

## TOWN OF ZEBULON ORDINANCE LIST

All Town Ordinances can be found on the Town website ([www.townofzebulon.org](http://www.townofzebulon.org)) or at [www.amlegal.com](http://www.amlegal.com) under the libraries section

Number	Name	Brief Description
Chapter 91 - Animals		
91.06	Animals Creating a Nuisance	<p>It shall be unlawful for any person to own, keep, possess or maintain an animal in a manner so as to constitute a nuisance</p> <p>(A) Except as otherwise provided, any person who violates any provision of this chapter, shall be <b>fined</b> a civil penalty of \$100. If the violation is continued, each day's violation shall constitute a separate offense. Payment of the penalties shall be made within ten days. Civil penalties may be assessed by citation and recovered by Wake County in a civil action in the nature of a debt.</p> <p>(B) If any dangerous animal or dangerous dog shall, when unprovoked, attack, assault, wound, bite or otherwise injure or kill a human being, the owner shall pay a \$500 <b>fine</b> and, after a ten-day waiting period exclusive of Sundays and holidays, the dog shall be destroyed by the Animal Control Program. For each owner's subsequent violation the owner shall pay a \$1,500 civil penalty for owning or keeping a dangerous animal or dangerous dog which attacks, assaults, wounds, bites or otherwise injures or kills a human being.</p> <p>(C) If any dangerous animal or dangerous dog shall, when unprovoked, kill, wound or worry or assist in killing or wounding any domestic animal or pet, the owner of the dog shall pay a \$250 civil penalty and the Animal Control Program is empowered to confiscate and, after the expiration of a ten-day waiting period exclusive of Sundays and holidays, may destroy the dangerous dog or animal. For each subsequent violation the owner of the dog or animal shall pay a civil penalty of \$500.</p> <p>(D) Violation of this chapter may subject the violator to criminal as well as civil action. In addition to the civil penalties or fees imposed under this chapter, violation of this chapter shall be a misdemeanor for which a criminal summons may be issued. Any person convicted of the violation shall be punishable as provided in G.S. § 14-4. Each day's violation of this section is a separate offense. Payment of a <b>fine</b> imposed in criminal proceedings pursuant to this division does not relieve a person of his or her liability for taxes, civil penalties or fees imposed under this chapter.</p> <p>(E) In addition, enforcement of this chapter may be by appropriate equitable remedy, injunction or order of abatement issued by a court of competent jurisdiction.</p>
91.99	Penalty	
Chapter 92 - Cemeteries		

The violation of any of the provisions of this chapter shall be a misdemeanor and shall be punished by a fine not to exceed \$50, or by imprisonment of not more than 30 days. Each day that a violation shall continue shall constitute a separate offense.

92.99 Penatly

#### Chapter 93 - Civil Emergencies

The violation of any provision of this chapter, or of any provision of any restriction imposed by any proclamation authorized by this chapter, shall constitute a misdemeanor, punishable on conviction by a **fine** not exceeding \$50 or imprisonment not exceeding 30 days.

93.99 Penalty

#### Chapter 94 - Fire Prevention

The violation of any of the provisions of this chapter shall be a misdemeanor and shall be punishable by a **fine** of not more than \$50 or imprisonment of not more than 30 days. Each and every day that the violation shall continue or occur shall constitute a separate offense.

94.99 Penalty

#### Chapter 96 - Health and Sanitation

The violation of any of the provisions of this chapter shall be a misdemeanor and punishable by a **fine** of not more than \$50 or imprisonment of not more than 30 days. Each and every day that the violation shall continue or occur shall constitute a separate offense.

96.99 Penalty

#### Chapter 112 - Public Amusement

(A) The violation of any of the provisions of this chapter shall be a misdemeanor and, upon conviction, shall be **fined** not more than \$50, or imprisoned for not more than 30 days. Each and every day that the violation shall occur or continue shall constitute a separate offense.

112.99 Penalty

#### Chapter 131 - Offenses Against Public Peace and Safety

Effective July 1, 2012, violation of § 131.01 (disorderly conduct) shall be a misdemeanor punishable with a fine not to exceed \$500 as provided by G.S. § 14-4. Each violation of this section shall constitute a separate offense.

131.01 Disorderly Conduct

(B) Effective July 1, 2012, unless otherwise provided in § 131.99, a violation of chapter shall subject the offender to civil penalties of not more than \$500. Pursuant to G.S. § 160A-175, all criminal penalties for these violations as set out in G.S. § 14-4 are hereby removed. Civil penalties may be recovered by the town in a civil action in the nature of the debt.

131.99 Penalty

#### Chapter 150 - Building Code

Whoever violates this chapter for which another penalty is not provided shall be guilty of a misdemeanor and, upon conviction, shall be not more than \$50, or imprisoned for not more than 30 days. Each day that a violation continues shall be considered a separate offense.

150.99 Penalty

## Chapter 151 - Stormwater

### 151.99 (C) Criminal Penalties

maximum permissible under North Carolina law. A civil penalty may be assessed from the date of the violation.

## Chapter 152 - Enforcement and Review

152.096 Penalties and Remedies and Violations (A) Violations of the provisions of this chapter or failure to comply with any of its requirements, including violations of any conditions and safeguards established in connection with grants of variances or special use permits, shall constitute a misdemeanor, punishable by a fine and/or maximum imprisonment as follows:

- (1) Use violations: \$100; 30 days;
- (2) Compliance violation: \$200; 60 days;
- (3) Nuisance violation: \$300; 90 days; and
- (4) Public health and safety: \$400; 120 days.

