

City Council – Action Request Form

Date: June 14, 2022

To: Mayor, Mayor Pro Tempore, and Members of the City Council

From: Angela I. Carmon, City Attorney

Council Action Requested:

Ordinance Amending Chapters 6, 10, 14, 22, 26, 30, 34, 38, 42, 46, 58, 62, 70, 74, And 78 Of The City Code To Comply With The Requirements Of S.B. 300

Strategic Focus Area: Service Excellence

Strategic Objective: No

Strategic Plan Action Item: No

Key Work Item: No



Summary of Information:

During the 2021 legislative session, the North Carolina General Assembly enacted S. B. 300, which, in part, decriminalized certain ordinance violations including but not limited to those regulating and licensing businesses, regulating taxis, trees, and planning and development, excluding unsafe buildings. Where appropriate, a civil penalty provision has been added to replace the criminal penalty provision deleted in the city code.

Additionally, S.B. 300 requires any ordinance that subjects the offender to a criminal penalty to specify the criminal penalty in the ordinance itself. Until this change, it was always sufficient to place the criminal penalty provision at the beginning of each chapter of the City Code. Finally, S.B. 300 requires any ordinance imposing a criminal penalty to undergo two readings before passage.

The attached ordinance amendment captures the code changes required by S.B. 300, which requires the ordinance to have a second reading for approval by City Council.

Committee Action:

Committee	<u>CDHGG 6/14/22</u>	Action	<u>Approval</u>
For	<u>Unanimous</u>	Against	<u></u>

Remarks: