

NEWTON, NC

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 both civil and criminal fines, provisions imposing criminal fines derived from other (non-G.S. 14-4(a) related) statutory authority, and provisions providing that all other remedies and penalties are preserved. Penalties that may be derived from other publications adopted by reference are not included in this listing. (See the bottom of the final page for notes concerning the city's general penalty.)

CODE §	DESCRIPTION	PENALTY
Chapter 2, Administration		
2-33	Disturbing council meetings	¹ Sec. 1-6(a)(2)—(4) General Penalty
2-542	Restrictions on use of city vehicles	Sec. 1-6(a)(2)—(4) General Penalty
Chapter 6, Advertising		
6-1	License for billposting, advertising, etc.	Sec. 1-6(a)(2)—(4) General Penalty
6-2	Advertising by crying out or using noise-making device on streets and sidewalks	Sec. 1-6(a)(2)—(4) General Penalty
6-3	Placing advertisements in or on motor vehicles	Sec. 1-6(a)(2)—(4) General Penalty
6-4	Distribution of medicine samples prohibited	Sec. 1-6(a)(2)—(4) General Penalty
6-5	Height of signs above street and sidewalk restricted	Sec. 1-6(a)(2)—(4) General Penalty
Chapter 10, Amusement Devices and Places		
10-3	Operation regulations	Sec. 1-6(a)(2)—(4) General Penalty
²Chapter 14, Animals and Fowl		
14-3	Interference with impoundment	Sec. 1-6(a)(2)—(4) General Penalty
14-9	Allowing dog to run at large	Sec. 1-6(a)(2)—(4) General Penalty
14-11	Teasing or molesting dogs	Sec. 1-6(a)(2)—(4) General Penalty
14-14	Fowl running at large prohibited	Sec. 1-6(a)(2)—(4) General Penalty

¹ “Sec. 1-6(a)(2)—(4) General Penalty” means that there is no penalty stated in the section, making it subject to section 1-6, or that the cited section includes an express reference to section 1-6. Subsections (a)(2)—(4) describe the city’s criminal penalties for code or ordinance violations.

² Section 14-22 authorizes criminal penalties for violations that also constitute a violation of state law prohibiting animal cruelty. Sections 14-3 through 14-21 listed here each include restrictions that could, if violated, be construed as cruelty or fostering cruelty to animals under state law. Each section might also be punishable at the city’s discretion by a civil penalty as provided in section 14-22.

CODE §	DESCRIPTION	PENALTY
14-15	Grazing of animals	Sec. 1-6(a)(2)—(4) General Penalty
14-16	Keeping hogs or cattle	Sec. 1-6(a)(2)—(4) General Penalty
14-17	Protection of birds and wild fowl	Sec. 1-6(a)(2)—(4) General Penalty
14-18	Cleanliness and location of stables, pens and similar enclosures	Sec. 1-6(a)(2)—(4) General Penalty
14-19	Cleanliness and fly control for coops or pens where fowl are kept	Sec. 1-6(a)(2)—(4) General Penalty
14-21	General care; prohibited acts	Sec. 1-6(a)(2)—(4) General Penalty
14-42	Reptiles—Presence in certain designated areas prohibited during designated periods	Sec. 1-6(a)(2)—(4) General Penalty
14-43	Reptiles—Failure to remove reptile from restricted area upon command of law enforcement officer.	Sec. 1-6(a)(2)—(4) General Penalty
14-72	Pet shops and kennels—License required	Sec. 1-6(a)(2)—(4) General Penalty
14-77	Pet shops and kennels—Pet shop standards	Sec. 1-6(a)(2)—(4) General Penalty
14-78	Pet shops and kennels—Kennel standards	Sec. 1-6(a)(2)—(4) General Penalty
14-102	Nuisance animals—Confinement required	Class 3 Misdemeanor—Fine or not less than \$100.00 and not more than \$500.00 and/or 30 days in jail.
14-104	Nuisance animals—Habitual offender animals to be remove from inside corporate limits or humanely euthanized.	
Chapter 18, Buildings		
18-63	Dwellings and dwelling units to comply with minimum standards	G.S. 14-4 Misdemeanor
18-64	Structural condition	G.S. 14-4 Misdemeanor
18-65	Basic plumbing, heating and electrical equipment and facilities	G.S. 14-4 Misdemeanor
18-66	Ventilation	G.S. 14-4 Misdemeanor
18-67	Space, use and location	G.S. 14-4 Misdemeanor
18-68	Safe and sanitary maintenance	G.S. 14-4 Misdemeanor
18-69	Control of insects, rodents and other pests; disposal of garbage and rubbish	G.S. 14-4 Misdemeanor
18-70	Rooming houses	G.S. 14-4 Misdemeanor
18-71	Responsibilities of owners and occupants	G.S. 14-4 Misdemeanor
18-108	Abandoned structures—Hazardous structures prohibited	G.S. 160A-175 Misdemeanor
18-115	Abandoned structures—Failure to comply with order to repair, alter, improve, vacate or close structure	G.S. 160A-175 Misdemeanor
18-115	Abandoned structures—Occupation of a structure in violation of posted notice	G.S. 160A-443 Misdemeanor

CODE §	DESCRIPTION	PENALTY
18-211	Non-residential structure—Occupancy of a building posted as unfit for use under section 18-211	Class 3 Misdemeanor
Chapter 22, Business Regulations		
22-1	Buying and selling used merchandise—log required	Sec. 1-6(a)(2)—(4) General Penalty
22-33	Peddling—Failure to display permit	³ Class 3 Misdemeanor
22-36	Peddling—Recordkeeping required	Sec. 1-6(a)(2)—(4) General Penalty
22-37	Peddling—Failure to obtain required permit	Class 3 Misdemeanor
22-62	Wrecker services--Regulations	Sec. 1-6(a)(2)—(4) General Penalty
22-111	Pawnshops—State law adopted and applicable	Sec. 1-6(a)(2)—(4) General Penalty
22-174	Sexually oriented businesses—License required	Misdemeanor—Fine of \$500.00 or imprisonment or both.
22-178	Sexually oriented businesses—Inspections	Misdemeanor—Fine of \$500.00 or imprisonment or both.
22-183	Sexually oriented businesses—Transfer of license	Misdemeanor—Fine of \$500.00 or imprisonment or both.
22-184	Sexually oriented businesses—Hours of operation	Misdemeanor—Fine of \$500.00 or imprisonment or both.
22-185	Sexually oriented businesses—Additional regulations for escort agencies	Misdemeanor—Fine of \$500.00 or imprisonment or both.
22-186	Sexually oriented businesses—Additional regulations for adult theaters, adult cabarets, and adult motion picture theaters	Misdemeanor—Fine of \$500.00 or imprisonment or both.
22-187	Sexually oriented businesses—Additional regulations for adult motels	Misdemeanor—Fine of \$500.00 or imprisonment or both.
22-188	Sexually oriented businesses—Additional regulations for all sexually oriented businesses	Misdemeanor—Fine of \$500.00 or imprisonment or both.
22-189	Sexually oriented businesses—Regulations pertaining to sexually oriented businesses with viewing or other rooms	Misdemeanor—Fine of \$500.00 or imprisonment or both.
22-205	Internet sweepstakes/electronic gaming businesses—Failure to pay license fee imposed under section 22-197	G.S. 14-4 Misdemeanor

³ This section provides that failure to display a permit is punishable as a misdemeanor “as set out in section 22-27.” There is no section 22-27 in the city’s code. The correct cross-reference would appear to be 22-37.

