



**Town of Southern Shores**

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TCA-25-XX

3-26-2025

Ordinance 2025-XX-XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES  
OF THE TOWN OF SOUTHERN SHORES, NORTH CAROLINA

**ARTICLE I. Purpose(s) and Authority.**

**WHEREAS**, pursuant to N.C.G.S. Chap. 160A, the Town has duly codified the Town's Code of Ordinances (the "Town Code"); and

**WHEREAS**, pursuant to North Carolina General Statutes § 160A-174 the Town may enact and amend ordinances that define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the Town, and may define and abate nuisances; and

**WHEREAS**, the Town wishes to specify that violations of some existing ordinances shall be a class 3 misdemeanor and punishable by a fine of not more than \$500.00 as provided in G.S. 14-4(a) within the applicable ordinances;

**WHEREAS**, the Town further finds that in accordance with the findings above it is in the interest of and not contrary to the public's health, safety and general welfare for the Town to amend the Town Code of Ordinances as stated below.

**ARTICLE II. Construction.**

For purposes of this ordinance amendment, underlined words (underline) shall be considered as additions to existing Town Code language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. Any portions of the adopted Town Code which are not repeated herein, but are instead replaced by an ellipsis ("...") shall remain as they currently exist within the Town Code.

**ARTICLE III. Amendment of Zoning Ordinance.**

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Southern Shores, North Carolina, that the Town Code shall be amended as follows:

**PART I.** That **Sec. 1-6. General penalty; enforcement of ordinances; continuing violations.** Be amended as follows:

1  
2 **Sec. 1-6. General penalty; enforcement of ordinances; continuing violations.**  
3

4 (a) Unless otherwise specifically provided, violation of any provision of this Code or  
5 any other town ordinance that exists on the effective date of this Code or is  
6 thereafter adopted shall subject the offender to the remedies hereinafter provided,  
7 except that where the statutes of the state provide specific civil remedies for  
8 violations of provisions of this Code adopted pursuant to said statutes, said remedies  
9 available to the town for enforcement of this Code shall be in addition to the  
10 remedies hereinafter stated. However, no criminal penalties shall be applicable to  
11 this Code unless stated ~~in this section~~ as being applicable to specific chapters or  
12 provisions of this Code.

13 (b) ~~Violation of any provision of the following chapters and sections of this Code shall~~  
14 ~~be a class 3 misdemeanor and punishable by a fine of not more than \$500.00 as~~  
15 ~~provided in G.S. 14-4(a): Violations that constitute a class 3 misdemeanor that are~~  
16 ~~punishable by a fine of not more than \$500.00 as provided in G.S. 14-4(a) are~~  
17 ~~specified throughout this Code.~~

18 (1) ~~Chapter 18, section 18-10; chapter 28, section 28-1.~~

19 (2) ~~Chapter 10, section 10-5.~~

20 (3) ~~Chapter 14, sections 14-37(c), 14-38 and 14-67 through 14-70.~~

21 (4) ~~Chapter 20, section 20-70.~~

22 (5) ~~Chapter 4, sections 4-22 through 4-27; chapter 22, sections 22-1 through 22-10~~  
23 ~~and sections 22-81 through 22-90.~~

24 (6) ~~Chapter 34, sections 34-51 through 34-54, excepting section 34-53(c).~~

25 (7) ~~Chapter 12, sections 12-35 through 12-42.~~

26  
27 ...

28  
29 **PART II.** That **Sec. 4-23. Enforcement.** Be amended as follows:

30  
31 **Sec. 4-23. Enforcement.**  
32

33 It shall be the duty of the police department to enforce the provisions of this chapter.  
34 Violation of any provision of section 4-22 through 4-27 of this chapter shall be a class 3  
35 misdemeanor and punishable by a fine of not more than \$500.00 as provided in G.S. 14-  
36 4(a).  
37

38 **PART III.** That **Sec. 10-1. Municipal cemetery established; cemetery fund;**  
39 **monitoring of operations.** Be amended as follows:  
40

41 **Sec. 10-1. Municipal cemetery established; cemetery fund; monitoring of operations.**  
42

1 ...

2

3 (e) The council may establish further regulations regarding the management or  
4 maintenance of the cemetery.

5

6 ...

7

8 (13) No loitering shall be allowed in the cemetery. Violation of this provision shall  
9 be a class 3 misdemeanor and punishable by a fine of not more than \$500.00 as  
10 provided in G.S. 14-4(a).

11

12 **PART IV.** That **Sec. 12-38. Enforcement.** Be added as follows:

13

14 **Sec. 12-38. Enforcement.**

15

16 Violation of any provision of this article shall be a class 3 misdemeanor and punishable  
17 by a fine of not more than \$500.00 as provided in G.S. 14-4(a).

18

19 **PART V.** That **Chapter 14. Fire prevention and protection.** Be amended as follows:

20

21 ...

22

23 **Sec. 14-32. Violations.**

24

25 Any person who shall violate or fail to comply with any provision of this chapter or  
26 of the North Carolina State Building Code: Fire Prevention Code, as adopted, amended,  
27 or augmented by this chapter, or who shall violate or fail to comply with any order made  
28 under this chapter or the North Carolina State Building Code, or who shall build in  
29 violation of any detailed statement of specifications or plans submitted under this chapter  
30 or the North Carolina State Building Code: Fire Prevention Code, or any certificate or  
31 permit issued thereunder, shall subject the violator to civil penalties in accordance with  
32 section 1-6(d) ~~and other applicable penalties as provided in section 1-6 of the Town Code~~  
33 ~~of Ordinances, or as provided in this chapter.~~

34

35 ...

