

STEDMAN NORTH CAROLINA CODE OF ORDINANCES



This code is current to Ordinance passed November 6, 2025

CHARTER

The charter is derived from Chapter 67 of the General Assembly of North Carolina that was ratified on February 20, 1913 AND further that on July 7, 1988 amended Section 5; Town Elections.

SECTION 1 – TOWN INCORPORATED / CORPORATE NAME

SECTION 2 – CORPORATE LIMITS

SECTION 3 – TOWN OFFICERS

SECTION 4 – OTHER OFFICERS

SECTION 5 – TOWN ELECTIONS

SECTION 6 – COUNCIL / ORDINANCES

SECTION 7 – OFFICERS TO QUALIFY

SECTION 8 – PROBITION

SECTION 9 - RATIFICATION

SECTION 1 TOWN INCORPORATED / CORPORATE NAME.

The Town of Stedman, North Carolina in the County of Cumberland, be and the same is hereby incorporated by the name and style of the Town of Stedman, and shall have all the privileges and duties, and be subject to all the provisions contained in seventy-three of the Revisal of one thousand nine hundred and give, and the laws amendatory therefore and supplementary thereto, not inconsistent with this act.

SECTION 2 CORPORATE LIMITS.

The corporate limits of said town shall be as follows, to wit: Beginning at an iron post in the eastern side of T.N. McMillian's field, near the head of a brunch, and running south eighteen west one mile to an iron post near the "core house"; thence south seventy-two east one mile to an iron post in the south side of C.C. Culbreth's field; thence north eighteen east one mile to an iron post on the north side of W.R. Averitt's field; thence north seventy-two west one mile to the beginning.

SECTION 3 TOWN OFFICERS.

The officers of said town shall consist of a mayor and five commissioners, chief of police, regular and special policemen, clerk and treasurer; and such other officers as the commissioners may elect; and the following named persons shall fill the following offices until their successors are elected and qualified to wit: John B. Bryant, mayor; A.C. Bullard, J.E. Fussell, J.H. Bryant; C.L. McFayden and A.G. Strickland, commissioners; and clerk and treasurer, M.A. Geddia.

SECTION 4 OTHER OFFICERS.

That the chief of police, clerk and treasurer, and as many regular policemen as may be deemed proper, shall be appointed by the commissioners; and the special policemen shall be appointed by the mayor.

SECTION 5 TOWN ELECTIONS. *(Amended and adopted 9-1-1988)*

Section 5.1

- (a) That the next regular municipal election shall be held by the Town of Stedman on Tuesday after the first Monday in November, 1989. At this election, duly registered voters shall elect five commissioners and a mayor. The two commissioners receiving the highest number of votes and the elected mayor shall serve a term of four (4) years; the three commissioners receiving the lowest number of votes shall serve a term of two (2) years.
- (b) A second municipal election shall be held by the Town of Stedman on Tuesday after the first Monday in November, 1991. At this election, duly registered voters shall elect three commissioners who shall serve for the term of four (4) years.
- (c) Thereafter, the Town of Stedman shall biennially elect commissioners and a mayor under the laws regulating municipal elections. The terms of office for the commissioners shall be for four (4) years with staggered terms; the mayor shall serve for a term of four (4) years. The commissioners and mayor shall serve until their successors are elected and qualified.

Section 5.2

That any town laws or ordinances in conflict with the provisions of this action are hereby repealed to the extent that they are in conflict.

Section 5.3

This Act shall be in full force and effect from and after its ratification subject to favorable review by the Department of Justice.

SECTION 6 COUNCIL / ORDINANCES.

That the mayor and commissioners shall form a council, and make, publish, and enforce ordinances for the government of said town, not inconsistent with the Constitution and laws of North Carolina.

SECTION 7 OFFICERS TO QUALIFY.

That the officers provided for by this act shall qualify within ten days after its ratification, before some justice of the peace or clerk of the Superior Court, and all officers hereafter elected shall qualify in like manner.

SECTION 8 PROHIBITION.

That no spirituous, vinous, or malt liquors shall be manufactured or sold within the corporate limits of said town.

SECTION 9 RATIFICATION

That this act shall be in force from and after its ratification; ratified this the 20th day of February, A.D. 1913.

ARTICLE I: INCORPORATION, CORPORATE POWERS AND BOUNDARIES

SEC. 1.1 INCORPORATION.

The Town of Stedman, North Carolina in the County of Cumberland, and the inhabitants thereof, shall continue to be a municipal body politic and corporate, under the name and style of the "Town of Stedman," hereinafter at times referred to as the town.

SEC. 1.2 POWERS.

The Town of Stedman shall have and may exercise all of the powers, duties, rights, privileges and immunities, which are now, or hereafter may be, conferred, either expressly or by implication, upon the Town of Stedman specifically, or upon municipal corporations generally, by this charter, by the state constitution, or by general or local law.

SEC. 1.3 CORPORATE LIMITS.

The corporate limits of the Town of Stedman shall be those existing at the time of ratification of this charter, as the same are set forth on the official map of the town, and as the same may be altered from time to time in accordance with law. An official map of the town, showing the current town boundaries, shall be maintained permanently in the office of the town clerk, and shall be available for public inspection.

Immediately upon alteration of the corporate limits made pursuant to law, the appropriate changes to the official map of the town shall be made.

ARTICLE II: MAYOR AND BOARD OF COMMISSIONERS

SEC. 2.1 GOVERNING BODY.

The mayor and board of commissioners, elected and constituted as herein set forth, shall be the governing body of the town. On behalf of the town, and in conformity with applicable laws, the mayor and board may provide for the exercise of all municipal powers, and shall be charged with the general government of the town.

SEC. 2.2 BOARD OF COMMISSIONERS; COMPOSITION; TERMS OF OFFICE.

The board of commissioners shall be composed of five (5) members, each of whom shall be elected for terms of four (4) years in the manner provided by article III of this charter,

provided, they shall serve until their successors are elected and qualified.

SEC. 2.3 ELECTION OF THE MAYOR; TERM OF OFFICE; DUTIES.

The mayor shall be elected directly by the voters of the town in the manner provided by Article III of this charter for a term of four (s)years; provided, the mayor shall serve until his successor is elected and qualified. The mayor shall be the official head of the town government and shall preside at all meetings of the board of commissioners. He shall have the right to vote only if there are an equal numbers of votes in the affirmative and the negative on any matter before the board. The mayor shall exercise such powers and perform such duties as presently are or hereafter may be conferred upon him by the General Statutes of North Carolina, by this charter, and by the ordinances of the town.

SEC. 2.4 MAYOR PRO TEMPORE.

In accordance with applicable state laws, the board of commissioners shall appoint one of its members to act as mayor pro tempore to perform the duties of the mayor in the mayor's absence or disability. The mayor pro tempore as such shall have no fixed term of office, but shall serve in such capacity at the pleasure of the remaining members of the board.

SEC. 2.5 MEETINGS OF THE BOARD.

In accordance with the General Statutes, the board of commissioners shall establish a suitable time and place for its regular meetings. Special meetings may be held in accordance to the applicable provisions of the General Statutes.

SEC. 2.6 ORDINANCES AND RESOLUTIONS.

The adoption, amendment, repeal, pleading or proving of town ordinances and resolutions shall be in accordance with the applicable provisions of the general laws of North Carolina not inconsistent with this charter.

ARTICLE III: ELECTIONS

SEC. 3.1 REGULAR MUNICIPAL ELECTIONS; CONDUCT AND METHOD OF ELECTION.

Regular municipal elections shall be held in the town every two (2) years in odd-numbered years and shall be conducted in accordance with the uniform municipal election laws of North Carolina. The mayor and members of the board of commissioners shall be elected according to the nonpartisan plurality method of elections.

SEC. 3.2 ELECTION OF THE BOARD OF COMMISSIONERS; ELECTION OF MAYOR.

The terms of office for commissioners shall be for four (4) years with staggered terms; the mayor shall serve for a term of four (4) years. The commissioners and mayor shall serve until their successors are elected. (*Town of Stedman Charter – amended 9-1-1988*)

ARTICLE IV: ORGANIZATION AND ADMINISTRATION

SEC. 4.1 FORM OF GOVERNMENT.

The town shall operate under the mayor-council form of government, in accordance with G.S. §§ 160A- 155 *et seq.*

SEC. 4.2 TOWN ATTORNEY.

The board of commissioners shall appoint a town attorney who shall be licensed to engage in the practice of law in the State of North Carolina. It shall be the duty of the town attorney to prosecute and defend suits against the town; to advise the mayor, board of commissioners and other town officials with respect to the affairs of the town; to draft all legal documents relating to the affairs of the town; to inspect and pass upon all agreements, contracts, franchises and other instruments with which the town may be concerned; to attend meetings of the board of commissioners; and to perform other duties required by law or as the board of commissioners may direct.

SEC. 4.3 TOWN CLERK.

The board of commissioners shall appoint a town clerk to keep a journal of the proceedings of the board, to maintain in a safe place all records and documents pertaining to the affairs of the town, and to perform such other duties as may be required by law or as the board of commissioners may direct. The Deputy Town Clerk shall be responsible for water/sewer billing and reading water meters.

SEC. 4.4 TOWN TAX COLLECTOR.

The board of commissioners shall appoint a town tax collector to collect all taxes, licenses, fees and other moneys belonging to the town, subject to the General Statutes, the provisions of this charter and the ordinances of the town. The town tax collector shall diligently comply with and enforce all the laws of North Carolina relating to the collection of taxes by municipalities.

SEC. 4.5 CONSOLIDATION OF FUNCTIONS.

The board of commissioners may consolidate any two (2) or more positions of town clerk, town tax collector and town finance officer, or may assign the functions of any one or more of these positions to the holder or holders of any other of these positions, subject to the Local Government Budget and Fiscal Control Act, being G.S. §§ 159-7 *et seq.*

SEC. 4.6 OTHER ADMINISTRATIVE OFFICERS AND EMPLOYEES.

Consistent with applicable state laws, the board of commissioners may establish other positions, provide for the appointment of other administrative officers and employees, and generally organize the town government in order to promote the orderly and efficient administration of the affairs of the town.

