

1     **AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS**  
2     **AMENDING SECTION 12-62 OF THE CURRITUCK COUNTY CODE OF**  
3     **ORDINANCES TO ADD A CRIMINAL PENALTY PROVISION**

4           WHEREAS, pursuant to N.C. Gen. Stat. §153A-121 a county may by ordinance define,  
5 regulate, prohibit, or abate acts, omissions, or conditions detrimental to the health, safety, or  
6 welfare of its citizens and the peace and dignity of the county; and

7           WHEREAS, pursuant to N.C. Gen. Stat. §153A-139 the governing body of a county may,  
8 by ordinance, regulate the stopping, standing, or parking of vehicles in a privately owned public  
9 vehicular area, provided the owner or person in general charge of the operation and control of  
10 that area requests in writing that such an ordinance be adopted; and

11          WHEREAS, pursuant to N.C. Gen. Stat. § 14-4, if any person shall violate an ordinance  
12 of a county, city, or town regulating the operation or parking of vehicles, he or she shall be  
13 responsible for an infraction and shall be required to pay a penalty of not more than fifty dollars  
14 (\$50.00); and

15          WHEREAS, to NC Session Law 2021-138, NC Senate Bill 300, if an ordinance creates a  
16 criminal penalty for violation, that penalty shall be stated within the section of the ordinance  
17 itself.

18          NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for the  
19 County of Currituck, North Carolina as follows:

20     **PART I.** The Code of Ordinances, Currituck County, North Carolina is amended by a provision  
21 to Section 12-62 to read as follows:

22           Violation of Section. A violation of this section shall be a civil violation  
23           subjecting the offender to a civil penalty in the amount of \$50.00 and shall  
24           constitute an infraction enforceable under G.S. 14-4.

25     **PART II.** All ordinances or parts of ordinances in conflict with this ordinance are hereby  
26 repealed. Should a court of competent jurisdiction declare this ordinance or any part of this  
27 ordinance to be invalid, such decision shall not affect the remaining provisions of this ordinance  
28 or the Code of Ordinances of the County of Currituck, North Carolina.

29     **PART III.** This ordinance is effective upon adoption.  
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31           PASSED first reading the 21st day of April, 2025.  
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33           ADOPTED at second reading, this 29th day of April, 2025.  
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S. Paul O’Neal, Chairman

ATTEST:  
\_\_\_\_\_  
Leeann Walton, Clerk to the Board

APPROVED AS TO FORM:  
\_\_\_\_\_  
Megan E. Morgan, County Attorney

Date adopted: \_\_\_\_\_  
Motion to adopt by Commissioner \_\_\_\_\_  
Second by Commissioner \_\_\_\_\_  
Vote: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS