally	Same
13-154	Water conservation—Levels of response	Same
14-3	Repairing vehicles on streets	Misdemeanor— \$500.00 maximum fine
14-6	Blocking off streets—Obstructions and signs	Same
14-7	Blocking off streets—Vehicles not to be driven into street	Same
14-8	Unauthorized signs	Same
14-27	Vehicles with cleats or lugs; machinery likely to damage street	Same
14-28	Obstruction to driver's view or driving mechanism	Same
14-29	Regulations of load limit on certain bridges over southbound railway	Same
14-30	Operation of tractor-trailer trucks on certain streets restricted	Same
14-31	Through tractor-trailer traffic on certain streets restricted	Misdemeanor— \$500.00 maximum fine

CODE §	DESCRIPTION	PENALTY
14-34	Driving through filling stations, etc., to avoid regulations	Same
14-35	Backing movements in certain areas	Same
14-36	Emerging from alley or driveway	Same
14-39	Vehicles to stop at stop signs	Same
14-40	Stop when traffic obstructed	Same
14-41(b)	One-way streets and alleys	Same
14-51	Required position and method of turning at intersections	Same
14-52	Turning markers	Same
14-53	Authority to place restricted turn signs; turn restrictions	Same
14-54	Obedience to no-turns signs	Same
14-55	Limitations on turning around	Same
14-66	Vehicle speed—generally	Same
14-67	Vehicle speed—Restrictions for streets constituting part of state highway system	Same
14-68	Vehicle speed—Restrictions for streets not constituting part of state highway system	Same
14-69	Vehicle speed—School zones	Same
14-100	Parking regulations--Failure to pay penalty assessed by traffic bureau or counseling, aiding and abetting a violation or failure to comply	General penalty— \$500.00 maximum fine
14-126	Stopping, standing or parking in passenger curb loading zones	Misdemeanor— \$500.00 maximum fine
14-128	Stopping, standing or parking in freight curb loading zone	Same
14-146	Obedience to signs, other signals, generally	Same
14-150	Pedestrian control signals	Same
14-151	Flashing signals	Same
14-152	Display of unauthorized signs, signals or marking	Same
14-153	Interference with official traffic-control devices, signs or signals	Same
14-154	Authority to establish play streets	Same
14-155	Traffic lanes	Same
14-156	Quiet zones	Same
14-157	Yield signs	Same

Unified Development Ordinance—Code Chapter 12		
CODE §	DESCRIPTION	PENALTY
Sec. 3.	Zoning District Regulations—All section violations	Misdemeanor— \$500.00 maximum fine or 30 days incarceration
Sec. 4.	Design regulations	Same
Sec. 5.	Criteria for specific uses	Same
Sec. 6.	Sign regulations	Same
Sec. 7.	Subdivisions and infrastructure	Same
Sec. 8.	Plans and plat submittal standards	Same
Sec. 9.	Landscape methods and standards	Same
Sec. 10.	Zoning/development/approval process	Same
Sec. 11.	Administration and enforcement	Same
Sec. 12.	Amendments	Same
Sec. 13.	Vested rights	Same
Sec. 14.	Nonconformities	Same
Sec. 15.	Definitions	Same
Sec. 16.	Airport height restrictions	Same
Sec. 17.	Local historic overlay district design guidelines	Same

NOTES RE CITY'S GENERAL PENALTY AND RELATED STATUTES
<p>City Code § 1-12 provides, in pertinent part: “Whenever in this Code or in any other ordinance of the city any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this Code or other ordinance the doing of any act is required or failure to do such act is declared to be unlawful and no other penalty is specified, a violation of such provision of this Code or other ordinance shall be punishable as a Class 3 misdemeanor and shall be fined no more than \$500.00; furthermore, no fine shall exceed \$50.00 unless the ordinance expressly states that the maximum fine is greater than \$50.00, as provided in G.S. § 14-4(a).”</p> <p>G.S. § 160A-175(b) provides: “Unless the Council shall otherwise provide, violation of a city ordinance is a misdemeanor or infraction as provided by G.S. 14-4. An ordinance may provide by express statement that the maximum fine, term of incarceration, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by G.S. 14-4.”</p> <p>G.S. § 14-4(a) provides, in pertinent part: “Any person [who] shall violate an ordinance ... shall be guilty of a Class 3 misdemeanor and shall be fined not more than \$500.00. No fine shall exceed \$50.00 unless the ordinance expressly states that the maximum fine is greater than \$50.00.”</p> <p>G.S. § 14-3 provides that the maximum punishment for a Class 3 misdemeanor is a fine of up to \$500.00 and incarceration of up to 30 days.</p>