CHAPTER 10: GENERAL PROVISIONS

Chapter 10

- 10.01 Title of code
- 10.02 Interpretation
- 10.03 Application to future ordinances
- 10.04 Captions
- 10.05 Definitions
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- 10.15 Effective date of ordinances
- 10.16 Repeal or modification of ordinances
- 10.17 Ordinances which amend or supplement code
- 10.18 Section histories; statutory references
- 10.99 General penalty

§ 10.01 TITLE OF CODE.

This codification of ordinances by and for the Town of Stedman shall be designated as the Code of Stedman, North Carolina and may be so cited.

§ 10.02 INTERPRETATION.

Unless otherwise provided herein, or by law or implication required, the same rules of construction, definition and application shall govern the interpretation of this code as those governing the interpretation of state law.

§ 10.03 APPLICATION TO FUTURE ORDINANCES.

All provisions of Title I compatible with future legislation shall apply to ordinances hereafter adopted amending or supplementing this code unless otherwise specifically provided.

§ 10.04 CAPTIONS.

Headings and captions used in this code other than the title, chapter and section numbers are employed for reference purposes only and shall not be deemed a part of the text of any section.

§ 10.05 DEFINITIONS.

(A) *General rule.* Words and phrases shall be taken in their plain, or ordinary and usual sense. However, technical words and phrases having a peculiar and appropriate meaning in law shall be understood according to their technical import.

(B) *Definitions.* For the purpose of this code, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BOARD. The governing body of the Town of Stedman, North Carolina.

CHARTER. The Charter of the Town of Stedman, North Carolina.

CODE, THIS CODE or THIS CODE OF ORDINANCES. This municipal code as modified by amendment, revision and adoption of new titles, chapters or sections.

COUNTY. Cumberland County, North Carolina.

GOVERNOR. The Governor of North Carolina.

JOINT AUTHORITY. All words giving a joint authority to 3 or more persons or officers shall be construed as giving the authority to a majority of these persons or officers.

MAY. The act referred to is permissive.

MONTH. A calendar month.

OATH. An affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words **SWEAR** and **SWORN** shall be equivalent to the words **AFFIRM** and **AFFIRMED**.

OFFICER, OFFICE, EMPLOYEE, COMMISSION or DEPARTMENT. An officer, office, employee, commission or department of this municipality unless the context clearly requires otherwise.

OWNER. Applied to any property, shall include any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety, of the whole or a part of the property.

PERSON. Extends to and includes person, persons, firm, corporation, co-partnership, trustee, lessee or receiver. Whenever used in any clause prescribing and imposing a penalty, the terms **PERSON** or **WHOEVER** as applied to any unincorporated entity shall mean the partners or members thereof, and as applied to corporations, the officers or agents thereof.

PERSONAL PROPERTY. Every species of property except real property.

PRECEDING or FOLLOWING. Next before or next after, respectively.

PROPERTY. Includes real and personal property.

REAL PROPERTY. Includes lands, tenements and hereditaments.

SHALL. The act referred to is mandatory.

SIDEWALK. Any portion of a street between the curblin and the adjacent property line intended for the use of pedestrians.

SIGNATURE or SUBSCRIPTION. Includes a mark when the person cannot write.

STATE. The State of North Carolina.

STREET. Any public way, road, highway, street, avenue, boulevard, parkway, dedicated alley, lane, viaduct, bridge and the approaches thereto within the town and shall mean the entire

width of the right-of-way between abutting property lines.

SUBCHAPTER. A division of a chapter, designated in this code by a heading in the chapter analysis and a capitalized heading in the body of the chapter, setting apart a group of sections related by the subject matter of the heading. Not all chapters have subchapters.

TENANT or **OCCUPANT.** When applied to a building or land, shall include any person who occupies the whole or a part of the building or land, whether alone or with others.

TOWN. The Town of Stedman, North Carolina.

WRITTEN. Any representation of words, letters or figures, whether by printing or otherwise.

YEAR. A calendar year, unless otherwise expressed.

§ 10.06 RULES OF INTERPRETATION.

The construction of all ordinances of this town shall be by the following rules, unless the construction is plainly repugnant to the intent of the legislative body or of the context of the same ordinance:

(A) *AND or OR.* Either conjunction shall include the other as if written "and/or," if the sense requires it.

(B) *Acts by assistants.* When a statute or ordinance requires an act to be done which, by law, an agent or deputy as well may do as the principal, the requisition shall be satisfied by the performance of the act by an authorized agent or deputy.

(C) *Gender; singular and plural; tenses.* Words denoting the masculine gender shall be deemed to include the feminine and neuter genders; words in the singular shall include the plural, and words in the plural shall include the singular; the use of a verb in the present tense shall include the future, if applicable.

(D) *General term.* A general term following specific enumeration of terms is not to be limited to the class enumerated unless expressly so limited.

§ 10.07 SEVERABILITY.

If any provision of this code as now or later amended or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.

§ 10.08 REFERENCE TO OTHER SECTIONS.

Whenever in one section reference is made to another section hereof, the reference shall extend and apply to the section referred to as subsequently amended, revised, recodified or renumbered unless the subject matter is changed or materially altered by the amendment or revision.

§ 10.09 REFERENCE TO OFFICES.

Reference to a public office or officer shall be deemed to apply to any office, officer or employee of this town exercising the powers, duties or functions contemplated in the provision, irrespective of any transfer of functions or change in the official title of the functionary.

§ 10.10 ERRORS AND OMISSIONS.

(A) If a manifest error is discovered, consisting of the misspelling of any words; the omission of any word or words necessary to express the intention of the provisions affected; the use of a word or words to which no meaning can be attached; or the use of a word or words when another word or words was clearly intended to express the intent, the spelling shall be corrected and the word or words supplied, omitted or substituted as will conform with the manifest intention, and the provisions shall have the same effect as though the correct words were contained in the text as originally published.

(B) No alteration shall be made or permitted if any question exists regarding the nature or extent of an error.

§ 10.11 OFFICIAL TIME.

The official time, as established by applicable state and federal laws, shall be the official time within this town for the transaction of all municipal business.

§ 10.12 REASONABLE TIME; COMPUTING TIME.

(A) In all cases where an ordinance requires an act to be done in a reasonable time or requires reasonable notice to be given, reasonable time or notice shall be deemed to mean the time which is necessary for a prompt performance of the act or the giving of the notice.

(B) The time within which an act is to be done, as herein provided, shall be computed by excluding the first day and including the last. If the last day be Sunday, it shall be excluded.

§ 10.13 ORDINANCES REPEALED.

This code, from and after its effective date, shall contain all of the provisions of a general nature pertaining to the subjects herein enumerated and embraced. All prior ordinances pertaining to the subjects treated by this code shall be deemed repealed from and after the effective date of this code.

§ 10.14 ORDINANCES UNAFFECTED.

All ordinances of a temporary or special nature and all other ordinances pertaining to subjects not embraced in this code shall remain in full force and effect unless herein repealed expressly or by necessary implication.

§ 10.15 EFFECTIVE DATE OF ORDINANCES.

All ordinances passed by the legislative body requiring publication shall take effect from and after the due publication thereof, unless otherwise expressly provided. Ordinances not requiring publication shall take effect from their passage, unless otherwise expressly provided.

§ 10.16 REPEAL OR MODIFICATION OF ORDINANCES.

(A) Whenever any ordinance or part of an ordinance shall be repealed or modified by a subsequent ordinance, the ordinance or part of an ordinance thus repealed or modified shall continue in force until the due publication of the ordinance repealing or modifying it, when publication is required to give effect thereto, unless otherwise expressly provided.

(B) No suit, proceedings, right, fine, forfeiture or penalty instituted, created, given, secured or accrued under any ordinance previous to its repeal shall in any way be affected, released or discharged, but may be prosecuted, enjoyed and recovered as fully as if the ordinance had continued in force unless it is otherwise expressly provided.

(C) When any ordinance repealing a former ordinance, clause or provision shall be repealed, the repeal shall not be construed to revive the former ordinance, clause or provision, unless it is expressly provided.

§ 10.17 ORDINANCES WHICH AMEND OR SUPPLEMENT CODE.

(A) All ordinances passed subsequent to this code which amend, repeal or in any way affect this code may be numbered in accordance with the numbering system hereof and printed for inclusion herein. When subsequent ordinances repeal any chapter, section or subsection, or any portion thereof, repealed portions may be excluded from this code by omission from reprinted pages. The subsequent ordinances as numbered and printed, or omitted in the case of repeal, shall be prima facie evidence that of the subsequent ordinances numbered or omitted are readopted as a new code by the town.

(B) Amendments to any of the provisions of the code shall be made by amending the provisions by specific reference to the section number of this code in language substantially similar to the following: "Section of the Code of Ordinances, Town of Stedman, North Carolina, is hereby amended as follows: . . ." The new provisions shall then be set out in full as desired.

(C) If a new section not heretofore existing in the code is to be added, language substantially similar to the following shall be used: "The Code of Ordinances, Town of Stedman, North Carolina, is hereby amended by adding a section, to be numbered __,

which section shall read as follows: . . .” The new section shall then be set out in full as desired.

(D) All sections, articles, chapters or provisions desired to be repealed must be specifically repealed by section, article or chapter number, as the case may be.

§ 10.18 SECTION HISTORIES; STATUTORY REFERENCES.

(A) As histories for the code sections, the specific number and passage date of the original ordinance and the amending ordinances, if any, are listed following the text of the code section. *Example:*

(Ordinance #10, passed 5-13-1960; Ordinance # 15, passed 1-1-1970; Ordinance 2025-01-1 20, passed January 10, 2025)

(B)

(1) A statutory cite included in the history indicates that the text of the section reads substantially the same as the statute.

Example:

(G.S. § 160A-11) (Ordinance #30, passed 1-17-1980)

(2) A statutory cite set forth as a “statutory reference” following the text of the section indicates that the reader should refer to that statute for further information.

Example:

§ 39.01 PUBLIC RECORDS AVAILABLE.

This municipality shall make available to any person for inspection or copying all public records, unless otherwise exempted by state law.

Statutory reference:

Inspection of public records, see G.S. §§ 139-1 et seq.

(C) If a section of this code is derived from a previous code of ordinances of the town published and subsequently amended, the code section number shall be indicated in the history by “(19??Code, § __).”

§ 10.99 GENERAL PENALTY.

