

## **TITLE I: GENERAL PROVISIONS**

### **CHAPTER 10. GENERAL PROVISIONS**

#### **' 10.99 GENERAL PENALTY.**

(a) Any person, firm or corporation violating any of the provisions of any section or division of this code of ordinances for which no other penalty is provided, or failing or neglecting or refusing to comply with same, shall, upon conviction, be guilty of a Class 3 misdemeanor and subject to a fine not to exceed \$50 or imprisonment not to exceed 30 days, and each day that any of the provisions of this code of ordinances are violated shall constitute a separate offense.

(G.S. ' 14-4(a))

### **CHAPTER 50: GARBAGE AND REFUSE**

#### **' 50.02 DEPOSIT; APPROVED CONTAINERS REQUIRED.**

(1989 Code, ' 41.02) Penalty, see ' 10.99

*Town Code 50.02 amended on 04/12/11 through case TA11-03;*

#### **' 50.03 BURNING OR BURYING GARBAGE.**

(1989 Code, ' 41.03) Penalty, see ' 10.99

#### **' 50.04 ACCUMULATION OF GARBAGE AND REFUSE.**

(1989 Code, ' 41.04) Penalty, see ' 10.99

#### **' 50.05 PROPER USE OF CONTAINERS.**

(1989 Code, ' 41.05) Penalty, see ' 10.99

#### **' 50.06 COLLECTION SCHEDULE.**

Garbage and refuse will be collected by the company or companies contracted by the town for this service according to a collection schedule maintained at Town Hall. This schedule may be periodically revised and amended by the contracting company(s).

(1989 Code, ' 41.06) Penalty, see ' 10.99

#### **' 50.07 UNLAWFUL TO INTERFERE WITH CONTAINERS.**

(1989 Code, ' 41.07) Penalty, see ' 10.99

**' 50.08 MANDATORY PARTICIPATION; FEES.**

(1989 Code, ' 41.08) (Ord., passed 4-6-1998) Penalty, see ' 10.99

**' 50.09 PLACEMENT OF CONTAINERS/CIVIL PENALTY**

*Town Code 50.09 amended on 3/20/2018 through Ord. 2018-O-05* Penalty, see ' 10.99.

**CHAPTER 90: STREETS AND SIDEWALKS**

**' 90.18 BARRIERS AND WARNING SIGNALS.**

(1989 Code, ' 40.18) Penalty, see ' 10.99

**' 90.19 OBSTRUCTIONS.**

(§90.19 amended on 7/10/06 through TA06-06)

***DAMAGE PREVENTION; CONSTRUCTION***

**' 90.30 TRACTORS, HARROWS, AND THE  
LIKE PROHIBITED; LIABILITY. (on paved streets)**

(B) Any person violating division (A) shall be liable to the town for the cost of repairing any and all damage caused.

(1989 Code, ' 40.19) Penalty, see ' 10.99

***Cross-reference:***

*Damage to town property, see ' 90.32*

*Injuring town property, see ' 130.03*

**' 90.31 HOUSE MOVING.**

(1989 Code, ' 40.21) Penalty, see ' 10.99

**' 90.32 DAMAGE TO TOWN PROPERTY.**

(1989 Code, ' 40.22) Penalty, see ' 10.99

**' 90.33 SIDEWALK CONSTRUCTION; PERMIT REQUIRED.**

(1989 Code, ' 40.20) Penalty, see ' 10.99

**' 90.34 DRIVEWAY CONSTRUCTION; PERMIT REQUIRED.**

(1989 Code, ' 40.23) Penalty, see ' 10.99

**' 90.18 BARRIERS AND WARNING SIGNALS.**

It shall be unlawful for any person, firm, or corporation who obtains a permit under the sections of this chapter to do any excavation of any kind which may create or cause a dangerous condition in or near any street, alley, sidewalk, or public place of the town without placing and maintaining proper guard rails 3 feet from the ground and signal lights or other warnings at, in, or around the same, sufficient to warn the public of the excavation or work, and to protect all persons using reasonable care from injuries on account of the excavation or work.

(1989 Code, ' 40.18) Penalty, see ' 10.99

**' 90.19 OBSTRUCTIONS.**

- (b) Exemptions – Exemptions to this regulation are mailboxes and signage that are both safety and directional in nature; and town beautification projects.

(§90.19 amended on 7/10/06 through TA06-06)

***DAMAGE PREVENTION; CONSTRUCTION***

**' 90.30 TRACTORS, HARROWS, AND THE  
LIKE PROHIBITED; LIABILITY.**

(A) It shall be unlawful for any person, firm, or corporation to drag, run, or cause to be dragged or run any harrow or other implement, engine, machine, or tool on any asphalt or other type of permanently paved street of the town which shall be likely in any way to injure or cut the surface thereof.

(B) Any person violating division (A) shall be liable to the town for the cost of repairing any and all damage caused.

(1989 Code, ' 40.19) Penalty, see ' 10.99

***Cross-reference:***

*Damage to town property, see ' 90.32*

*Injuring town property, see ' 130.03*

**' 90.31 HOUSE MOVING.**

No person shall move any house or building on or across the public streets or sidewalks without the written consent of the Board and the deposit of a good and sufficient bond to cover damage done to any street or sidewalk or to any property of any person.

(1989 Code, ' 40.21) Penalty, see ' 10.99

**' 90.32 DAMAGE TO TOWN PROPERTY.**

No person shall injure, tamper with, remove, paint on, or deface any bridge, culvert, ditch and drain, sign, sign post, street light, traffic signal, bulletin board, or other town property on the streets and sidewalks

or elsewhere except employees of the town in the performance of their duties.  
(1989 Code, ' 40.22) Penalty, see ' 10.99

**' 90.33 SIDEWALK CONSTRUCTION; PERMIT REQUIRED.**

No sidewalk of any description shall be built by any individual, firm, or corporation of any brick, wood, or other material without a written permit from the town.  
(1989 Code, ' 40.20) Penalty, see ' 10.99

**' 90.34 DRIVEWAY CONSTRUCTION; PERMIT REQUIRED.**

No person shall begin to construct, reconstruct, repair, alter, or grade any driveway on the public streets, unless a written permit therefor has been issued by the town.  
(1989 Code, ' 40.23) Penalty, see ' 10.99

**UNLAWFUL; TOWING; COSTS.**

(A) *Abandoned or nuisance vehicles unlawful.*

**' 91.04 JUNKED VEHICLES UNLAWFUL;  
REMOVAL.**

**Section 92.05 - Animals at Large**

**Section 92.06- Nuisance or Vicious Animals Prohibited**

**Section 92.07 – Keeping and Housing of Animals**

- (A) Livestock and domestic fowl of all descriptions are prohibited in any area of the town except areas zoned for residential purposes by the Unified Development Ordinance.
- (B) It shall be unlawful, regardless of zoning, for any person to house or stable any dangerous exotic animal, horse, mule, pony, cow, sheep, goat, chicken or other domestic fowl or livestock within 150 feet of any adjacent dwelling, school, church, business, commercial or professional development.

**92.13 – Tethering of animals is restricted**

***NUISANCES***

**' 93.01 NUISANCE CONDITIONS.**

(A) *Exemptions.* Agricultural property that is registered with the Farm Service Agency is exempt from provisions of this subchapter concerning grass and noxious weeds.

(B) *Nuisances.* The existence of any of the following conditions on any vacant lot or other parcel of land within the corporate limits is declared to be dangerous and prejudicial to the public health or safety and to constitute a public nuisance:

(1) The uncontrolled growth of noxious weeds or grass to a height in excess of 12 inches and within 150 feet of a dwelling, or non-residential or accessory building that has not been abandoned, and within 75 feet from a public right-of-way, causing or threatening to cause a hazard detrimental to the public health or safety;

(2) Any accumulation of rubbish, trash, or junk causing or threatening to cause a fire hazard, or causing or threatening to cause the inhabitation therein of rats, mice, snakes, or vermin of any kind which is or may be dangerous or prejudicial to the public health;

(3) Any accumulation of animal or vegetable matter that is offensive by virtue of odors or vapors or by the inhabitation therein of rats, mice, snakes, or vermin of any kind which is or may be dangerous or prejudicial to the public health;

(4) The open storage of any abandoned ice box, refrigerator, stove, glass, building material, building rubbish, or similar items; or

(5) Any condition detrimental to the public health which violates the rules and regulations of the County Health Department.

(1989 Code, ' 83.01) Penalty, see ' 10.99

#### 93.10 NO OPEN BURNING

##### ' 93.20 LITTERING PROHIBITED.

##### ' 93.21 LITTERING FROM VEHICLES PROHIBITED.

##### ' 93.22 MAINTENANCE OF PUBLIC AREAS.

LITTERING: Violation of this section shall not constitute a misdemeanor or infraction as provided by North Carolina General Statute 14-4. Instead, violation of this section shall subject the offender to a civil penalty in the amount of \$250 per violation to be recovered in a civil action in the nature of debt if the offender does not pay the penalty within the period of time prescribed after such offender has been cited

#### PEDDLERS AND SOLICITORS: **Penalty**

Any person who violates any of the prohibited acts of this section shall be guilty of a misdemeanor as provided in G.S. 14-4 and, upon conviction, shall be subject to a maximum fine of \$500.00, or imprisonment, or both. (see § 10.99)

##### ' 130.02 DISTURBING PUBLIC MEETINGS.

##### ' 130.03 INJURING TOWN PROPERTY.

##### ' 130.04 UNNECESSARY NOISE.

##### ' 130.05 DAMAGING ORDINANCES.

#### **SECTION 131 NO TOBACCO USE IN TOWN BUILDINGS, VEHICLES, AND PUBLIC PARKS**