

November 29, 2018

Via Electronic Mail

Joint Legislative Administrative Procedure Oversight Committee

Joint Legislative Oversight Committee on Justice and Public Safety

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

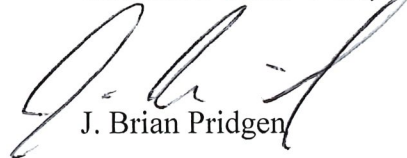
Dear Sirs and Madams:

Attached, please find a listing and description of all ordinances of the Town of Lucama 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 LUCAMA, 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

Sets forth the penalties for violating town ordinances.

10.99 General penalty

Chapter 32 Departments and Committees

Prohibits (1) congregation of persons or vehicles at scene of fire, (2) following of fire trucks responding to call, (3) false alarms, and (4) tampering with fire hydrants, (5) and certain conduct during times of a declared state of emergency.

Fire Department

32.42 Driving over fire hose
32.43 Parking near station or fire apparatus
32.44 False alarm prohibited
32.46 Fire hydrants; testing and tampering

State of Emergency

35.05 Unlawful activities
35.07 Violations

Chapter 50 Garbage

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 Refuse to be deposited in containers

- 50.03 Burning regulations
- 50.04 Accumulation prohibited
- 50.05 Containers required
- 50.06 Pre-collection practices
- 50.07 Location of containers
- 50.08 Special or bulk collections regulated
- 50.09 Removal of dead animals

Chapter 51 Water

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

- 51.01 Board to regulate
- 51.02 Permit required; connection charge
- 51.03 Separate connections required
- 51.04 Use of town water
- 51.05 Water rates; meter reading; billing and collecting
- 51.06 Water lines; tampering and obstruction
- 51.07 Private water supply regulated
- 51.08 Water Superintendent
- 51.09 Work on system
- 51.10 Contractors and water
- 51.11 Application for service
- 51.12 Responsibility; town and consumer
- 51.13 Extensions to mains and services
- 51.14 Access to premises
- 51.15 Change of occupancy
- 51.16 Suspension of service
- 51.17 Complaints and adjustments
- 51.18 Abridgement or modification of rules
- 51.19 Water connections to trailers

Chapter 52 Sewers

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.

- 52.01 Board to regulate
- 52.02 Sewer required
- 52.03 Connections
- 52.04 Sewer lines; tampering or obstructing
- 52.05 Sewer Superintendent
- 52.06 Work on sewer system
- 52.07 Contractors and sewers
- 52.08 Application for service
- 52.09 Responsibility; town and consumer
- 52.10 Extensions to mains and services
- 52.11 Access to premises
- 52.12 Change of occupancy

- 52.13 Meter reading; billing and collecting
- 52.14 Suspension of service
- 52.15 Complaints and adjustments
- 52.16 Abridgement of modification of rules
- 52.17 Sewer connections to trailers

Chapter 53 Electricity

Prohibits (1) connection to the Town electric system without approval of the town or not in accordance with town requirements and (2) tampering with electric system equipment, lines or meters.

- 53.01 Board to regulate
- 53.02 Electricity required
- 53.03 Connections
- 53.04 Electric system, tampering or obstructing
- 53.05 Public Services Superintendent
- 53.06 Work on electric system
- 53.07 Uniform Electrical Code adopted by reference
- 53.08 Application for service
- 53.09 Premature deposit refunds
- 53.10 Access to premises
- 53.11 Change of occupancy
- 53.12 Suspension of service
- 53.13 Reinstatement after disconnection for nonpayment
- 53.14 Complaints and adjustments
- 53.15 Abridgement and modifications of rules
- 53.16 Meter testing
- 53.17 Security light rental

Chapter 90 Abandoned, Nuisance and Junked Motor Vehicles

Prohibits maintaining abandoned, junked, or nuisance vehicles.

- 90.01 Administration
- 90.02 Definitions
 - Nuisance Vehicle*
- 90.03 Abandoned vehicle unlawful; removal authorized
- 90.04 Nuisance vehicle unlawful; removal authorized
- 90.05 Junked motor vehicle unlawful; removal authorized
- 90.06 Removal of abandoned, nuisance or junked vehicles; pre-towing notice requirements
- 90.07 Exceptions to prior notice engagement
- 90.08 Removal of vehicles; post-towing requirements
- 90.09 Sale and disposition of unclaimed vehicle
- 90.10 Immunity
- 90.11 Exception
- 90.12 Fees paid

Chapter 91 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.