Any person, firm or corporation violating any of the provisions of any section or subsection of this code of ordinances for which no other penalty is provided, or failing or neglecting or refusing to comply with same, shall, upon conviction, be guilty of a Class 3 misdemeanor and subject to a fine not to exceed \$50 or imprisonment not to exceed 30 days, and each day that any of the provisions of this code of ordinances are violated shall constitute a separate offense.

Statutory reference:

Enforcement of ordinances, see G.S. § 160A-175

CHAPTER 20: GOVERNING BODY

Chapter 20 – Governing Body

- 20.01 Governing body
- 20.02 Powers and duties generally
- 20.03 Power over employees
- 20.04 Compensation
- 20.05 Mayor; duties
- 20.06 Selection and duties of the Mayor Pro Tem

Chapter 21 - Meetings

- 21.01 Regular meetings; time and place
- 21.02 Special meetings
- 21.03 Adjourned meetings
- 21.04 Order of Business
- 21.05 Rules of Procedures

Chapter 22 - Ordinances

- 22.01 Official copy
- 22.02 Ordinance book
- 22.03 Damaging ordinances prohibited

§ 20.01 GOVERNING BODY.

(A) The governing body of the town shall consist of a Mayor and Board of Commissioners of 5 members.

(B) The governing body shall be charged with the general government and administration of the affairs of the town.

Statutory reference:

Board to organize town government, see G.S. § 160A-146

§ 20.02 POWERS AND DUTIES GENERALLY.

The powers and duties of the governing body shall be set out in the General Statutes of North Carolina, the town charter and the ordinances of the town.

§ 20.03 POWER OVER EMPLOYEES.

The Board shall have the authority to generally organize and supervise the employees of the town, including the power to:

(A) *Prescribe rules.* Prescribe rules and regulations as it shall deem necessary or expedient for the conduct of employees subject to its authority and shall have the power to revoke, suspend or amend any rule or regulation;

(B) *Investigate.* Whether by itself or any officer or person designated for the purpose by it, investigate and examine or inquire into the affairs or operation of any department, division or employee; and shall have the power to employ consultants and professional counsel to aid in investigations, examinations or inquiries;

(C) *Overrule officials.* Set aside any action taken by a town administrative official; may supersede him or her in the functions of his or her office;

(D) *Delegate duties.* Direct any official, department, division or employee to perform the work for any other official, department, division or employee;

(E) *Provide for administrative committees.* Designate committees as it shall find necessary for the proper consideration of administrative problems. The committees shall meet at the request of the Board and shall make recommendations on matters referred to them as they shall find necessary for the best interests of the town; and

(F) *Summon employees.* Require any employee of the town to appear before and report to the Board at any meeting.

Statutory reference:

Authority of the Board to adopt personnel regulations, see G.S. § 160A-164

§ 20.04 COMPENSATION.

The compensation of the Mayor and Board members shall be as provided in the annual budget ordinance, and as the same may be amended from time to time.

Statutory reference:

Compensation of Mayor and Board members, see G.S. § 160A-64

§ 20.05 MAYOR; DUTIES.

The Mayor shall be the chief executive officer of the town, and as such shall perform the following;

(A) Keep himself or herself informed as to the town's business;

(B) Preside over the meetings of the Board of Commissioners;

(C) Sign all contracts, ordinances, resolutions, franchises and all other documents as authorized by the Board;

(D) Appoint all committees and outline their duties under the general direction of the Board;

(E) Make recommendations to the Board concerning the affairs of the town, as he or she deems necessary;

(F) Represent or appoint another elected officer to represent the town at ceremonies and other official occasions; and

(G) Perform other duties as authorized by the General Statutes, the town charter and this code.

Statutory reference:

Duties of the Mayor, see G.S. § 160A-69

§ 20.06 SELECTION AND DUTIES OF THE MAYOR PRO TEM.

At the first meeting after their election, the Board of Commissioners shall select 1 of their number to act as Mayor Pro Tem. The Mayor Pro Tem shall have no fixed term of office, but as such, shall perform all the duties of the Mayor in the Mayor's absence or disability.

Statutory reference:

Mayor Pro Tem, see G.S. § 160A-70

MEETINGS

§ 21.01 REGULAR MEETINGS; TIME AND PLACE.

The regular meeting of the Board shall be held on the first Thursday of each month at 7:00 p.m. at the Town Hall, unless otherwise designated by the Board. Every member of the Board and officer shall attend all meetings of the Board unless excused.

Statutory references:

Quorum, see G.S. § 160A-74

Voting, see G.S. § 160A-75

§ 21.02 SPECIAL MEETINGS.

Special meetings of the Board may be held according to the procedures set out in the applicable General Statutes.

Statutory references:

Notice of special meetings, see G.S. § 143-318.12

Special meetings, see G.S. § 160A-71

§ 21.03 ADJOURNED MEETINGS.

Any meeting of the Board may be continued or adjourned from day to day, or for more than 1 day.

§ 21.04 ORDER OF BUSINESS.

(A) At the hour appointed for the meeting of the Board, the Mayor shall take the chair and direct a call of the members by the Clerk, who shall note the absentees. If a quorum is not present, the Mayor shall send for the absentees and upon the appearance of a quorum shall call to order and proceed with the order of business. If a quorum fails to attend, the meeting shall stand adjourned to a time agreed on by a majority of the members present. The Mayor may, when present, substitute any member of the Board to perform the duties of the chair, but substitution shall not extend beyond adjournment, except by special consent of the Board.

(B) Unless the Board agrees in advance otherwise, the business of the Board shall be taken up for consideration and disposition at regular meetings in the following order:

- Call to Order
- Confirmation of Quorum
- Adjustment/Adoption of Agenda
- Consent Agenda
- Public Comments
- Public Hearings
- Commissioner Reports
- Old Business
- New Business
- Closed Session
- Adjournment

(C) If the Board directs any matter to be the special business of a future meeting, the matter shall have precedence over all other business at that meeting.

§ 21.05 RULES OF PROCEDURE.

(A) *Agenda.* All reports, communications, ordinances, resolutions, contract documents or other matters to be submitted to the Board should be delivered or submitted to the Clerk prior to its meeting.

(B) *Rules of debate and decorum.*

(1) *Manner of speaking.* Every member desiring to speak shall address the chair and upon recognition by the mayor shall confine himself or herself to the question under debate, avoiding all personalities and indecorous language.

(2) *Interrupting the speaker.* A member, once recognized, shall not be interrupted when speaking, unless it is to call him or her to order or as otherwise provided under applicable rules of parliamentary procedure. If a member, while speaking, is called to order, he or she shall cease speaking until the question of order is determined and, if in order, he or she shall be permitted to proceed.

(3) *Addressing the Board.* Any person desiring to address the Board shall first secure the permission of the mayor. Any interested parties or their authorized representatives may address the Board on matters listed on the agenda of the Board. After a motion is before the Board, no person shall address the Board without first securing the permission of the Board to do so.

(4) *Manner of addressing Board; time limit.* Every person addressing the Board shall give his or her name and address for the records, and unless special time is granted by the Board, shall limit his or her remarks to 5 minutes. All remarks shall be addressed to the Board as a body and not to any member thereof. No person, other than Board members and the person having the floor, shall be permitted to enter into any discussion either directly or through a member of the Board. No question shall be asked a member except through the mayor.

(5) *Request to have statement abstracted.* A member may request from the mayor the privilege of having an abstract of his or her statement on any subject under consideration by the Board entered in the minutes.

(6) *Request to record synopsis of discussion in the minutes.* The Clerk may be directed by the mayor, with consent of the Board, to enter in the minutes a synopsis of the discussion on any question coming before the Board.

(7) *Questions of order.* All questions of order shall be decided by the mayor without debate, subject to an appeal to the Board.

(8) *Robert's Rules of Order.* When any point of procedure shall arise, the latest revised edition of *Robert's Rules of Order* shall determine the question of procedure.

ORDINANCES

§ 22.01 OFFICIAL COPY.

A true copy of an ordinance, which has been duly enacted by the Board, signed by the mayor, and attested to by the Clerk shall be known as an official copy of any ordinance for the town.

Statutory reference:

Pleading and proving city ordinances, see G.S. § 160A-79

§ 22.02 ORDINANCE BOOK.

The Clerk shall file a true copy of each ordinance, until it is codified in this code, in an ordinance book or file separate and apart from the Board's minute book. The ordinance book or file shall be appropriately indexed and maintained for public inspection in the office of the Clerk.

Statutory reference:

Similar requirements on the ordinance book, see G.S. § 160A-78

§ 22.03 DAMAGING ORDINANCES PROHIBITED.

No person shall tear or deface any of the town's ordinances. Penalty, see § 10.99

CHAPTER 30: OFFICIALS

Section

General Provisions

- 30.01 Consolidation of offices
- 30.02 Employees serve at pleasure of Board
- 30.03 Interest of town officers

Administrative Offices

- 30.15 Town Clerk; duties
- 30.16 Town Attorney
- 30.17 Tax Collector; duties
- 30.18 Finance Officer

GENERAL PROVISIONS

§ 30.01 CONSOLIDATION OF OFFICES.

Except as otherwise provided by law, the Board may in its discretion consolidate any 2 or more offices and assign the duties of both offices to 1 or more people.

§ 30.02 EMPLOYEES SERVE AT PLEASURE OF BOARD.

All employees elected or appointed by the Board of Commissioners shall hold their offices at the pleasure of the Board and may be removed at any time by vote of the Board.

§ 30.03 INTEREST OF TOWN OFFICERS.

No member of the Board shall be pecuniarily interested, directly or indirectly, in any contract made or entered into by the Board, nor in any matter where the rights or liabilities of the town are or may be involved.

ADMINISTRATIVE OFFICES

§ 30.15 TOWN CLERK; DUTIES.

- (A) The Board shall appoint a Town Clerk.
- (B) It shall be the duty of the Clerk to:
 - (1) Act as secretary to the Board;
 - (2) Keep a true record of all the proceedings of the Board;
 - (3) Keep the originals of all ordinances in a book especially provided for that purpose;
 - (4) Act as custodian for all the books, papers, records and journals of the Board;
 - (5) Perform the duties of the Finance Officer; and
 - (6) Perform other duties as may be required by law or by the Board.

Statutory references:

Duties of the Clerk specified, see G.S. § 160A-171

Minutes to be kept, see G.S. § 160A-72

§ 30.16 TOWN ATTORNEY.

- (A) The Board shall appoint a Town Attorney.
- (B) It shall be the duties of the Town Attorney to:
 - (1) Prosecute or defend any and all suits or actions at law or equity to which the town may be a party, or in which it may be interested, or which may be brought against or by any officer of the town, or in the capacity of the person as an officer of the town;
 - (2) See to the full enforcement of all judgments or decrees rendered or entered in favor of the town;
 - (3) See to the completion of all special assessment proceedings and condemnation proceedings;
 - (4) Draft or review any contract, lease or other document or instrument to which the town may be a party, and approve all ordinances and resolutions of the Board as to form;
 - (5) At the request of the Board, draft ordinances covering any subjects within the power of the town;
 - (6) Attend meetings of the Board upon request; and
 - (7) Perform any other duties required of him or her by G.S. § 160A-173 and other laws and ordinances.

Statutory reference:

Duties of the Attorney, see G.S. § 160A-173

§ 30.17 TAX COLLECTOR; DUTIES.

- (A) The Board shall provide for the appointment of a Tax Collector*
- (B) The duties of the Tax Collector to:
 - (1) Collect all taxes and assessments due to the town.
 - (2) Make an accounting to the Town Finance Officer at the end of each month;
 - (3) Pay over to the Town Finance Officer such money as is collected for the account of each separate fund according to the tax levy;
 - (4) Deliver a list of all unpaid taxes with the reason therefore as ascertainable to the Board of Commissioners;
 - (5) Supply the Mayor and Board with any information as they may require relative to the performance of his or her duties;
 - (6) Make periodic reports to the Board listing therein all funds collected; and
 - (7) Perform other duties required by law, or as the Board may direct.

Statutory reference:

Duties of Tax Collector, see G.S. §§ 105-349, 105-350

***The Town of Stedman Board of Commissioners have authorized Cumberland County Tax Collector to serve as the official tax collector for the town.**

§ 30.18 FINANCE OFFICER.

- (A) The Board shall provide for the appointment of a Town Finance Officer.
- (B) It shall be the duties of the Finance Officer to:
 - (1) Keep the books and accounts of the town;
 - (2) Receive and disburse all monies of the town as required under state law;
 - (3) Countersign and preaudit all checks, drafts, contracts, purchase orders or other documents obligating town funds;
 - (4) Report to the Board concerning the finances of the town, as it may require;
 - (5) Maintain all records of the bonded debt of the town and maintain sinking funds;
 - (6) Supervise the investment of idle funds; and
 - (7) Perform other duties assigned by the General Statutes, the town charter or by the Board.

Statutory references:

Duties of the finance officer, see G.S. § 159-25

Fiscal control generally, see G.S. §§ 159-7 et seq.

CHAPTER 31: FINANCES AND TAXATION

Section

Purchasing; Fiscal Procedures

- 31.01 Disbursement of funds
- 31.02 Purchase Order - RESERVED
- 31.03 Countersignatures upon all drafts
- 31.04 Penalty

PURCHASING; FISCAL PROCEDURES

§ 31.01 DISBURSEMENT OF FUNDS.

(A) In accordance with the Local Government Budget and Fiscal Control Act, no bill or claim against the town may be paid unless it has been approved by the officer or employee responsible for the function or agency to which the expense is charged.

(B) No check or draft of the town shall be valid unless it bears on its face the certificate of the Treasurer as follows:

"This disbursement has been approved as required by the Local Government Budget and Fiscal Control Act."

(C) No contract, agreement or purchase order shall be valid unless it bears the Finance Officer's certificate as follows:

"This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act."

Statutory reference:

Disbursements, see G.S. § 159-28

§ 31.02 PURCHASE ORDER.

§ 31.03 COUNTERSIGNATURES UPON ALL DRAFTS.

All checks and drafts issued by the town, regardless of amount, must be signed by the Finance Officer and countersigned by the mayor or a member of the Board.

Statutory reference:

Dual signatures on checks, see G.S. § 159-25

§ 31.04 PENALTY.

(A) Any person who violates any provision of this chapter for which no penalty is provided shall be subject to the terms of § 10.99.

CHAPTER 32: LAW ENFORCEMENT, PUBLIC SAFETY AND EMERGENCIES

Section

32.01	Police
Chief	
32.02	Reserve/Auxiliary Police
32.03	State of emergency; curfew authorized
32.04	Fire Department
32.05	Tampering with fire hydrants unlawful
32.06	Fire Prevention Code – Purpose & Application
32.07	Adoption & Relation to Other Laws

§ 32.01 POLICE CHIEF

In accordance with the Charter of the Town of Stedman, the Board of Commissioners will appoint a Police Chief to ensure enforcement of all laws and regulations for the town.

§ 32.02 RESERVE/AUXILIARY POLICE

The Town of Stedman has authorized for the organization of a “reserve/auxiliary” police department. While undergoing official training and while performing duties on behalf of the town pursuant to orders of the Police Chief, reserve/auxiliary law-enforcement personnel shall be entitled to benefits under the NC Workers’ Compensation Act and to any fringe benefits for such volunteer personnel qualify. (Adopted via Ordinance – November 6, 2025)

EMERGENCY AND RESCUE

§ 32.03 STATE OF EMERGENCY; CURFEW AUTHORIZED.

(A) A state of emergency shall be deemed to exist whenever, during times of great public crisis, disaster, rioting, catastrophe or similar public emergency, for any reason, municipal public safety authorities are unable to maintain public order or afford adequate protection for lives or property.

(B) In the event of an existing or threatened state of emergency endangering the lives, safety, health and welfare of the people within the town, or threatening damage to or destruction of property, the Mayor is hereby authorized and empowered to issue a public proclamation declaring to all persons the existence of a state of emergency and, in order to more effectively protect the lives and property of people within the town, to place in effect any or all of the restrictions hereinafter authorized.

(C) The Mayor is hereby authorized and empowered to limit by the proclamation the application of all or any part of the restrictions to any area specifically designated or described within the corporate limits of the town and to specific hours of the day or night;

and to exempt from all or any part of the restrictions law enforcement officers, firefighters and other public employees, doctors, nurses, employees of hospitals and other medical facilities; on-duty military personnel whether state or federal; on-duty employees of public utilities, public transportation companies, and newspaper, magazine, radio broadcasting and television broadcasting corporations operated for profit; and other classes of persons as may be essential to the preservation of public order and immediately necessary to serve the safety, health and welfare needs of the people within the town.

(D) The mayor shall proclaim the end of the state of emergency or all or any part of the restrictions imposed as soon as circumstances warrant or when directed to do so by the Board.

(E) During the existence of a proclaimed state of emergency, the mayor may impose by proclamation any or all of the following restrictions:

(1) Prohibit or regulate the possession off one's own premises of explosives, firearms, ammunition or dangerous weapons of any kind, and prohibit the purchase, sale, transfer or other disposition thereof;

(2) Prohibit or regulate the buying or selling of beer, wine or intoxicating beverages of any kind, and their possession or consumption off one's own premises;

(3) Prohibit or regulate any demonstration, parade, march, vigil or participation therein from taking place on any of the public ways or upon any public property;

(4) Prohibit or regulate the sale of gasoline, kerosene, naphtha or any other explosive or inflammable fluids or substances;

(5) Prohibit or regulate travel upon any public street, alley or roadway or upon any other public property, except by those in search of medical assistance, food or other commodity or service necessary to sustain the well-being of themselves or their families or other members thereof; or

(6) Prohibit or regulate the participation in or carrying on of any business activity, and prohibit or regulate the keeping open of places of business, places of entertainment, and any other places of public assembly.

(F) Any proclamation may be extended, altered or repealed in any particular during the continued or threatened existence of a state of emergency by the issuance of a subsequent proclamation.

(G) During the existence of a proclaimed state of emergency, it shall be unlawful for any person to violate any provision of any restriction imposed by any proclamation authorized by this subchapter.

Statutory reference:

Authority of the Mayor to declare an emergency, see G.S. § 14-288.12

FIRE DEPARTMENT

§ 32.04 FIRE DEPARTMENT.

Currently all duties of the Fire Department are handled by the Stedman Fire Department, which is not a part of the town government.

§ 32.05 TAMPERING WITH FIRE HYDRANTS UNLAWFUL.

It shall be unlawful for any person, firm, establishment or corporation to injure, deface, open the valves of, tamper with or otherwise use the fire hydrants of the town, except Stedman Fire Department personnel while engaged in the official performance of their firefighting duties. Penalty, see § 10.99

FIRE PREVENTION CODE

§ 32.06 PURPOSE AND APPLICATION.

The purpose of this chapter is to prescribe regulations governing conditions hazardous to life and property from fire, explosion or exposure to hazardous materials. The provisions of this subchapter shall apply to new and existing conditions, and to the repair, use, occupancy and maintenance of existing buildings or structures specified in the State Fire Code and the Town of Stedman Code of Ordinance, and to other conditions hazardous to life or property in the opinion of the Stedman Fire Chief or their designee. Nothing contained in this chapter shall be construed as applying to the transportation of any substance shipped in compliance with regulations prescribed by state and federal law nor as applying to the military forces of the United States.

§ 32.07 ADOPTION AND RELATIONSHIP TO OTHER LAWS AND STANDARDS.

(A) The North Carolina State Fire Prevention Code, as amended periodically, including Appendices B, C, D, F and J, and Section 105.6.32 regarding open burning operational permits, and as adopted by the North Carolina Building Code Council, is hereby adopted by the town for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion and is incorporated by reference as fully as though set forth herein and of which not less than one copy is filed in the office of the Town Clerk. This code is hereby adopted and incorporated as fully as if set out at length herein, and the provision thereof shall be controlling within the limits of the town, and its extraterritorial jurisdiction.

(B) The current edition of the North Carolina Administration and Enforcement Requirements Code, as amended, is incorporated herein by reference for the administration of the North Carolina Fire Code, including Appendices B, C, D, F, and J.

(C) In the event of a conflict between a provision of the North Carolina Fire Code and this Code of Ordinances, the Town's Unified Development Code, or the state law, then the provisions of this Code of Ordinances or state law shall take precedence over the conflicting provision and shall prevail. (Adopted via Ordinance – November 6, 2025)

CHAPTER 33: PERSONNEL

Section

33.01 Adoption by reference

§ 33.01 ADOPTION BY REFERENCE.

The personnel policies and procedures of the town are hereby adopted by reference as if set out in full herein. A copy is available in the office of the Town Clerk during regular business hours.

CHAPTER 40: WATER

Section

General Provisions

- 40.01 Definitions
- 40.02 Utilities necessary

Connections

- 40.10 Application
- 40.11 Approval of Application
- 40.12 Construction of Connections - RESERVED
- 40.13 Maintenance of Connections - RESERVED
- 40.14 Connection from Outside Town
- 40.15 Connections and Meter to Remain Property of Town - RESERVED
- 40.16 Maintenance of Meters - RESERVED
- 40.17 Application for Water - RESERVED
- 40.18 Connection to Premises to be made by Town - RESERVED
- 40.19 Meter and Meter Box Furnished by the Town - RESERVED
- 40.20 Town Shall Make all Taps - RESERVED
- 40.21 Separate Connections - RESERVED
- 40.22 Inspection Required Before Water is Turned on - RESERVED
- 40.23 Right of Access to Property for Purpose of Inspection – RESERVED
- 40.24 Cutting Off Water - RESERVED
- 40.25 Unauthorized Use of Water - RESERVED

Fees and Charges

- 40.30 Fees for Making Taps – RESERVED
- 40.31 Deposits Required
- 40.32 Temporary Suspension of Water Services; Fee for Restoration - RESERVED
- 40.33 Schedule of Monthly Rates
- 40.34 Payment of Water Bill to Town; Delinquent Bills, Cut-Off Charges
- 40.35 Connection Fees - RESERVED
- 40.36 Unauthorized Connections; Penalty - RESERVED

Water Conservation

- 40.40 Applicability - RESERVED
- 40.41 Stage 1 Water Shortage Condition - RESERVED
- 40.42 Stage 2 Water Shortage Condition - RESERVED
- 40.43 Stage 3 Water Shortage Condition - RESERVED
- 40.44 Lifting of restrictions imposed during a water shortage – RESERVED

GENERAL PROVISIONS

§ 40.01 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

IMPROVED STREET. Any street having a wearing surface of concrete, asphalt, brick, stone block, tar treatment or similar hard material.

LATERAL. A pipe connecting a sanitary sewer or water main with the line of adjacent property or extending from the main to the inside of the curb.

PERSON. Any person, firm or corporation.

UNIMPROVED STREET. Any street having a dirt surface.

§ 40.02 UTILITIES NECESSARY.

Town of Stedman water and sewer connections are required by any property located within the corporate limits.

CONNECTIONS

§ 40.10 CONNECTIONS TO BE MADE ONLY UPON APPLICATION.

No connection shall be made to any water main or to any water lateral, until the required application has been completed and submitted to the Town Clerk and said application has been approved.

§ 40.11 APPROVAL OF APPLICATION.

Every application for a water connection, to be made in conformity with the provisions of this subchapter, shall be approved by the Public Works Department, unless the connection applied for is of such size or is so located that it cannot be made without impairing the town's ordinary sewer and water service.

§ 40.12 CONSTRUCTION OF CONNECTIONS.

§ 40.13 MAINTENANCE OF CONNECTIONS.

§ 40.14 CONNECTION FROM OUTSIDE TOWN.

No water or sewer service will be furnished to any property located outside the corporate limits of the Town of Stedman, except upon the following conditions:

- (A) The owners of the entire parcel of real estate shall petition for voluntary annexation of the entire parcel of real estate for which water or service is requested. Said petition shall be filed pursuant to provisions of NCGS 160A-58.1

No authorization for water or sewer tap shall be granted until the duly executed petition is filed with the Clerk of the Town of Stedman and the Clerk has certified, upon investigation, that the petition appears to be valid.

Nothing in this ordinance shall be construed to require the Town of Stedman to annex any parcel of real estate for which petition for annexation has been filed even if said area of real estate described in the petition meets all the requirements for annexation as set forth in NCGS 160A-58.1.

- (B) All water and sewer connections to properties located outside the corporate limits completed prior to the date of Adoption of this Ordinance are exempted from the provision of this Ordinance.

- (C) The owner of a parcel of real estate located outside the corporate limits may apply for a water or sewer connection if the proposed connection is within 500 feet of an existing line of the same type as the proposed connection. The town in its discretion may or may not allow the proposed connection. If the Town agrees to allow the connection it is to be condition on the entire cost of running all lines and making said connection being borne by the applicant only. In addition, the Town may require an application fee and hook-up in amounts to be set by the Board of Commissioners subject to amendment by the Commissioners.

(Ordinance adopted July 11, 2024)

§ 40.15 CONNECTIONS AND METER TO REMAIN PROPERTY OF TOWN.

§ 40.16 MAINTENANCE OF METERS.

§ 40.17 APPLICATION FOR WATER.

§ 40.18 CONNECTION TO PREMISES TO BE MADE BY TOWN.

§ 40.19 METER AND METER BOX FURNISHED BY THE TOWN.

§ 40.20 TOWN SHALL MAKE ALL TAPS.

§ 40.21 SEPARATE CONNECTIONS.

§ 40.22 INSPECTION REQUIRED BEFORE WATER IS TURNED ON.

§ 40.23 RIGHT OF ACCESS TO PROPERTY FOR PURPOSE OF INSPECTION.

§ 40.24 CUTTING OFF WATER.

§ 40.25 UNAUTHORIZED USE OF WATER.

FEES AND CHARGES

§ 40.30 FEES FOR MAKING TAPS.

§ 40.31 DEPOSITS REQUIRED.

(A) *Residential.* A deposit for water service shall be required of all persons

occupying but not owning premises for which a water connection is made for residential purposes.

(B) *Business.* A deposit for water service shall be required of all persons occupying but not owning premises for which a water connection is made for business purposes.

§ 40.32 TEMPORARY SUSPENSION OF WATER SERVICES; FEE FOR RESTORATION; EXCEPTION.

§ 40.33 SCHEDULE OF MONTHLY RATES.

A schedule of monthly rates will be set by the Board of Commissioners and will be part of the Comprehensive List of Fees & Charges. These rates may be adjusted as needed. A copy of the current Comprehensive List of Fees & Charges is maintained and available through the Town Clerk office.

§ 40.34 PAYMENT OF WATER BILL TO TOWN; DELINQUENT BILLS, CUT-OFF CHARGES.

Water bills shall be mailed by the Town Clerk on the first business day of each month for service rendered the preceding month and shall be due and payable on or before the 15th day of the month, at the Town Clerk's office. After the 25th day of the month, a late fee will be added. If bill is not paid in full by the 15th of month following when bill was due, service will be disconnected and a disconnect fee will be added.

§ 40.35 UNAUTHORIZED CONNECTIONS; PENALTY.

WATER CONSERVATION

§ 40.40 APPLICABILITY.

§ 40.41 STAGE I WATER SHORTAGE CONDITION.

§ 40.42 STAGE II WATER SHORTAGE CONDITION.

§ 40.43 STAGE III WATER SHORTAGE CONDITION.

§40.44 LIFTING OF RESTRICTIONS IMPOSED DURING A WATER SHORTAGE.

CHAPTER 41: SEWERS

Section

General Provisions

41.01 Control and supervision – RESERVE

Connections; Use Requirements

41.10 Connection to sewer required - RESERVED

41.11 Permit for connection required - RESERVED

41.12 Work on connections - RESERVED

41.13 Separate connections required – RESERVED

41.14 Discharge of certain substances prohibited - RESERVED

41.15 Maintenance and repair of connections - RESERVED

41.16 Damaging or obstructing system - RESERVED

Fees and Charges

41.25 Connection fee - RESERVED

41.26 Sewer service charge - RESERVED

GENERAL PROVISIONS

§ 41.01 CONTROL AND SUPERVISION.

CONNECTIONS; USE REQUIREMENTS

§ 41.10 CONNECTION TO SEWER REQUIRED.

§ 41.11 PERMIT FOR CONNECTION REQUIRED.

§ 41.12 WORK ON CONNECTIONS.

§ 41.13 SEPARATE CONNECTIONS REQUIRED.

§ 41.14 DISCHARGE OF CERTAIN SUBSTANCES PROHIBITED.

§ 41.15 MAINTENANCE AND REPAIR OF CONNECTIONS.

§ 41.16 DAMAGING OR OBSTRUCTING SYSTEM.

FEES AND CHARGES

§ 41.25 CONNECTION FEE.

§ 41.26 SEWER SERVICE CHARGE.

CHAPTER 50: TRAFFIC

Section

General Provisions

50.01 Definitions

Traffic Control Devices

50.10 Obedience to signs, markers or devices, generally

50.11 Interference with official traffic control devices, signs or signals

50.12 Traffic lanes

50.13 School zones

50.14 Yield signs

Motor Vehicle Registration

50.20 All motor vehicles to be registered - RESERVED

50.21 License tags and decals; tax - RESERVED

50.22 Civil penalty for violation - RESERVED

50.99 Penalty - RESERVED

GENERAL PROVISIONS

§ 50.01 DEFINITIONS.

For the purpose of this title, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALLEY. A thoroughfare through the middle of a block.

AUTHORIZED EMERGENCY VEHICLE. Vehicles of the Fire Department, police vehicles and ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the Chief of Police.

BICYCLE. Every device propelled by human power upon which any person may ride, having 2 tandem wheels, either of which is over 20 inches in diameter.

BLOCK. A portion of any street located between any 2 intersections of any 2 streets or public alleyways next adjacent to each other.

COMMERCIAL VEHICLE. Every vehicle designed, maintained or used primarily for the transportation of property.

CROSSWALK. That portion of any street or roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections. Any portion of a roadway or street distinctly indicated for pedestrian crossing by lines or other markings on the surface of the street or roadway.

CURB LOADING ZONE. A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

DRIVER. Every person who shall drive or who shall be in actual physical control of the operation of any vehicle.

FREIGHT CURB LOADING ZONE. A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight or passengers.

INTERSECTION.

(1) The area embraced within the prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of the roadways of the 2 highways which join one another at or approximately at right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(2) Where a highway includes 2 roadways 30 feet or more apart, then every crossing of each roadway of the divided highway by an intersecting highway shall be regarded as a separate intersection. In the event the intersecting highway also includes 2 roadways 30 feet or more apart, then every crossing of 2 roadways of the highways shall be regarded as a separate intersection.