36

37 **Sec. 14-37. General regulations.**

38

39 ...

40

41 (c) *Fire hydrants.* The developer and/or builder of any residential dwelling and/or  
42 development other than one- and two-family dwellings, as defined in the town's  
43 zoning ordinance must provide a water and fire hydrant system for the dwelling or  
44 development as approved by the fire inspector. Violation of this provision shall be a

1 class 3 misdemeanor and punishable by a fine of not more than \$500.00 as provided  
2 in G.S. 14-4(a).

3  
4 ...  
5  
6 **Sec. 14-38. Required permits and certificates of fitness.**

7  
8 ...  
9  
10 (d) Violation of any provision of this section shall be a class 3 misdemeanor and  
11 punishable by a fine of not more than \$500.00 as provided in G.S. 14-4(a).

12  
13 ...  
14  
15 **Sec. 14-71. Enforcement.**

16  
17 (a) Violation of any provision of this division shall be a class 3 misdemeanor and  
18 punishable by a fine of not more than \$500.00 as provided in G.S. 14-4(a).

19  
20 **PART VI.** That **Sec. 18-10. Interference with a police officer.** Be amended as  
21 follows:

22  
23 It shall be unlawful for any person to interfere with, hamper, molest, resist or hinder  
24 a police officer in the lawful discharge of his duty. Violation of this provision shall be a  
25 class 3 misdemeanor and punishable by a fine of not more than \$500.00 as provided in  
26 G.S. 14-4(a).

27  
28 **PART VII.** That **Sec. 20-70. Installation, unauthorized removal or theft.** Be  
29 amended as follows:

30  
31 **Sec. 20-70. Installation, unauthorized removal or theft.**

32  
33 (a) Traffic control devices of the town shall be placed, erected, installed, changed or  
34 removed only in accordance with this Code and entered upon the official town  
35 traffic map.

36 (b) Any unauthorized removal or theft of a traffic control device or sign is unlawful ~~and~~  
37 ~~punishable as a misdemeanor.~~ Violation of this provision shall be a class 3  
38 misdemeanor and punishable by a fine of not more than \$500.00 as provided in G.S.  
39 14-4(a).

40  
41 **PART VIII.** That **Chapter 22. Article I. In general.** Be amended as follows:

42  
43 **Sec. 22-13. Enforcement.**

1  
2 Violation of any provision of this article shall be a class 3 misdemeanor and  
3 punishable by a fine of not more than \$500.00 as provided in G.S. 14-4(a).

4  
5 **PART IX.** That **Chapter 22. Article III. Camping.** Be amended as follows:

6  
7 **Sec. 22-65. Enforcement.**

8  
9 Violation of any provision of this article shall be a class 3 misdemeanor and  
10 punishable by a fine of not more than \$500.00 as provided in G.S. 14-4(a).

11  
12 **PART X.** That **Chapter 22. Article IV. Public assemblies.** Be amended as follows:

13  
14 **Sec. 22-91. Enforcement.**

15  
16 Violation of any provision of this article shall be a class 3 misdemeanor and  
17 punishable by a fine of not more than \$500.00 as provided in G.S. 14-4(a).

18  
19 **PART XI.** That **Sec. 28-1. Smoking in municipal buildings.** Be amended as follows:

20  
21 **Sec. 28-1. Smoking in municipal buildings.**

22  
23 ...

24  
25 (c) *Penalty.* Violation of this ~~section shall constitute a misdemeanor punishable in~~  
26 ~~accordance with G.S. 14-4~~ provision shall be a class 3 misdemeanor and punishable  
27 by a fine of not more than \$500.00 as provided in G.S. 14-4(a).

28  
29 **PART XII.** That **Chapter 34. Article III. BEACH AND WATERWAY USAGE.** Be  
30 amended as follows:

31  
32 **Sec. 34-56. Enforcement.**

33  
34 With the exception of sections 34-53(c) and 34-55, violation of any provision of this  
35 article shall be a class 3 misdemeanor and punishable by a fine of not more than \$500.00  
36 as provided in G.S. 14-4(a).

37  
38 **ARTICLE IV. Severability.**

39  
40 All Town ordinances or parts of ordinances in conflict with this ordinance amendment are  
41 hereby repealed. Should a court of competent jurisdiction declare this ordinance  
42 amendment or any part thereof to be invalid, such decision shall not affect the remaining

1 provisions of this ordinance amendment nor the Zoning Ordinance or Town Code of the  
2 Town of Southern Shores, North Carolina which shall remain in full force and effect.

3  
4 **ARTICLE V. Effective Date.**

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6 This ordinance amendment shall be in full force and effect from and after the \_\_\_\_day of  
7 \_\_\_\_\_, 2025.

8  
9  
10 \_\_\_\_\_  
Elizabeth Morey, Mayor

11 ATTEST:

12  
13 \_\_\_\_\_  
14 Town Clerk

15  
16  
17 APPROVED AS TO FORM:

18  
19 \_\_\_\_\_  
20 Town Attorney

21  
22 Date adopted:

23  
24 \_\_\_\_\_  
25 Motion to adopt by Councilmember:

26  
27 \_\_\_\_\_  
28 Motion seconded by Councilmember:

29  
Vote: \_\_\_AYES\_\_\_NAYS