

From: [Paula Webb](#)  
To: [Susan L. Sitze \(Legislative Analysis\)](#)  
Subject: Town of Swansboro Response to Session Law 2018-69  
Date: Wednesday, November 28, 2018 05:01:30 PM

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In response to Session Law 2018-69, "Section 10.99 of the Town of Swansboro's Code of Ordinances criminalizes all violations of our Ordinance; therefore a violation of any ordinance is subject to criminal punishment. In lieu of submitting our entire Ordinance, I have provided a link below directly to the Town Code of Ordinances.

§ **10.99** PENALTY.

(A) In accordance with G.S. § 160A-75, and unless this code of ordinances provides otherwise, violation of any provision hereof shall be a Class 3 misdemeanor as provided in G.S. § 14-4, punishable upon conviction by a fine not exceeding \$50 or by imprisonment not exceeding 30 days. An ordinance may provide by express statement that the maximum fine or term or imprisonment to be imposed for its violation shall be some figure or number of days less than the maximum penalties prescribed by G.S. § 14-4.

(B) By express statement, an ordinance contained herein may provide for its enforcement by other remedies, as authorized in G.S. § 160-175, including the imposition of civil fines, the ordering of appropriate equitable relief, including injunctions or a combination of remedies.

(C) An ordinance may provide, when appropriate, that each day's continuing violation shall be a separate and distinct offense.

[http://library.amlegal.com/nxt/gateway.dll/North%20Carolina/swansboro\\_nc/townofswansboronorthcarolinacodeofordina?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:swansboro\\_nc](http://library.amlegal.com/nxt/gateway.dll/North%20Carolina/swansboro_nc/townofswansboronorthcarolinacodeofordina?f=templates$fn=default.htm$3.0$vid=amlegal:swansboro_nc)

More specifically, if you enter 10.99 in the search bar, the penalty language appears as follows.

- |     | Title  |
|-----|--|
| 1.  | CHAPTER 10: GENERAL PROVISIONS                 |
| 2.  | CHAPTER 34: FIRE DEPARTMENT                    |
| 3.  | CHAPTER 36: CIVIL EMERGENCY                    |
| 4.  | CHAPTER 50: REFUSE, SOLID WASTE AND RECYCLING  |
| 5.  | CHAPTER 51: WATER AND SEWER SERVICE            |
| 6.  | CHAPTER 76: GOLF CARTS                         |
| 7.  | CHAPTER 90: ANIMALS                            |
| 8.  | CHAPTER 92: NUISANCES; HEALTH                  |
| 9.  | CHAPTER 93: STREETS AND SIDEWALKS              |
| 10. | CHAPTER 94: PARKS                              |
| 11. | CHAPTER 110: PRIVILEGE LICENSE TAXES           |
| 12. | CHAPTER 111: TAXICABS                          |
| 13. | CHAPTER 130: OFFENSES AGAINST TOWN REGULATIONS |
| 14. | CHAPTER 150: BUILDING REGULATIONS              |
| 15. | REFERENCES TO NORTH CAROLINA GENERAL STATUTES  |
| 16. | REFERENCES TO OLD CODE                         |

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