(B) For purposes of this division (A):

- (1) Use violation is a violation involving use that is expressly prohibited or not listed as a permissible use in the zoning district in which it is located;
- (2) Compliance violation is a violation involving a failure to comply with development standards or standards associated with the use of property in the zoning district in which it is located;
- (3) Nuisance violation is a violation involving an activity which is judged to be a public nuisance; and
- (4) Public health and safety violation involves any activity which clearly endangers the public health and/or safety.

(C) (1) Any act constituting a violation of the provisions of this chapter or a failure to comply with any of its requirements, including violations of any conditions and safeguards established in connection with the grants of variances or special use permits, shall also subject the offender to a civil penalty of \$50.

(2) If the offender fails to pay this penalty within 30 days after being cited for a violation, the penalty may be recovered by the town in a civil action in the nature of debt.

(3) A civil penalty may not be appealed to the Board of Adjustment if the offender was sent a final notice of violation in accordance with § 152.095 and did not take an appeal to the Board of Adjustment within the prescribed time.

(D) This chapter may also be enforced by any appropriate equitable action.

(E) Each day that any violation continues after notification by the Administrator that the violation exists shall be considered a separate offense for purposes of the penalties and remedies specified in this section.

(F) Any one, all or any combination of the foregoing penalties and remedies may be used to enforce this chapter.

(G) (1) Failure to comply with the violation notification will result in authorization of the proper town department to correct the violation and/or the violator exacting punitive remedy as provided by law.

(2) The owner of the property on which the violation exists will be responsible for compensation of cost incurred by the town.

#### 152.098 Citation

In addition to the remedies cited for criminal violations of the Zoning Ordinance, the provisions of this chapter shall be enforceable through the issuance of a citation by the Land Use Administrator.

(A) Citations are in the form of a civil penalty and are separate offenses as set out below.

Offense	Fine	Time Period
Warning	\$0	First Occurrence
First citation	\$50	Violation not corrected after 14 days
Third and subsequent	\$100	Initial violation not corrected within each subsequent 10 days
has refused any and all cooperation with the Land Use Administrator and exhibits contempt or disregard for the ordinance.		

#### 152.147 Mobile Food Vendors

section or any other rules and regulations promulgated by the Board may be subject to a fine in accordance with Title XV: Land Usage, Article VI: Enforcement and Review of the Town of Zebulon Code of Ordinances. Each day of violation shall constitute a separate offense for purposes of the penalties and remedies specified in § 152.096.

(g) Enforcement

#### 152.148 General FloodPlain Provisions

(2) Any person who violates this part or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$50 or imprisoned for not more than 30 days, or both. Each day the violation continues shall be considered a separate offense.

(h) Violations

#### 152.149 Administration of Flood Provisions

(b) The stop-work order shall be in writing and directed to the person doing the work. The stop-work order shall state the specific work to be stopped, the specific reasons for the stoppage, and the conditions under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.

(D)(3) Stop Work Orders

If the owner of a building or property fails to comply with an order to take corrective action for which no appeal has been made or fails to comply with an order of the governing body following an appeal, the owner

(D)(10) Failure to comply with o shall be guilty of a misdemeanor and shall be punished at the discretion of the court.

152.313 Tree Preservation Established (O) Penalty. Any person violating any provision of this section shall be, upon conviction or a plea of guilty, subject to a fine as provided in the Town of Zebulon code of ordinances for nuisance violations and or public nuisances as deemed appropriate by the Land Use Administrator.

Chapter 10 - General Code Construction: General Penalty

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 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.

10.99 General Penalty

Chapter 70 - General Regulation

(B) Effective July 1, 1986, the violation of any provision of this code, or of any provision of any restriction imposed by any proclamation authorized by this code (except as provided in division (C)) shall constitute a and shall be punishable upon conviction by a fine not exceeding \$50 or imprisonment for not more than 30 days.

70.99 Penalty

Chapter 100 - Hazardous Materials

(A) Violations of this chapter shall be as provided under G.S. §§ 160A-175 and 14-4. Each day's continuing violation shall constitute a separate offense as provided by G.S. § 160A-175(g).

100.99 Penalty

Chapter 111 - Peddlers, solicitation and Itinerant Merchants

111.03 Permit

(E)(5) Evidence that the applicant has been involved in one or more of the following shall constitute valid reasons for disapproval of the application: conviction or currently pending charges of any felony or serious , or conviction of a carrying a penalty of imprisonment of not less than 90 days; or any crime involving moral turpitude; or willfully presenting a fraudulent application for permit, or any tangible evidence that the applicant's business will pose a substantial threat to the public health, safety, morals, or general welfare.

Chapter 153 - General Provisions

Enforcement - In Rem Action  
by Building Inspector;  
153.30 Placarding  
153.99 Penalty

(1) Failure of an owner of a dwelling or dwelling unit to comply with an order of the Building Inspector issued pursuant to the provisions of this chapter, and upon adoption by the Board of Commissioners of an ordinance authorizing and directing him or her to do so, as provided by G.S. § 160A-443(5) and § 153.28(C) of this chapter, the Inspector shall proceed to cause the dwelling or dwelling unit to be repaired, altered, or improved to comply with the minimum standards of fitness established by this chapter, or to be vacated and closed, and removed or demolished, as directed by the ordinance of the Board of Commissioners; and shall cause to be posted on the main entrance of the dwelling or dwelling unit a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Occupation of a building so posted shall constitute a misdemeanor .  
The violation of any provision of this chapter shall constitute a as provided by G.S. § 14-4.