Obstructions

- 91.01 Assembly on street or sidewalk
- 91.02 Display of goods on street or sidewalk
- 91.03 Placement of objects on street or sidewalk
- 91.04 Construction near sidewalk
- 91.05 Playing in street

Public Streets; Acceptance and Improvement

- 91.15 New streets; standards and specifications
- 91.16 Annexed areas, street standards

Excavation and Repair

- 91.30 Permit required; application and fee
- 91.31 Liability
- 91.32 Repairs after excavation
- 91.33 Leaving excavations unprotected
- 91.34 Damage to streets prohibited
- 91.35 Sidewalk construction
- 91.36 House moving
- 91.37 Damage to municipal property
- 91.38 Driveways; permit required; application and standards

Chapter 92 Parades, Demonstrations, and Picket Lines

Prohibits parades, demonstrations and picket lines held without obtaining a permit from the town or held not in compliance with town ordinance requirements.

- 92.01 Definitions
- 92.02 Permit required
- 92.03 Standards
- 92.04 Requirements and issuance of permits
- 92.05 Certain activities prohibited
- 92.06 Renovation of permit
- 92.07 Interference prohibited
- 92.08 Picketing; additional regulations
- 92.09 Exceptions

Chapter 93 Health and Sanitation: Nuisances

Prohibits (1) the uncontrolled growth of weeds and grass on private property; (2) violation of County health regulations; (3) use of fire bombs; (4) littering; and (5) fortune telling.

General Provisions

- 93.01 County health regulations; violations
- 93.02 Health officer; interference prohibited
- 93.03 Right of entry

Nuisances

- 93.15 Unnecessary noise
- 93.15(B)
- 93.16 Fire bombs; enforcement
- 93.17 Posting of printed matter
- 93.18 Littering
- 93.19 Bird sanctuary; killing birds prohibited
- 93.20 Palmistry and fortune telling

Weeds and Refuse

- 93.30 Uncontrolled growth; accumulation of refuse
- 93.31 Complaint and investigation
- 93.32 Notice to abate
- 93.33 Hearing
- 93.34 Removal by town
- 93.35 Cost incurred by owner
- 93.36 Charges become a lien
- 93.37 Alternative procedure

Chapter 94 Fire Prevention; Fire Limits

Requires compliance with the Fire Prevention Code.

General Provisions

- 94.01 Adoption of Fire Prevention Code
- 94.02 Fire hazards from industrial processes
- 94.03 Enforcement

Fire Limits

- 94.15 Description

Chapter 95 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.

- 95.01 Burial restrictions

Chapter 96 Littering

Prohibits littering on public property and littering from an automobile.

- 96.01 Littering prohibited
- 96.02 Throwing or depositing trash from a vehicle
- 96.03 Maintenance of public areas
- 96.04 Receptacles

Chapter 97 Animals

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

- 97.01 Cruelty to animals
- 97.02 Impoundment of certain animals
- 97.03 Fowl running at large
- 97.04 Pigeons to be confined
- 97.05 Grazing prohibited
- 97.06 Hogs prohibited
- 97.07 Stables; cleanliness and location

Dog Regulations

- 97.20 Running at large prohibited
- 97.21 Impoundment; disposition
- 97.22 Rabies; vaccination
- 97.23 Dangerous and destructive dogs; nuisances
- 97.24 Dog Waste

- 97.99 Penalty

Chapter 98 Buildings

Prohibits (1) maintaining a dwelling that fails to meet the minimum housing standards; (2) maintaining a nonresidential structure that fails to meet minimum nonresidential structure standards; and (3) maintaining an abandoned dwelling.

Minimum Housing

- 98.01 Purpose
- 98.02 Definitions
- 98.03 Minimum Standards of Fitness for dwellings and dwelling units
- 98.04 Structural Condition
- 98.05 Basic Plumbing and Electrical Equipment and Facilities
- 98.06 Ventilation
- 98.07 Space, Use and Location
- 98.08 Safe and Sanitary Maintenance
- 98.09 Control of Insects, Rodents, and Infestations
- 98.10 Applicable to Rooming Houses
- 98.12 Responsibilities of Owners and Occupants
- 98.13 Powers and Duties of Minimum Housing Code Enforcement Officer
- 98.14 Inspections; Duty of Owners and Occupants
- 98.15 Procedure for Enforcement
- 98.16 Service of Complaints and Orders
- 98.17 In Rem Action by Inspector; Placarding
- 98.18 Costs, A Lien on Premises
- 98.19 Enforcement of Order
- 98.20 Alternative Remedies
- 98.21 Town Board of Commissioners to Hear Appeals
- 98.22 Conflict with Other Provisions
- 98.23 Violations; Penalty

Minimum Nonresidential Structure Standards

- 98.50 Violations; Penalty
- 98.51 Finding; Purpose
- 98.52 Minimum Standards of Fitness for Nonresidential Structures
- 98.53 Plumbing
- 98.54 Electrical Systems
- 98.55 Heating and Cooling Systems
- 98.56 Refuse Disposal
- 98.57 Structure and Materials
- 98.58 Procedure for Enforcement
- 98.59 Limitation on Orders
- 98.60 Action by Town Board of Commissioners Upon Failure to Comply with Order
- 98.61 Action by Town Board of Commissioners Upon Abandonment of Intent to Repair
- 98.62 Service of Complaints and Orders
- 98.63 Liens
- 98.64 Ejectment
- 98.65 Civil Penalty
- 98.66 Powers Supplemental
- 98.67 Appeals
- 98.68 Definitions
- 98.69 Conflict with Other Provisions

Chapter 110 General Licensing Provisions

Prohibits (1) operation of pool rooms, bowling alleys, and other similar amusement businesses without a permit from the town or not in compliance with town regulations; and (2) peddling and solicitation activities conducted without a permit from the town or not in compliance with town regulations.

Specific Businesses

- 110.25 Pool room, bowling alleys and the like
- 110.26 Peddlers and solicitors

Chapter 130 General Offenses

Prohibits (1) prostitution; (2) public use of profanity; (3) discharge of firearms in town limits; (4) public drinking and intoxication; (5) disturbing public meetings; and (6) violation of the curfew ordinance by minors.

- 130.01 Prostitution
- 130.02 Profanity and boisterous conduct
- 130.03 Discharge of firearms and other weapons
- 130.04 Drinking in public places
- 130.05 Disturbing public meetings
- 130.06 Injury to private property
- 130.07 Injuring property of town
- 130.08 Curfew

- 130.99 Penalty

Chapter 151 Mobile Homes and House Trailers

Prohibits (1) failure to register a mobile home with the County; and (2) connection of electricity to a mobile home not registered with the County.

- 151.01 Definition
- 151.02 Duty of owner or person in possession
- 151.03 Registration
- 151.04 Electrical power

- 151.99 Penalty

Chapter 152 Flood Hazard 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.

General Provisions

- 152.08 Development Permit
- 152.09 Compliance

Flood Hazard Reductions

- 152.25 General standards
- 152.26 Residential construction
- 152.27 Nonresidential construction
- 152.28 Manufactured homes
- 152.29 Recreational vehicles
- 152.30 Elevated buildings
- 152.31 Temporary structures
- 152.32 Accessory structures
- 152.33 Floodways
- 152.34 Streams without established base flood elevations and/or floodways
- 152.35 Subdivision proposals and major development

Administration and Enforcement

- 152.45 Designation of Local Administrator; duties and responsibilities
- 152.46 Development permit; certification requirements
- 152.47 Administrative procedures
- 152.48 Variance procedures
- 152.49 Legal status

- 152.99 Penalty

Chapter 153 Zoning

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

Mobile Home Parks

- 153.050 Special use permit required

- 153.051 Preliminary plan
- 153.052 Existing parks; compliance
- 153.053 Minimum lot area
- 153.054 Parking
- 153.055 Yard clearance
- 153.056 Water and sewerage services
- 153.057 Recreation area
- 153.058 Interior drives; paved walkways
- 153.059 Occupancy
- 153.060 Service buildings
- 153.061 Fire extinguishing equipment
- 153.062 Electric lamps
- 153.063 Garbage containers; location
- 153.064 Telephone accessibility
- 153.065 Compliance with state regulations
- 153.066 License and maintenance permits
- 153.067 Nonconforming parks

Nonconforming Uses

- 153.080 Purpose; existence
- 153.081 Vacant lots
- 153.082 Structures
- 153.083 Uses of land
- 153.084 Buildings or structures
- 153.085 Mobile homes
- 153.086 Unavoidable due hardship
- 153.101 Zoning Permit
- 153.102 Certificate of Occupancy/Compliance
- 153.999 Penalty