

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

FILED SENATE
Mar 15, 2017
S.B. 292
PRINCIPAL CLERK

S

D

SENATE BILL DRS45207-LM-3D (10/03)

Short Title: Ordinance Violation Not a Misdemeanor. (Public)

Sponsors: Senators Lee, J. Jackson, and Britt (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT PROVIDING THAT VIOLATION OF A CITY OR COUNTY ORDINANCE
3 SHALL NOT BE PUNISHABLE AS A MISDEMEANOR OR INFRACTION UNLESS
4 EXPRESSLY PROVIDED BY GENERAL LAW.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 14-4 reads as rewritten:

7 "§ 14-4. Violation of local ordinances ~~misdemeanor ordinances.~~

8 (a) ~~Except as provided in subsection (b), if any person shall violate~~ Violation of an
9 ordinance of a county, city, town, or metropolitan sewerage district created under ~~Article 5 of~~
10 ~~Chapter 162A, he shall be guilty of a Class 3~~ Article 5 of Chapter 162A of the General Statutes
11 ~~shall not be punishable as a misdemeanor and shall be fined not more than five hundred dollars~~
12 ~~(\$500.00). No fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that~~
13 ~~the maximum fine is greater than fifty dollars (\$50.00) provided by general law.~~

14 (b) If any person shall violate an ordinance of a county, city, or town regulating the
15 operation or parking of vehicles, ~~he the person~~ shall be responsible for an infraction and shall
16 be required to pay a penalty of not more than ~~fifty dollars (\$50.00)~~ one hundred dollars
17 (\$100.00)."

18 SECTION 2. G.S. 153A-123 reads as rewritten:

19 "§ 153A-123. Enforcement of ordinances.

20 ...

21 (b) ~~Unless the board of commissioners has provided otherwise, violation of a county~~
22 ~~ordinance is a misdemeanor or infraction as provided by G.S. 14-4. An ordinance may provide~~
23 ~~by express statement that the maximum fine, term of imprisonment, or infraction penalty to be~~
24 ~~imposed for a violation is some amount of money or number of days less than the maximum~~
25 ~~imposed by G.S. 14-4.~~ Violation of a county ordinance shall not be punishable as a
26 misdemeanor or infraction unless expressly provided by general law.

27"

28 SECTION 3. G.S. 160A-175 reads as rewritten:

29 "§ 160A-175. Enforcement of ordinances.

30 ...

31 (b) ~~Unless the Council shall otherwise provide, violation of a city ordinance is a~~
32 ~~misdemeanor or infraction as provided by G.S. 14-4. An ordinance may provide by express~~
33 ~~statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for~~
34 ~~a violation is some amount of money or number of days less than the maximum imposed by~~
35 ~~G.S. 14-4.~~ Violation of a city ordinance shall not be punishable as a misdemeanor or infraction
36 unless expressly provided by general law.



1
2

...."

SECTION 4. This act becomes effective July 1, 2017.