

Ordinance #22-0131
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UDO-CC16

ORDINANCE AMENDING CHAPTERS 6, 8, AND 10 OF THE *UNIFIED DEVELOPMENT ORDINANCES* (UDO) IN RESPONSE TO THE NC GENERAL ASSEMBLY'S PASSAGE OF SB300 PART XIII, DECRIMINALIZATION OF CERTAIN ORDINANCES

Be it ordained by the _____, that the Unified Development Ordinances are amended as follows:

Section 1. Chapter 6, Section 6.2.B.8.b of the UDO are amended as follows:

b. **RESERVED** ~~PENALTIES~~

~~Penalties in accordance with **Section 10.2.1, Violations and Penalties (W)** of this Ordinance may be undertaken by the Director of Inspections in order to enforce provisions of this Ordinance.~~

Section 2. Chapter 8, Section 8.6.12.C of the UDO are amended as follows:

C. **RESERVED** ~~CRIMINAL PENALTIES~~

~~Any person who negligently, knowingly, or willfully violates any provision of these standards or rule or order adopted pursuant to these standards, shall be guilty of a class 2 misdemeanor which may include a fine not to exceed five thousand dollars (\$5,000.00)~~

Section 3. Chapter 10, Sections 10.2.1 and 10.2.2 of the UDO are amended as follows:

10.2.1 VIOLATIONS AND PENALTIES (W)

The following enforcement procedures may be undertaken by the Director of Inspections to enforce provisions of this Ordinance.

A. **RESERVED** ~~CRIMINAL PENALTIES (W)~~

- ~~1. Any person, firm, or corporation violating any provisions of this Ordinance shall be guilty of a class 3 misdemeanor.~~
- ~~2. Upon conviction thereof, such violator shall be subjected to a fine not to exceed five hundred dollars (\$500.00) or imprisoned not more than thirty (30) days except that no such violation shall be punishable until the expiration of five (5) days after notice shall have been issued by the Director of Inspections and served upon such violator.~~

NOTE: Items to be removed are indicated with a ~~strike through~~; items to be added are shown as **highlighted**. Items with a single underscore are applicable to Forsyth County only, and *italicized* items are applicable to Winston-Salem only.

~~3. Each and every day beyond the initial five (5) day notice period during which such violation continues shall be deemed a separate offense.~~

B. CIVIL PENALTIES (W)

1. ASSESSMENT OF CIVIL PENALTIES

a. ~~In addition to criminal penalties, any~~ Any person, firm, or corporation violating any provisions of this Ordinance shall be subject to a civil penalty of one hundred dollars (\$100.00) to be recovered by the jurisdiction in a civil action in the nature of a debt.

10.2.2 VIOLATIONS AND PENALTIES (F)

The following enforcement procedures may be undertaken by the Director of Inspections to enforce provisions of this Ordinance.

A. ~~RESERVED~~ CRIMINAL PENALTIES (F)

- ~~1. Any person, firm, or corporation violating any provisions of this Ordinance shall be guilty of a class 3 misdemeanor.~~
- ~~2. Upon conviction thereof, such violator shall be subjected to a fine not to exceed five hundred dollars (\$500.00) or imprisoned not more than thirty (30) days except that no such violation shall be punishable until the expiration of five (5) days after notice shall have been issued by the Director of Inspections and served upon such violator.~~
- ~~3. Each and every day beyond the initial five (5) day notice period during which such violation continues shall be deemed a separate offense.~~

B. CIVIL PENALTIES (W)

1. ASSESSMENT OF CIVIL PENALTIES

a. ~~In addition to criminal penalties, any~~ Any person, firm, or corporation violating any provisions of this Ordinance shall be subject to a civil penalty of one hundred dollars (\$100.00) to be recovered by the jurisdiction in a civil action in the nature of a debt.

Section 4. This Ordinance shall be effective upon adoption.

NOTE: Items to be removed are indicated with a ~~strike through~~; items to be added are shown as **highlighted**. Items with a single underscore are applicable to Forsyth County only, and *italicized* items are applicable to Winston-Salem only.