CODE §	DESCRIPTION	PENALTY
Chapter 26, Cable Communications		
26-35	Cable communications franchise agreement required to operate within city	Sec. 1-6(a)(2)—(4) General Penalty
Chapter 30, Cemeteries		
30-1	Interments not to be made except in cemetery	Sec. 1-6(a)(2)—(4) General Penalty
30-2	Burial permit required; burials generally	Sec. 1-6(a)(2)—(4) General Penalty
30-3	Animals; riding, driving or walking across plots	Sec. 1-6(a)(2)—(4) General Penalty
30-4	Speed limit	Sec. 1-6(a)(2)—(4) General Penalty
30-5	Entering or leaving cemetery	Sec. 1-6(a)(2)—(4) General Penalty
30-6	Injuring or removing fixtures	Sec. 1-6(a)(2)—(4) General Penalty
30-7	Sale of merchandise prohibited	Sec. 1-6(a)(2)—(4) General Penalty
30-8	Playing in cemetery prohibited	Sec. 1-6(a)(2)—(4) General Penalty
30-9	Throwing stones etc.; shooting firearms	Sec. 1-6(a)(2)—(4) General Penalty
30-10	Grave openings	Sec. 1-6(a)(2)—(4) General Penalty
30-11	Vault or grave liner required	Sec. 1-6(a)(2)—(4) General Penalty
30-15	Rules and regulations generally	Sec. 1-6(a)(2)—(4) General Penalty
Chapter 34, Civil Defense and Emergencies		
34-36	Unlawful to violate emergency restrictions	Sec. 1-6(a)(2)—(4) General Penalty
Chapter 38, Electricity		
38-13	Use regulations	Sec. 1-6(a)(2)—(4) General Penalty
38-14	Customer responsibilities	Sec. 1-6(a)(2)—(4) General Penalty
38-23	Trimming, planting trees and shrubbery near electrical lines prohibited	Sec. 1-6(a)(2)—(4) General Penalty
Chapter 42, Fair Housing		
42-3	Prohibited practices	Sec. 1-6(a)(2)—(4) General Penalty
Chapter 46, Fire Prevention and Protection		
46-2	Standard for erection of buildings within city fire limits	Sec. 1-6(a)(2)—(4) General Penalty
46-32	Boarding fire trucks	G.S. 160A-175 Misdemeanor
46-33	Tampering with equipment or entering storage building	G.S. 160A-175 Misdemeanor
46-34	Interfering with operation of equipment	G.S. 160A-175 Misdemeanor
46-35	Right-of-way of fire apparatus; following fire apparatus	G.S. 160A-175 Misdemeanor
46-36	False fire alarms prohibited	G.S. 160A-175 Misdemeanor
46-37	Driving over fire hose	G.S. 160A-175 Misdemeanor
46-70	Failure to comply with order to remedy fire hazard pursuant to section 46-68	G.S. 160A-175 Misdemeanor

CODE §	DESCRIPTION	PENALTY
46-148	Obstruction of fire lanes prohibited	G.S. 160A-175 Misdemeanor
46-171	Accumulation of combustible material prohibited	Sec. 1-6(a)(2)—(4) General Penalty
46-172	Daily removal of certain material required	Sec. 1-6(a)(2)—(4) General Penalty
46-173	Defective chimneys, furnaces, etc.	Sec. 1-6(a)(2)—(4) General Penalty
46-174	Obstructions on fire escapes prohibited	Sec. 1-6(a)(2)—(4) General Penalty
46-175	Removal of unused utility wires	Sec. 1-6(a)(2)—(4) General Penalty
46-176	Burned utility poles to be scraped or removed	Sec. 1-6(a)(2)—(4) General Penalty
46-177	Open burning	G.S. 14-4 Misdemeanor
46-201	Storage of dynamite	Sec. 1-6(a)(2)—(4) General Penalty
46-202	Permit required for sale; records of sales	Sec. 1-6(a)(2)—(4) General Penalty
46-203	Transport in vehicle carrying passengers for hire prohibited	Sec. 1-6(a)(2)—(4) General Penalty
46-204	Marking of vehicles carrying explosives required	Sec. 1-6(a)(2)—(4) General Penalty
46-205	Certain articles not to be placed in vehicles carrying explosives	Sec. 1-6(a)(2)—(4) General Penalty
46-206	Blasting permit required	Sec. 1-6(a)(2)—(4) General Penalty
46-232	Permit required for storage, sale or use	Sec. 1-6(a)(2)—(4) General Penalty
46-233	Possession or use without permit	Sec. 1-6(a)(2)—(4) General Penalty
46-234	Sale restricted	Sec. 1-6(a)(2)—(4) General Penalty
Chapter 50, Garbage, Refuse and Weeds		
50-1	Accumulation of certain junk prohibited	Sec. 1-6(a)(2)—(4) General Penalty
50-2	Storage of refuse	Sec. 1-6(a)(2)—(4) General Penalty
50-3	Throwing trash on public property	Sec. 1-6(a)(2)—(4) General Penalty
50-35	Standards and regulations for disposal	Sec. 1-6(a)(2)—(4) General Penalty
50-36	Bulk refuse containers for residential apartment buildings	Sec. 1-6(a)(2)—(4) General Penalty
50-37	Interference with containers or contents; ownership of containers	Sec. 1-6(a)(2)—(4) General Penalty
50-39	Permit required for private collection of waste	Sec. 1-6(a)(2)—(4) General Penalty
50-40	Removal of leaves, tree limbs and yard waste—Generally	Sec. 1-6(a)(2)—(4) General Penalty
50-41	Removal of leaves, tree limbs and yard waste—Brush and debris generated by utility companies	Sec. 1-6(a)(2)—(4) General Penalty
Chapter 54, Motor Vehicles and Traffic		

CODE §	DESCRIPTION	PENALTY
⁴ 54-13	Operation or parking of vehicles in public park or playground	Sec. 1-6(a)(2)—(4) General Penalty
⁵ 54-43	Failure to yield to pedestrian at intersection	Infraction subject to fine of not less than \$100.00 or more than \$500.00.
⁶ 54-65	Driving through procession	Sec. 1-6, General Penalty
⁷ 54-175	Handicapped parking	Fine of not less than \$100.00 or more than \$250.00.
54-103	Parades—Hindering, obstructing, etc., participants or vehicles	Sec. 1-6(a)(2)—(4) General Penalty
54-104	Parades—Driving through parade	Sec. 1-6(a)(2)—(4) General Penalty
54-105	Parades—Parking along parade route	Sec. 1-6(a)(2)—(4) General Penalty
54-121	Parades—Parade permit required	Sec. 1-6(a)(2)—(4) General Penalty
54-130	Parades—Duty of permittee to comply with applicable law	Sec. 1-6(a)(2)—(4) General Penalty
54-151	Parades—Throwing, distributing, etc., articles of personal property	Sec. 1-6(a)(2)—(4) General Penalty
⁸ 54-188	City-maintained parking lots—Parking rates	G.S. 14-4(b)
54-189	City-maintained parking lots—Parking of certain vehicles prohibited; parking outside designated spaces	G.S. 14-4(b)
54-190	City-maintained parking lots—Rental of parking space	G.S. 14-4(b)
54-221	Truck routes—Certain vehicles prohibited	Sec. 1-6(a)(2)—(4) General Penalty
54-223	Truck routes—Parking of certain trucks and vehicles restricted	Sec. 1-6(a)(2)—(4) General Penalty

⁴ But see G.S. 14-4(b) which provides that offenses regarding operation or parking of motor vehicles shall be infractions subject to a fine not to exceed \$50.00.

⁵ But see G.S. 14-4(b) which provides that offenses regarding operation or parking of motor vehicles shall be infractions subject to a fine not to exceed \$50.00.

⁶ This section is unclear since it refers to a penalty generally under 1-6 and does not restrict the offense to an infraction or the penalty to \$50.00.

⁷ But see G.S. 14-4(b) which provides that offenses regarding operation or parking of motor vehicles shall be infractions subject to a fine not to exceed \$50.00.

⁸ For violations of sections 54-188 through 54-190, code section 54-191 states that they “may be prosecuted under the provisions of G.S. 14-4(b).” That subsection provides that each day of violation constitutes a separate violation but does not provide a penalty. I think the city may have intended G.S. 14-4(a). But see G.S. 14-4(b) which provides that offenses regarding operation or parking of motor vehicles shall be infractions subject to a fine not to exceed \$50.00.

CODE §	DESCRIPTION	PENALTY
54-253	Abandoned, nuisance and junked vehicles— Abandoned vehicles unlawful; removal authorized	Sec. 1-6(a)(2)—(4) General Penalty
54-254	Abandoned, nuisance and junked vehicles— Nuisance vehicles unlawful; removal authorized	Sec. 1-6(a)(2)—(4) General Penalty
54-255	Abandoned, nuisance and junked vehicles— Junked vehicles regulated; removal authorized	Sec. 1-6(a)(2)—(4) General Penalty
54-256	Abandoned, nuisance and junked vehicles— Pre-towing notice required	Sec. 1-6(a)(2)—(4) General Penalty
54-258	Abandoned, nuisance and junked vehicles— Post-towing notice requirements	Sec. 1-6(a)(2)—(4) General Penalty
54-262	Abandoned, nuisance and junked vehicles— Conditions on removal of vehicles from private property	Sec. 1-6(a)(2)—(4) General Penalty
54-265	Abandoned, nuisance and junked vehicles— Unlawful removal of impounded vehicle	Sec. 1-6(a)(2)—(4) General Penalty
Chapter 58, Noise		
58-1	Prohibited noise generally	Sec. 1-6(a)(2)—(4) General Penalty
58-2	Prohibited noises enumerated	Sec. 1-6(a)(2)—(4) General Penalty
58-3	Sound amplification devices restricted	Misdemeanor subject to penalty of \$200.00 for the 2 nd offense and \$300.00 for the 3 rd offense.
Chapter 66, Offenses and Miscellaneous Provisions		
66-1	Consumption, serving, etc., of alcoholic beverages prohibited in certain places	Undesignated Misdemeanor
66-2	Carnivals without authorization	Sec. 1-6(a)(2)—(4) General Penalty
66-3	Discharge of firearms, explosives, etc.	Sec. 1-6(a)(2)—(4) General Penalty
66-4	Concealed handguns prohibited on city property	Sec. 1-6(a)(2)—(4) General Penalty
66-5	Firebombs and Molotov cocktails	Sec. 1-6(a)(2)—(4) General Penalty
66-6	Hurling missiles	Sec. 1-6(a)(2)—(4) General Penalty
66-8	Loitering for purpose of engaging in drug- related activity	Sec. 1-6(a)(2)—(4) General Penalty
66-9	Obscene acts; spitting	Sec. 1-6(a)(2)—(4) General Penalty
66-10	Offensive language	Sec. 1-6(a)(2)—(4) General Penalty
66-11	Playing games in streets or other public property	Sec. 1-6(a)(2)—(4) General Penalty
66-12	Public drunkenness	Sec. 1-6(a)(2)—(4) General Penalty

