

November 29, 2018

Via Electronic Mail

Joint Legislative Administrative Procedure Oversight Committee

Joint Legislative Oversight Committee on Justice and Public Safety

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

Dear Sirs and Madams:

Attached, please find a listing and description of all ordinances of the Town of Seaboard 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 SEABOARD, NORTHAMPTON 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 Provisions

Prohibits damaging the Town Code of Ordinances and sets forth the penalties for violating town ordinances.

10.09 Damaging ordinances

10.99 General penalty

Chapter 40 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; and (6) riding bicycles and roller skating on sidewalks.

General Provisions

40.02 Riding bicycles on sidewalks; roller skating

40.03 Certain acts prohibited

40.04 Parades and demonstrations; permit required

40.05 Obstructing passage on streets and sidewalks

Excavation and Repair

- 40.15 Excavations; permit required
- 40.16 Application; fees
- 40.17 Street repair; after excavation
- 40.18 Excavations; leaving unprotected
- 40.19 Streets not to be damaged by tractors or harrows
- 40.20 Sidewalk construction
- 40.21 House moving
- 40.22 Damage to town property
- 40.23 Driveways; permit required
- 40.99 Penalty

Chapter 41 Garbage and Refuse Collection and Disposal

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.

- 41.01 Definitions
- 41.02 Approved containers
- 41.03 Burning or burying garbage
- 41.04 Accumulations of garbage and refuse prohibited
- 41.05 Containers required
- 41.06 Precollection practices
- 41.07 Collection schedule
- 41.08 Unlawful to displace containers
- 41.09 Special or bulk collections regulated

Chapter 42 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.

- 42.01 Purchase of cemetery lots; lot charges
- 42.02 Burial permit; digging of graves
- 42.03 Superintendent; appointment; duties
- 42.04 Trees and shrubs; other improvements
- 42.05 Deposit of materials prohibited; prohibited acts
- 42.06 Vehicles regulated
- 42.07 Lot regulations

Chapter 43 Solid Waste Management

Prohibits unauthorized dumping at landfill and solid waste collection without a license.

- 43.01 Purpose; statutory authority
- 43.02 Definitions
- 43.03 Storage and disposal
- 43.04 Landfill management
- 43.05 Acceptability of material for landfill
- 43.06 Solid waste receptacles
- 43.07 Licensing of solid waste collectors
- 43.08 Vehicle and container requirements for collection and transportation
- 43.09 Franchising solid waste collectors
- 43.10 Enforcement
- 43.99 Penalty

Chapter 50 Water and Sewer System

Prohibits (1) connection to the Town water and sewer systems without approval of the town; (2) use of waste collection other than Town sewer with certain limited exceptions; (3) tampering with water/sewer lines or meters; and (4) discharge of certain materials/chemicals into the sewer system; and (4) other acts deemed hazardous to the town's water and sewer infrastructure and as set forth within the town's ordinances.

General Provisions

- 50.01 Installation of sewage system required
- 50.02 Climbing water tank prohibited
- 50.03 Destroying or tampering with sewer and water system
- 50.04 Obstructing system with objectionable waste prohibited
- 50.05 Charge required for all services
- 50.06 Monthly billings
- 50.07 Delinquent water bills
- 50.08 Disconnection; reconnection charge
- 50.09 Furnishing water service on metered basis
- 50.10 Two or more hook-ups on same meter
- 50.11 Owner responsible for payment of use of single water meter for trailer court or apartments

Connections

- 50.20 Permit required before connecting to system; deposit
- 50.21 Person applying for service responsible for payment of cost of installing initial connection
- 50.22 Contract for use of extra water or fixtures on one sewer service connection
- 50.23 Private fire hydrant service

Rates

- 50.30 Water and sewer rate schedule
- 50.00 Penalty

Chapter 51 Sewers and Drains

See above description of "Water and Sewer System".

General Provisions

- 51.01 Definitions

- 51.02 Depositing objectionable wastes on public and private property
- 51.03 Discharging into natural outlets prohibited
- 51.04 Privies, septic tanks, and other facilities
- 51.05 Suitable toilet facilities
- 51.06 Discharge of storm water and other unpolluted drainage
- 51.07 Certain discharges prohibited in public sewer
- 51.08 Industrial wastes
- 51.09 Destroying or tampering with municipal wastewater facility equipment
- 51.10 Federal regulations adopted by reference

Private Sewage Disposal System

- 51.20 Connecting building sewer to private sewage disposal system
- 51.21 Written permit to be obtained; application; inspection fee
- 51.22 Inspection of installation
- 51.23 Compliance with State Board of Health
- 51.24 Connecting private sewage disposal system to public sewer
- 51.25 Maintenance of private sewage disposal facilities
- 51.26 Noninterference with additional requirements

Permits

- 51.35 Written permit required for use of public sewer
- 51.36 Building sewer permits

Installations and Connections

- 51.45 Costs and expense of installation and connection of building sewer; indemnification
- 51.46 Separate building sewer provided for every building
- 51.47 Use of old building sewers with new buildings
- 51.48 Building sewer specifications
- 51.49 Gravity flow of building drain to public sewer

- 51.50 Surface runoff or groundwater
- 51.51 Connection of building sewer into public sewer
- 51.52 Inspection of connection to public sewer
- 51.53 Barricades and lights around sewer excavation
- 51.54 Grease, oil, and sand interceptors
- 51.55 Preliminary treatment facilities
- 51.56 Control manhole
- 51.57 Right of entry; indemnification; easements on private property
- 51.98 Notice of violation; liability
- 51.99 Penalty

Chapter 62 Peddlers

Prohibits certain peddling and solicitation activities including door-to-door sales.

- 62.01 Definitions
- 62.02 Registration
- 62.03 Door-to-door activities prohibited
- 62.04 Selling magazines, canvassing; written authorization required

Chapter 80 Abandoned Vehicles

Prohibits maintaining abandoned, junked, or nuisance vehicles.

- 80.01 Title
- 80.02 Purpose
- 80.03 Authority
- 80.04 Jurisdiction
- 80.05 Definitions
- 80.06 Duty of owner to remove

- 80.07 Removal
- 80.08 Costs of removal; notice to owner
- 80.09 Sale of abandoned motor vehicles
- 80.10 Disposition of proceeds of sale of abandoned motor vehicle
- 80.11 Disposition of junked motor vehicles
- 80.12 Disposition of unidentified vehicles
- 80.13 Disposition of proceeds of sale of junked motor vehicle
- 80.14 Immunity
- 80.15 Exceptions
- 80.16 Enforcement
- 80.98 Violation
- 80.99 Penalty

Chapter 81 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

- 81.01 Definitions
- 81.02 Livestock
- 81.03 Bird sanctuary

Dogs

- 81.15 Running at large
- 81.16 Restraint of dogs
- 81.17 Vicious dogs
- 81.18 Stray dogs; requirements; failure to surrender
- 81.19 Taxes, licenses, rabies vaccinations

81.20 Duration of license; expiration; nontransferable

81.21 Registration; metal tag

81.22 Impoundment; redemption; sale; destruction

81.23 Dog bites; duty of owner

81.99 Penalty

Chapter 82 Littering

Prohibits littering on public property and from automobiles.

82.01 Littering prohibited

82.02 Littering from vehicles

82.03 Maintenance of public areas

82.04 Receptacles

82.05 Depositing offensive matter on streets and alleys

82.99 Penalty

Chapter 83 Weeds, Grass and Refuse

Prohibits the uncontrolled growth of weeds and grass on private property.

83.01 Nuisance conditions

83.02 Investigation

83.03 Notice of violation; hearing

83.04 Notice to abate

83.05 Abatement by town

83.06 Costs of abatement; lien

83.07 Procedure not exclusive

83.08 Cutting and control of weeds and bushes

Chapter 84 Miscellaneous Offenses

Prohibits the discharge of firearms within town limits, disturbing public meetings, various public disruptions, using fireworks, drinking in public, and false alarms.

General Provisions

- 84.01 Discharge of firearms
- 84.02 Disturbing public meetings
- 84.03 Injuring town property
- 84.04 Unnecessary noise
- 84.05 Resisting arrest
- 84.06 Refusal to assist arresting officer
- 84.07 False alarms
- 84.08 Shooting off fireworks

Alcoholic Beverages

- 84.20 ABC package stores permitted sale of alcoholic beverages only
- 84.21 Drinking in public places
- 84.99 Penalty

Chapter 90 Building Regulations

Prohibits (1) violations of the State Building Code and all related codes and (2) maintaining an abandoned dwelling.

Adoption of Regulatory Codes by Reference

- 90.01 Scope
- 90.02 Building Code adopted
- 90.03 Plumbing Code adopted
- 90.04 Heating Code adopted
- 90.05 Electrical Code adopted

90.06 Residential Building Code

90.07 Amendments to codes

90.08 Compliance with codes

90.09 Copies to be filed

Inspection Department

90.15 Organization

90.16 Duties of Department and inspectors

90.17 Conflicts of interest

90.18 Reports and records

90.19 Inspection procedure

90.20 Oversight not to legalize violation

90.21 Powers of inspection officials

Enforcement

90.30 Permits required

90.31 Application

90.32 Plans and specifications

90.33 Limitations on issuance of permits

90.34 Issuance of permit

90.35 Revocation of permits

90.36 Time limitations on validity of permits

90.37 Changes in work

90.38 Permit fees

Repair, Closing, or Demolition of Abandoned Structures

90.50 Finding; intent

90.51 Duties of the Building Inspector

90.52 Powers of the Building Inspector

- 90.53 Standards for enforcement
- 90.54 Procedure for enforcement
- 90.55 Methods of service of complaints and orders
- 90.56 In rem action by Inspector; placarding
- 90.57 Costs a lien on premises
- 90.58 Alternative remedies

Chapter 93 Trailers and Trailer Parks

Prohibits construction or operation of mobile home parks without a town issued permit or in violation of the requirements of the ordinance.

- 93.01 Definitions
- 93.02 Exemptions
- 93.03 Designation of trailer parks
- 93.04 Location of trailers regulated
- 93.05 Permit for trailer parks
- 93.06 Conflict with Health Department regulations
- 93.07 Water supply and sanitary sewer
- 93.08 Site requirements
- 93.09 Facilities required
- 93.10 General sanitation
- 93.99 Penalty

Chapter 92 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.

- 100 Sign Compliance
- 101 General Sign Regulations
- 60 Home Occupations

70 Mobile Homes on Individual Lots

71 Mobile Home Parks

74 Certificate of Occupancy

Article VIII Nonconforming Uses

80 Intent

Article IX Off-Street Parking and Loading

90 Off-street Parking

91 Off-street loading regulations

111 Zoning Permit

112 Certificate of Occupancy Compliance

113 Penalties for Violations