LANED ROADWAY. A roadway which is divided into 2 or more clearly marked lanes for vehicular traffic.

MOTOR VEHICLE. Every vehicle which is self-propelled, and every vehicle designed to run upon the streets which is pulled by a self-propelled vehicle.

MOTORCYCLE. Every motor vehicle having a saddle for the use of the rider and is designed to travel on not more than 3 wheels in contact with the ground but excluding a tractor.

OFFICIAL TIME STANDARD. Whenever certain hours are named herein, they shall mean standard time or daylight-saving time as may be in current use in the town.

OFFICIAL TRAFFIC CONTROL DEVICE. Any sign, signal, marking or device, not inconsistent with this chapter, placed or erected by authority of the Board by a designated official having jurisdiction through authority given by the Board, for the purpose of regulating, warning, prohibiting or guiding traffic upon the public streets and thoroughfares of the town.

OFFICIAL TRAFFIC SIGNALS. Any device, whether manually, electrically or mechanically operated, whereby traffic is alternately directed to stop and to proceed, or to turn, or to proceed with caution.

PARK. The standing of any vehicle, whether occupied or unoccupied, otherwise than temporarily for the purpose of and while engaged in loading or unloading passengers or cargo.

PASSENGER CURB LOADING ZONE. A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

PEDESTRIAN. Any person afoot.

PERSON. Every natural person, firm, co-partnership, association or corporation.

POLICE OFFICER. Every peace officer of the town, including every employee of the town, is authorized and empowered to regulate traffic and to make arrests for any violations of the provisions of this chapter.

PRIVATE ROAD OR DRIVEWAY. Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

PUBLIC CONVEYANCE. Any vehicle other than a taxicab or railroad train for transporting persons for a fare.

RIGHT-OF-WAY. The privilege of the immediate use of the street or roadway.

ROADWAY. That portion of a street or highway improved, designed or ordinarily used for vehicular travel, exclusively of the berm or shoulder. In the event a highway includes 2 or more separate roadways, the term ***ROADWAY*** as used herein shall refer to any roadways separately but not to all roadways collectively.

SAFETY ZONE. The area or space officially set apart within any roadway for the exclusive use of pedestrians and which space shall be so protected, marked or indicated by visible and adequate markers or signs as shall be visible at all times while so set apart as a ***SAFETY ZONE*** for

pedestrians.

SIDEWALK. That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

STANDING. Any stopping of any vehicle, whether or not the vehicle is occupied during the period of stopping.

STOP. When required, means the complete cessation of movement of any vehicle.

STOP or **STOPPING.** When prohibited, means any stopping of any vehicle, except when the **STOPPING** means that it shall be necessary to stop the vehicle to avoid conflict with other traffic or in compliance with the direction of any police officer of the town or by reason of any traffic control sign or signal or by reason of any emergency.

STREET and **HIGHWAY.** The entire width between property lines of every way or place of whatever nature, when any part thereof is open to the use of the public as a matter of right for the purposes of vehicular traffic.

THROUGH HIGHWAY. Every street or highway or portion thereof at the entrances to which vehicular traffic from intersecting streets or highways is required by law to stop before entering or crossing the same, and when stop signs are erected as provided in this title.

TRAFFIC. Pedestrians, ridden or herded animals, vehicles of all kinds, conveyances, tractors, bicycles, motorcycles and the like, either singly or together, while using any street or alleyway for travel, including the operation of, the loading or unloading of, or the parking of any vehicle upon any of the public streets of the town.

VEHICLE. Every device used in, upon, or by which any person or property is or may be transported or drawn upon any street within the corporate limits. For the purposes of this title, any bicycle shall be deemed a **VEHICLE**.

TRAFFIC CONTROL DEVICES

§ 50.10 OBEDIENCE TO SIGNS, MARKERS OR DEVICES, GENERALLY.

Any person failing or refusing to comply with the directions indicated on any sign, marker or device for the control or direction of traffic erected or placed in accordance with the provisions of this subchapter, when so placed or erected, shall be guilty of a misdemeanor. This section shall not be construed to apply when the driver of a vehicle is otherwise directed by a police officer, or when an exception is granted to the driver of an authorized emergency vehicle.

§ 50.11 INTERFERENCE WITH OFFICIAL TRAFFIC CONTROL DEVICES, SIGNS OR SIGNALS.

No person shall without lawful authority attempt to or in fact alter, deface, injure, knock down or remove any official traffic control device, sign or signal or any inscription, shield or insignia thereon, or any other part thereof.

§ 50.12 TRAFFIC LANES.

When traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep the vehicle within the boundaries of any lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

§ 50.13 SCHOOL ZONES.

Whenever authorized signs are placed designating any street or part thereof as a school zone, drivers of motor vehicles using the street shall exercise the greatest care for the protection of children.

§ 50.14 YIELD SIGNS.

The driver of a vehicle approaching a yield sign erected at these intersections shall, and in obedience to the sign, slow down and yield the right-of-way to any pedestrian crossing the roadway on which he or she is driving and to any vehicle in movement on the main traveled or through highway or street which is approaching, so as to arrive at the intersection at approximately the same time as the vehicle entering the main traveled or through street or highway.

MOTOR VEHICLE REGISTRATION

§ 50.20 ALL MOTOR VEHICLES TO BE REGISTERED.

§ 50.21 LICENSE TAGS AND DECALS; TAX.

§ 50.22 CIVIL PENALTY FOR VIOLATION.

§ 50.99 PENALTY.

CHAPTER 51: TRAFFIC REGULATIONS

Section

Speed Regulations

- 51.01 General
- 51.02 Exceptions
- 51.03 Exceptions During Specified Times

Turning Movements

- 51.10 Turning markers RESERVED
- 51.11 Authority to place restricted turn signs RESERVED
- 51.12 Obedience to no-turn signs RESERVED

One-Way Streets and Alleys

- 51.20 Authority to sign 1-way streets and alleys RESERVED
- 51.21 One-way streets and alleys RESERVED

Through Streets; Special Stops Required

- 51.30 Through streets designated RESERVED
- 51.31 Authority to erect stop signs RESERVED
- 51.32 Intersections where stop required RESERVED
- 51.33 Signs to bear the word "Stop" RESERVED
- 51.34 Vehicles to stop at stop signs RESERVED

Miscellaneous Driving Rules

- 51.40 Spinning of wheels prohibited RESERVED
- 51.41 Noisy operation of motor vehicle prohibited RESERVED
- 51.42 Trucks restricted on certain streets RESERVED

- 51.99 Penalty RESERVED

SPEED REGULATIONS

§ 51.01 GENERAL.

Except as otherwise provided in this article, it shall be unlawful to operate a *vehicle* in excess of twenty-five (25) miles per hour inside the corporate limits, except as may be posted upon streets that are part of the State Highway System.

Violation of this section is an infraction and may also be enforced through injunctive or other equitable relief, or a combination of remedies.

(Ordinance adopted October 3, 2024)

§ 51.02 EXCEPTIONS.

When proper signs have been erected giving notice of speed limits which are other than the generally applicable twenty-five (25) miles per hour limit, it shall be unlawful to operate a vehicle in excess of such speeds upon the streets or portions of streets listed in an official *Traffic Schedule*

for Speed Limits other than Twenty-Five (25) miles per hour, as may be adopted by the Town Board of Commissioners.

Violation of this section is an infraction and may also be enforced through injunctive or other equitable relief, or a combination of remedies.
(Ordinance adopted October 3, 2024)

§ 51.03 EXCEPTIONS DURING SPECIFIED TIMES.

When proper signs have been erected giving notice of the appropriate speed regulations, it shall be unlawful to operate a motor vehicle in excess of the speed limits which are made effective on specified streets or portions of streets during particular hours of the day or night, as designated in an official Traffic Schedule, as may be adopted by the Town Board of Commissioners.

Violations of this section is an infraction and may also be enforced through injunctive or other equitable relief, or a combination of remedies.
(Ordinance adopted October 3, 2024)

TURNING MOVEMENTS

§ 51.10 TURNING MARKERS.

§ 51.11 AUTHORITY TO PLACE RESTRICTED TURN SIGNS.

§ 51.12 OBEDIENCE TO NO-TURN SIGNS.

ONE-WAY STREETS AND ALLEYS

§ 51.20 AUTHORITY TO ENSURE SIGNAGE AT 1-WAY STREETS AND ALLEYS.

§ 51.21 ONE-WAY STREETS AND ALLEYS.

THROUGH STREETS; SPECIAL STOPS REQUIRED

§ 51.30 THROUGH STREETS DESIGNATED.

§ 51.31 AUTHORITY TO ERECT STOP SIGNS.

§ 51.32 INTERSECTIONS WHERE STOP REQUIRED.

§ 51.33 SIGNS TO BEAR THE WORD “STOP.”

§ 51.34 VEHICLES TO STOP AT STOP SIGNS.

MISCELLANEOUS DRIVING RULES

§ 51.40 SPINNING OF WHEELS PROHIBITED.

§ 51.41 NOISY OPERATION OF A MOTOR VEHICLE PROHIBITED.

§ 51.42 TRUCKS RESTRICTED ON CERTAIN STREETS.

§ 51.99 PENALTY.

CHAPTER 52: STOPPING, STANDING OR PARKING

Section

General Provisions; Method of Parking

52.01 Standing or parking close to curb - RESERVED

52.02 Unattended vehicles - RESERVED

Stopping, Standing or Parking Prohibited in Specified Places

52.10 Parking of Certain Trucks in Residential Areas

52.11 Parking not to Obstruct Traffic

52.12 Standing or parking for certain purposes prohibited RESERVED

52.13 No stopping, standing or parking near hazardous or congested places RESERVED

52.14 Stopping, standing or parking for primary purpose of advertising prohibited RESERVED

Stopping for Loading or Unloading Only

52.20 Loading and unloading zones RESERVED

52.21 Loading zones for freight and goods RESERVED

52.22 Public carrier stops and stands RESERVED

Enforcement Procedure for Parking Violations

52.30 Notice that vehicle has been parked illegally, overtime or in violation - RESERVED

52.31 Penalty for notified offense RESERVED

52.32 Operator to comply; effect of proof of ownership of vehicle RESERVED

52.99 Penalty RESERVED

GENERAL PROVISIONS; METHOD OF PARKING

§ 52.01 STANDING OR PARKING CLOSE TO CURB.