CODE §	DESCRIPTION	PENALTY
66-13	Trespassing	Sec. 1-6(a)(2)—(4) General Penalty
66-14	Yard sales restricted in number and location	Sec. 1-6(a)(2)—(4) General Penalty
Chapter 70, Parks		
70-2	Skatepark regulations	Sec. 1-6(a)(2)—(4) General Penalty
70-61	Use of vehicles restricted	Sec. 1-6(a)(2)—(4) General Penalty
70-62	Posting advertisements or signs	Sec. 1-6(a)(2)—(4) General Penalty
70-63	Removing park property	Sec. 1-6(a)(2)—(4) General Penalty
70-64	Firearms	Sec. 1-6(a)(2)—(4) General Penalty
70-65	Animals running at large; riding horses	Sec. 1-6(a)(2)—(4) General Penalty
70-66	Molesting animals or birds	Sec. 1-6(a)(2)—(4) General Penalty
70-67	Fishing	Sec. 1-6(a)(2)—(4) General Penalty
70-68	Selling, peddling or soliciting	Sec. 1-6(a)(2)—(4) General Penalty
70-69	Political gatherings	Sec. 1-6(a)(2)—(4) General Penalty
70-70	Alcoholic beverages	Sec. 1-6(a)(2)—(4) General Penalty
70-71	Games and sports	Sec. 1-6(a)(2)—(4) General Penalty
70-72	Excavations	Sec. 1-6(a)(2)—(4) General Penalty
70-73	Fires	Sec. 1-6(a)(2)—(4) General Penalty
70-74	Use at night restricted	Sec. 1-6(a)(2)—(4) General Penalty
Chapter 74, Poles and Wires		
74-1	Permit required for placement	Sec. 1-6(a)(2)—(4) General Penalty
74-3	Care and inspection required	
Chapter 86, Streets, Sidewalks, Excavations and Driveways		
86-1	General—Trees, shrubbery and fences restricted near intersections	Sec. 1-6(a)(2)—(4) General Penalty
86-2	General—Trimming of shrubbery near intersections	Sec. 1-6(a)(2)—(4) General Penalty
86-3	General—Maintenance of vegetation near street or sidewalk	Sec. 1-6(a)(2)—(4) General Penalty
86-5	General—Encroachments on streets and sidewalks	Sec. 1-6(a)(2)—(4) General Penalty
86-6	General—Deposit of dirt, waste, etc., in street, sidewalk or drainage system	Sec. 1-6(a)(2)—(4) General Penalty
86-7	General—Placing bricks, stones, boxes or similar obstructions on sidewalk	Sec. 1-6(a)(2)—(4) General Penalty
86-8	General—Obstructing flow of water or drainage in street	Sec. 1-6(a)(2)—(4) General Penalty
86-9	General—Placing glass, tacks or other sharp objects in street, sidewalk or drainage system	Sec. 1-6(a)(2)—(4) General Penalty

CODE §	DESCRIPTION	PENALTY
86-10	General—Erection of fence or other structure in street, sidewalk or drainage system	Sec. 1-6(a)(2)—(4) General Penalty
86-11	General—Certain vehicles prohibited on paved streets	Sec. 1-6(a)(2)—(4) General Penalty
86-12(d) (2)	General—Water and sewer lines to be installed prior to paving of street	Sec. 1-6(a)(2)—(4) General Penalty
86-13	General—Street improvements to conform to city standards	Sec. 1-6(a)(2)—(4) General Penalty
86-41	Sidewalks—Sidewalks and gutters to be kept clean	Sec. 1-6(a)(2)—(4) General Penalty
86-42	Sidewalks—Water dripping or discharging onto sidewalk prohibited	Sec. 1-6(a)(2)—(4) General Penalty
86-43	Sidewalks—Cellar doors, openings, etc.	Sec. 1-6(a)(2)—(4) General Penalty
86-44	Sidewalks—Gates	Sec. 1-6(a)(2)—(4) General Penalty
86-45	Sidewalks—Loading and unloading	Sec. 1-6(a)(2)—(4) General Penalty
86-46	Sidewalks—Skating	Sec. 1-6(a)(2)—(4) General Penalty
86-47	Sidewalks—Height of awnings and similar structures	Sec. 1-6(a)(2)—(4) General Penalty
86-71	Excavations—Permit required; standards for work	Sec. 1-6(a)(2)—(4) General Penalty
86-75	Excavations—Protection of openings	Sec. 1-6(a)(2)—(4) General Penalty
86-76	Excavations—Filling of opening and replacement of pavement	Sec. 1-6(a)(2)—(4) General Penalty
86-101	Driveways—Permit required; permit fee; inspection	Sec. 1-6(a)(2)—(4) General Penalty
86-102	Driveways—Removal of existing concrete sidewalk	Sec. 1-6(a)(2)—(4) General Penalty
86-103	Driveways—Residential driveways	Sec. 1-6(a)(2)—(4) General Penalty
86-104	Driveways—Multifamily, commercial, industrial, office and institutional driveways	Sec. 1-6(a)(2)—(4) General Penalty
86-105	Driveways—Materials	Sec. 1-6(a)(2)—(4) General Penalty
Chapter 87, Stormwater		
87-32	All violations of the chapter are subject to civil penalties but may be charged as a criminal misdemeanor	Sec. 1-6(a)(2)—(4) General Penalty
Chapter 90, Subdivisions		
90-71	All violations of the chapter	G.S. 14-4 Misdemeanor and Sec. 1-6(a)(2)—(4) General Penalty
Chapter 98, Utilities		

CODE §	DESCRIPTION	PENALTY
98-64	General—Injuring or interfering with water or sewer system	Sec. 1-6(a)(2)—(4) General Penalty
98-67	General—Wasting water prohibited	Sec. 1-6(a)(2)—(4) General Penalty
98-68	General—Swimming in reservoir	Sec. 1-6(a)(2)—(4) General Penalty
98-91	Water and Sewer Connections—Required; backflow prevention	Sec. 1-6(a)(2)—(4) General Penalty
98-92	Water and Sewer Connections—Water-carried sewage facilities required	Sec. 1-6(a)(2)—(4) General Penalty
98-93	Water and Sewer Connections—Connections to be made after mains completed	Sec. 1-6(a)(2)—(4) General Penalty
98-96	Water and Sewer Connections—Separate connection required	Sec. 1-6(a)(2)—(4) General Penalty
98-97	Water and Sewer Connections—Connections outside city require special permission	Sec. 1-6(a)(2)—(4) General Penalty
98-407	Water and Sewer Extensions—Connections, extensions, etc., to meet city standards	Sec. 1-6(a)(2)—(4) General Penalty
Chapter 102, Zoning		
102-11	All violations of the chapter are subject to civil penalties but may be charged as a criminal misdemeanor	G.S. 160A-175 Misdemeanor

NOTES RE CITY'S GENERAL PENALTY AND RELATED STATUTES

City Code § 1-6 provides:

- (a) Wherever in this Code or in any ordinance of the city or in any rule or regulation of any officer or agency of the city, under authority duly vested in him or it, any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such Code, ordinance or rule or regulation the doing of any act is required or the failure to do any act is declared to be unlawful or an offense or misdemeanor, where no specific penalty is provided therefor, the violation of any such provision of this Code or any such ordinance or rule or regulation shall subject the offender to the following fines and penalties:
 - (1) A civil penalty in the amount of \$50.00;
 - (2) A criminal penalty of 30 days' imprisonment;
 - (3) A criminal fine of \$50.00; or
 - (4) A criminal fine of \$50.00 and 30 days in jail.
- (b) Each day any violation of this Code or of any ordinance or rule or regulation shall continue shall constitute a separate and distinct offense, unless otherwise provided.

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."

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."

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.