



ORDINANCE NO. 2026-12
AMENDING CHAPTER 4

AN ORDINANCE AMENDING CHAPTER 4, ANIMALS, OF THE CODE OF ORDINANCES OF THE CITY OF KING, NORTH CAROLINA, TO PROVIDE FOR CIVIL PENALTIES AS AN ADDITIONAL ENFORCEMENT REMEDY

WHEREAS, the City of King has a substantial governmental interest in protecting the health, safety, and welfare of the public through the regulation of animals within the city, as reflected in Chapter 4 of the Code of Ordinances (“Chapter 4”); and

WHEREAS, Chapter 4 currently authorizes enforcement only through criminal misdemeanor prosecution (Sec. 4-1(b)), infractions (Sec. 4-11), and, with respect to Sec. 4-3, penalties collected by Stokes County Animal Control and Forsyth County Animal Control at the time of redemption of an impounded animal; and

WHEREAS, these existing remedies do not provide the City with a direct, city-administered civil enforcement mechanism for violations of Chapter 4, including violations that do not result in the impoundment of an animal; and

WHEREAS, pursuant to G.S. 160A-175(c), a city ordinance may provide that violation of the ordinance shall subject the offender to a civil penalty recoverable by the city in a civil action in the nature of debt if the offender does not pay the penalty within a prescribed period of time after being cited; and

WHEREAS, pursuant to G.S. 160A-175(f), a city ordinance may be enforced by any one, all, or a combination of the remedies authorized by G.S. 160A-175, and pursuant to G.S. 160A-175(g), a city ordinance may provide that each day’s continuing violation shall be a separate and distinct offense; and

WHEREAS, the City Council finds that a civil penalty of \$100.00 per day, in addition to the criminal, infraction, and impoundment-related remedies already available under Chapter 4, will provide the city with an effective and proportionate additional tool to secure compliance with Chapter 4; and

WHEREAS, the City of King has authority pursuant to Article 8 of Chapter 160A of the North Carolina General Statutes to adopt ordinances to protect the health, safety, and welfare of its residents, and to provide for the enforcement of its ordinances, and the City hereby acts in its governmental and regulatory capacity to do so.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of King, North Carolina, that:

Section 1. Section 4-1 of the Code of Ordinances of the City of King is amended by adding a new subsection (c), to read as follows (new language shown as underlined text):

Sec. 4-1. Enforcement of chapter; penalties.

(a) Criminal. Any person who violates any of the provisions of this chapter shall be guilty of an unlawful act punishable by fine or imprisonment, or both, as provided under G.S. 14-4.

(b) A violation of section 4-4, 4-5, or 4-10, or any part thereof, shall constitute a misdemeanor and shall subject the offender to a fine of not more than \$500.00 or imprisonment for not more than 30 days.

(c) Civil penalty. In addition to, and not in lieu of, the criminal penalties provided in subsections (a) and (b) of this section and any other remedy authorized by this chapter or by law, a violation of any provision of this chapter shall subject the violator to a civil penalty as provided in section 4-16.

(Amend. of 5-7-01; Amend. of 8-3-26 , 2026-12)

Section 2. Chapter 4 of the Code of Ordinances of the City of King is amended by adding a new Sec. 4-16, to read as follows (new section shown as underlined text):

Sec. 4-16. Civil penalties.

(a) Applicability. In addition to, and not in lieu of, any other remedy authorized by this chapter or by law—including the criminal penalties in section 4-1, the infraction penalties in section 4-11, and the impoundment and redemption procedures administered by Stokes County Animal Control and Forsyth County Animal Control under section 4-3(d)–(f)—a violation of any provision of this chapter, including section 4-3, shall subject the violator to a civil penalty as provided in this section. Nothing in this section shall be construed to alter, limit, suspend, or replace the penalties for impoundment and redemption of animals imposed under section 4-3(d)–(f); the civil penalty authorized by this section is an additional and alternative remedy available to the city independent of, and regardless of whether, an animal has been or will be impounded by the applicable county animal control department.

(b) Amount. A violation of any provision of this chapter shall subject the violator to a civil penalty of one hundred dollars (\$100.00). Pursuant to G.S. 160A-175(g), each day that a violation continues after the violator has been cited for the violation shall constitute a separate and distinct violation, subject to an additional civil penalty of one hundred dollars (\$100.00) for each such day.

(c) Issuance of citation. A civil penalty under this section shall be assessed by written citation. The citation may be issued by a police officer of the city or by the city manager or the city manager’s designee. A citation issued under this section assesses only a civil penalty and is not, and shall not be treated as, a criminal citation, criminal summons, or infraction citation. Each citation issued under this section shall: (1) identify the provision(s) of this chapter violated; (2) describe the violation with reasonable particularity, including the date, time, and location of the violation; (3) state the amount of the civil penalty assessed; and (4) state the date by which the civil penalty must be paid.

(d) Payment. A civil penalty assessed under this section shall be paid to the city within thirty (30) days after the date the citation is issued.

(e) Collection. If a civil penalty assessed under this section is not paid within the time period stated in subsection (d) of this section, the city may recover the civil penalty, together with all costs allowed by law, by filing a civil action in the nature of debt in the General Court of Justice, as authorized by G.S. 160A-175(c). There is no administrative appeal from the issuance of a citation under this section; a person against whom a civil penalty has been assessed may contest liability for the penalty in any civil action brought by the city under this subsection.

(f) Combination of remedies. Pursuant to G.S. 160A-175(f), the civil penalty authorized by this section may be pursued singly or in combination with, and is in addition to, any other remedy authorized by this chapter or by law, including criminal prosecution under section 4-1, infraction proceedings under section 4-11, injunction and order of abatement, and the impoundment and redemption procedures under section 4-3.

Section 3. This ordinance shall become effective August 3, 2026.

ADOPTED this ____ day of _____, 20__.

CITY COUNCIL OF THE CITY OF KING, NORTH CAROLINA

By: _____

Richard E. McCraw, Mayor

{Seal}

ATTEST:

Nicole Branshaw, City Clerk