§ 52.02 UNATTENDED VEHICLES.

STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES

§ 52.10 REGULATION OF PARKING OF CERTAIN TRUCKS IN RESIDENTIAL AREAS PROHIBITED

(A) Parking of certain trucks in residential areas prohibited.

(1) It shall be unlawful to park or leave standing within the corporate limits of the town, any commercial and/or common carrier motor vehicle with a length exceeding 25 feet, and any motor vehicle designed to carry and distribute

flammable fuels such as propane, liquid, petroleum, natural gas, gasoline, oil, diesel fuel, or any other flammable substance on any street or highway, or within ten feet of any street or highway, or within any residentially zoned area, or on any property owned by the town. For purposes of enforcing this section, the following vehicles are not applicable; recreational vehicles (travel trailers, and motor homes), light commercial vehicles used in conjunction with trades contracting to include; but not limited to, welders, plumbers, electricians, and others that are service related. Except as provided in subsection (d) of this section, trailers designed to be towed by any commercial and/or common carrier vehicle are prohibited from parking or standing in any residential area at any time, regardless of length.

- (2) When parked in residential areas, commercial and/or common carrier motor vehicles 25 feet or less in length must:
 - (a) Be parked only at the residence of the vehicle owner/operator/lessor,
 - (b) Be parked wholly in the driveway, side yard, or rear yard of the residence in a manner not to interfere with air and light enjoyment by adjacent neighbors, and in a manner not to encroach into or over any public or utility easements such as sidewalks, water mains and service laterals,
 - (c) Be maintained in a sound operable condition and appearance at all times,
 - (d) Be respectful of neighbors' right to peace and quiet upon arrival or departure, especially between dusk and dawn.
 - (e) Not allow any portion of the vehicle to be in a position in such a manner that may obscure the vision of motorists and pedestrians, and
 - (f) Must comply with any homeowner's association/covenant restrictions in effect.
- (3) Vehicle's left parked or standing in a prohibited area as a result of an emergency stop shall not be in violation of this section for a period of two hours, provided the location does not create a traffic hazard necessitating immediate removal of the vehicle.
- (4) This section shall not apply to trucks actively delivering or receiving merchandise, property or heating fuel substance from a business or residence, or otherwise present and necessary to perform a service to the business or residence.

Section 2. Penalties

- (A) A violation of this ordinance shall subject the violator to a civil penalty of one hundred dollars (\$100.00) to be recovered by the Town.
- (B) Each day continuing violation of ordinance shall be a separate and distinct offense.
- (C) The civil penalty shall be issued by citation personally; by registered mail, return receipt requested; or by any other means authorized by North Carolina General Statutes 160A-175.

(Ordinance Adopted March 3, 2005.)

§ 52.11 PARKING NOT TO OBSTRUCT TRAFFIC.

It shall be unlawful for the owner or operator of any motor vehicle as described in GS 20-4.01 (23) to park, or allow to be parked, such motor vehicle on any Town Street in such a manner as to block any part of the traveled portion of said street
(Adopted Ordinance October 7, 1976)

§ 52.12 STANDING OR PARKING FOR CERTAIN PURPOSES PROHIBITED.

§ 52.13 NO STOPPING, STANDING OR PARKING NEAR HAZARDOUS OR CONGESTED PLACES.

§ 52.14 STOPPING, STANDING OR PARKING FOR PRIMARY PURPOSE OF ADVERTISING PROHIBITED.

STOPPING FOR LOADING OR UNLOADING ONLY

§ 52.20 LOADING AND UNLOADING ZONES.

§ 52.21 LOADING ZONES FOR FREIGHT AND GOODS.

§ 52.22 PUBLIC CARRIER STOPS AND STANDS.

ENFORCEMENT PROCEDURE FOR PARKING VIOLATIONS

**§ 52.30 NOTICE THAT VEHICLE HAS BEEN PARKED ILLEGALLY, OVERTIME OR IN VIOLATION;
DUTY OF POLICE.**

§ 52.31 PENALTY FOR NOTIFIED OFFENSE.

§ 52.32 OPERATOR TO COMPLY; EFFECT OF PROOF OF OWNERSHIP OF VEHICLE.

§ 52.99 PENALTY.

CHAPTER 53: TRAFFIC SCHEDULES

- I. Speed Limits
- II. Through streets RESERVED
- III. Stop intersections RESERVED
- IV. Truck restrictions RESERVED

SCHEDULE I. SPEED LIMITS.

Except as otherwise provided in this article, it shall be unlawful to operate a *vehicle* in excess of twenty-five (25) miles per hour inside the corporate limits, except as may be posted upon streets that are part of the State Highway System.

Violation of this section is an infraction and may also be enforced through injunctive or other equitable relief, or a combination of remedies.
(Ordinance adopted October 3, 2024)

SCHEDULE II. THROUGH STREETS.

SCHEDULE III. STOP INTERSECTIONS.

SCHEDULE IV. TRUCK RESTRICTIONS.

CHAPTER 60: GENERAL

Chapter

- 60. ANIMALS
- 61. MINIMUM ACCEPTABLE STANDARDS
- 62. GOLF CARTS
- 63. YARD SALES
- 64. YOUTH CURFEW
- 65. FIREARMS
- 66. PARADES - RESERVED
- 67. FALSE ALARMS – RESERVED
- 68. BALL PLAYING & PLACEMENT OF BACKBOARDS
- 69. PARKS

Chapter 60 - Animals

- 60.01 Cruelty to Animals RESERVED
- 60.02 Keeping of Livestock
- 60.03 Keeping of Hogs within Town Limits
- 60.04 Effect Upon Existing Livestock
- 60.05 Penalty

§ 60.01 CRUELTY TO ANIMALS.**§ 60.02 KEEPING OF LIVESTOCK**

Within the corporate limits of the Town of Stedman, it shall be unlawful to keep or maintain any cow, horse, pony, mule, sheep, goat, chickens, rabbits, or other livestock on any lot or within any pen, stable, or other enclosure or building within seventy-five (75) feet of any adjacent tract of land owned by another; assembling of such livestock for shipment or the unloading from shipment of livestock; provided, further, that such livestock are not kept within the corporate limits for more than twenty-four (24) hours prior to shipment or subsequent to unloading.

(Ordinance Adopted October 7, 1982)

§ 60.03 KEEPING HOGS WITHIN TOWN LIMITS

It shall be unlawful to keep hogs within the Corporate limits
(Ordinance Adopted October 7, 1982)

§ 60.04 EFFECT UPON EXISTING LIVESTOCK

Persons keeping or maintaining, within the corporate limits, any animals in violation of Sections 60.02 and 60.03 shall comply with Sections 60.02 and 60.03 not later than one month from the effective date of this ordinance.

(Ordinance Adopted October 7, 1982)

§ 60.05 PENALTY

The violation of any provision of this ordinance shall subject the offender to a civil penalty in the amount of \$50.00 to be recovered by the Town. Violators shall be issued a written citation which must be paid within seventy-two (72) hours.

Each day(s) continuing violation of this ordinance shall be a separate and distinct offense.

(Ordinance Adopted October 7, 1982)

§ 60.06 CATS & DOGS - RESERVED

Chapter 61 - Minimum Acceptable Standards

- 61.01 Authority
- 61.02 General
- 61.03 Definitions
- 61.04 Structural Nuisances
- 61.05 Environmental and Ground Nuisances
- 61.06 Abandoned/Junk Vehicles
- 61.07 Noise * *Cumberland County Noise Ordinance*
- 61.08 Compliance
- 61.09 Penalty
- 61.10 Amendments

§ 61.01 AUTHORITY

This ordinance is adopted pursuant to North Carolina General Statute 160A-174 *et seq.*, and for the purpose of defining, prohibiting, regulating, or abating acts, omissions, or conditions, detrimental to the health, safety or welfare of its citizens and the peace and dignity of the Town. (*Ordinance Adopted March 4, 2010*)

§ 61.02 GENERAL

A. ***Intent statement.*** It is the intent of the Board of Commissioners of the Town of Stedman, by adopting this ordinance, to establish acceptable standards for appearance and quality of life issues for the Stedman community. The standards contained within this ordinance are intended to preserve the character and integrity, protect the property values, and to promote and preserve the visual and economic interests of the Town while protecting the public health, safety and welfare of the citizens. It is the Board's belief that this can be accomplished through uniformity of appearance and proper maintenance of the properties within the Town while ensuring the equitable application of these standards to its citizens.

B. ***Legislative finding.*** It is hereby found and determined that there exist within the area subject to the zoning jurisdiction of the Town premises that, because of the existence of the conditions herein determined to be unlawful, constitute a visual blight and detriment upon the surrounding neighborhood and create substantial and unreasonable interferences with the reasonable and lawful use and enjoyment of other premises in the neighborhood, or such conditions inhibit property values, deter tourism, interfere with the public health and safety, or otherwise discourage the comfort, happiness, emotional stability and general welfare of all citizens.

C. ***Ordinance administrator.*** This ordinance shall be administered and enforced by the County's Director of Planning and Inspections or the Director's designee. This official or their representative shall have the right to enter upon the premises in any manner authorized by law as required to carry out the necessary duties for the fair and impartial enforcement of this ordinance. All questions arising in connection with enforcement and interpretation of this ordinance shall be presented first to the County's Code Enforcement Coordinator who is charged with the day-to-day enforcement of this ordinance. If the County's Planning and Inspections

Director finds that they are not authorized to make a determination or judgment or that the issue is questionable, the matter will be referred to the Town's Board of Adjustment in the same manner as established for the board's hearing of administrative appeals.
(Ordinance Adopted March 4, 2010)

§ 61.03 DEFINITIONS

For purposes of interpreting the provisions of this ordinance, certain words or terms are herein defined. Unless otherwise stated, the following words shall for the purpose of this ordinance have the meaning herein indicated:

Dead plant material: Any trees, shrubs or ground covers that show an absence of living tissue, such as stems or leaves, during a full growth cycle (spring to spring).

Junk: Any material or substance stored in the open or not enclosed in a building which does not serve, nor is intended to serve, any useful purpose or the purpose for which it was originally intended, including but not limited to: refuse; empty cans; bottles; debris; used furniture; used appliances; machinery parts; motor vehicle parts; remnants of wood, decayed, weathered or broken construction material no longer usable; metal; or any cast off materials.

Litter: Any discarded or abandoned, used or unconsumed substance or waste, including but not limited to: garbage, trash, refuse, debris, rubbish, newspaper, magazines, paper, plastic or paper containers or other packaging.

Noxious weed: Any plant designated by a Federal, State or local government as injurious to public health, agriculture, recreation, wildlife or property and is also commonly defined as a plant that grows out of place and is competitive, persistent, and pernicious. (Source: <http://plants.usda.gov/java/noxiousDriver>) For purposes of this ordinance, the Town shall determine weeds to be noxious if complying with the above definition and included on the U.S. Department of Agriculture, Natural Resources Conservation Service's *Noxious Weeds List*.

Nuisance: Any condition detrimental to the public health, safety and welfare that violate the rules and regulations of the Town and/or the County Public Health Department.

Open places: Areas of properties or portions thereof that are open to the exterior, including building openings of residential dwelling units, such as carports or porches and any other exterior portions of properties ordinarily exposed to the outside and/or public view, including front, side and rear yards.

Public view: Any location within a normal range of vision as seen by the public from the right-of-way or a publicly owned property.

Quasi-public use: Institutional, academic, governmental, and community service uses, which are government (public) owned or operated, or provides a service to the general public under the authority of a governmental regulatory body.

Rubbish: The miscellaneous waste materials resulting from housekeeping, mercantile enterprises, trades, manufacturing, and offices, including other waste matter, such as yard debris and trimmings, tree branches, slag, stone, broken concrete, fly ash, ashes, tin cans, glass, scrap metal, rubber, paper, rags, chemicals or any similar or related combinations thereof.

Structure: That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Visible: Capable of being seen without visual aid by a person of normal visual acuity.
(Ordinance Adopted March 4, 2010)

§ 61.04 NUISANCES - STRUCTURAL

The existence of any of the following conditions on any parcel of land, including vacant lots within the Town limits, is hereby declared to be dangerous and prejudicial to the public health or safety and to constitute a public nuisance.

(A) *Structures.* All unsafe or deteriorated structures to Include but not limited to storage buildings, sheds, and other similar structures shall not be permitted. In addition,

- (1) All structures shall be maintained in safe and substantial condition, in good structural condition and appearance, free from deterioration, rot, rust, or weathering; and
- (2) All unsafe or deteriorated structures as determined by the Code Enforcement Coordinator, or the coordinator's designee, shall be repaired or removed within 30 calendar days of proper notice to the property owner.

(B) *Fences and Walls.* All fences, retaining walls or similar features including landscape features that are not firmly anchored to the ground, maintained in good structural condition and appearance, or free of deterioration shall not be permitted. Wooden or other fence features subject to deterioration or weathering shall be properly maintained to retard deterioration or provide protection *from* the weather. Deteriorated features shall be replaced or repaired or shall be completely removed and properly discarded. Electric fences or fences that are electrically charged, and fences that are constructed of barbed or razor wire shall be prohibited. This prohibition shall not apply to fences used to enclose livestock on a bona fide farm and those serving a public or quasi-public institution for public safety or security purposes as approved by the Code Enforcement Coordinator, or the coordinator's designee.

Fence material is limited to wood, masonry, chain link, wrought iron, vinyl or a comparable material as approved by the Code Enforcement Coordinator, or the coordinator's designee. Permitted material excludes material never intended for a fence. Any support or bracing shall face toward the interior of the property. Permitted fence colors are to be subtle and should not call negative or undue attention to its presence.

(Ordinance Adopted March 4, 2010)

§ 61.05 ENVIRONMENTAL AND GROUND NUISANCES

- (A) *Overgrown lots/yards.* The uncontrolled growth of noxious weeds or grass to a height in excess of 12 inches causing or threatening to cause a hazard to the public health or safety.
- (B) *Allowing dead animals to remain on property.* It shall be unlawful and is hereby declared to be a nuisance for any person to allow the dead carcass of any animal to remain upon any property longer than 15 hours.
- (C) *Noxious or offensive matter.* Emission or effluence of noxious or offensive particulate matter, dust, sludge and other materials or substances which tend to pollute or contaminate land, water or air, rendering or tending to render it injurious to human health, habitation or welfare, to animal or plant life, to property, or interfering or tending to interfere with the enjoyment of life or property; provided, however, that this subsection shall be construed consistent with and supplementary to, and not in conflict with, applicable state and federal laws and regulations.
- (D) *Litter.* Any junk, waste materials, unusable building materials, trash, garbage, oily rags, barrels, cans, papers, bricks, refuse, rubbish, or similar matter which is scattered, cast, placed or deposited in a yard or yards, so as to constitute an accumulation or concentration in an open area or causing or threatening to cause the inhabitation therein of rats, mice, snakes, or vermin of any kind which is or may be dangerous or prejudicial to the public health.
- (E) *Presence, accumulation, storage or placement of junk.* Junk, including but not limited to, deteriorated, unusable or inoperative furniture, furniture intended to be indoors, appliances, machinery, equipment, building materials, worn out and unused automobiles or parts, tires, or any other man-made items which are either in whole or in part, wrecked, junked, unused, worn out, dismantled or inoperative shall not be permitted on any property within the Town, unless said storage of junk has been otherwise approved under the regulations and ordinances of the Town and is not visible to the public view. In addition,
- (1) Storage of junk shall only be allowed on any properties used for non- residential purposes and if in compliance with all other Town regulations and ordinances, or if not addressed by a Town regulation or ordinance, storage of junk shall be completely enclosed within a building or otherwise evenly placed or neatly stacked and concealed by a solid fence., cover or other means so as to not be visible at the property line from abutting properties or any right-of-way;
 - (2) Storage of junk shall only be allowed on any property used for residential purposes if completely stored in an enclosed building or limited to 200 square feet or less In area and completely concealed by a solid fence, cover or other means so as not to be visible from public view, concentrated in one area within the rear yard and neatly arranged or stacked so as not to exceed four feet in height; and
 - (3) Whether stored on a residential or non-residential property such storage of junk shall be maintained in such a manner so as to prevent overgrown grass or weeds or an infestation of wild animals, reptiles and rodents.

B. *Parking on public rights-of-way and public-owned property.* Parking on any public right-of-way or other publicly owned property, except where legally authorized, within the Town's corporate limits is prohibited. This provision shall not be construed to apply to motor vehicle parking for vehicles in need of repair provided they are removed within 24 hours.

C. *Open burning.* Open burning of off-site collected debris, plant material, litter, rubbish, etc. within the Town's corporate limits shall be prohibited.
(Ordinance Adopted March 4, 2010)

§ 61.06 ABANDONED/JUNK VEHICLES

The Town Board of Commissioners adopts through incorporation by reference the *Abandoned, Nuisance, and Junked Motor Vehicle Ordinance*, Article III of the Cumberland County Code, in its entirety, to include the enforcement and violation provisions. In addition to the items enumerated under Section 9-47, Exceptions, of the Cumberland County Code, the Town also "excepts" all non-tagged, non-registered vehicles of Armed Forces Service members that are deployed in support of military operations for a duration of six months or longer provided that the following conditions have been complied with:

- (A) The service members have notified the Town of their military-ordered absence and the expected duration of absence;
- (B) The service member has taken prudent actions to ensure the vehicle is protected and not left in an "abandoned" state; and
- (C) The service member has positioned the vehicle so that it is not visible from any public right-of-way and located in the side or rear yard of the service member's property.

(Ordinance Adopted March 4, 2010)

§ 61.07 NOISE

The Town Board of Commissioners adopts through incorporation by reference the *Cumberland County Noise Ordinance*, Article 11, Section 9.5-21 et seq. of the Cumberland County Code, in its entirety, to include the enforcement and violation provisions, with the following exceptions to Section 9.5-26(1), Exemptions from Section 9.5-24:

To allow any Town-related function which has been approved and/or sanctioned by the Town Board of Commissioners.

(Ordinance Adopted March 4, 2010)

§ 61.08 COMPLIANCE

All public and private land within the Town of Stedman shall be in compliance with the provisions set forth in this ordinance sixty days after the effective date of this ordinance, or within a six-month period after the effective date of annexation into the Town of Stedman or otherwise being made subject to this ordinance.

(Ordinance Adopted March 4, 2010)

§ 61.09 PENALTY

The violation of any provision of this ordinance shall be a misdemeanor, punishable upon conviction by a fine of not more than \$50.00 per week as provided in N.C.G.S. § 14-4 and except as otherwise provided in this ordinance, each violation of this ordinance shall constitute a separate and distinct offense. The Town Board of Commissioners reserve the right to reduce or eliminate the fine on a case by case basis upon the board's consideration of any extenuating circumstance(s) presented to the board by the property owner and in this instance, the fine shall be established by motion upon the majority vote of the board members present at the board meeting in which the extenuating circumstance(s) are presented. If a Code Enforcement Coordinator, or the coordinator's designee, finds that any provision of this ordinance is being violated, the Code Enforcement Coordinator, or the coordinator's designee, shall cause to be served upon

the offender or its agent, by certified mail, return receipt requested, or by personal service, a notice of civil citation. The notice of civil citation shall indicate the nature of the violation and order the action necessary to correct it. The citation shall also state the monetary penalty and the right of the offender to appeal the violation that is the basis of the citation to the Town Board of Adjustment in the same manner as set forth for administrative hearings (appeals) in the Town's Zoning Ordinance within ten days from the date of service of the citation.

(Ordinance Adopted March 4, 2010)

§ 61.10 AMENDMENTS

Amendments to the regulatory codes adopted by reference herein, which are from time to time adopted and published by the responsible Cumberland County agency referred to herein, shall be effective In the Town at the time such amendments are considered and adopted by the Town Board of Commissioners and subsequently filed with the Town Clerk.

(Ordinance Adopted March 4, 2010)

Chapter 62 - Golf Carts

- 62.01 Statement
- 62.02 Rules and Regulations

§ 62.01 STATEMENT

This ordinance was adopted in the interest of public safety. Golf carts, hereinafter, "cart(s)" are not designed or manufactured to be used on public streets and roads, hereinafter "street(s)", and the Town of Stedman in no way advocates or endorses their operations on the streets. The Town, by regulating such operations, is merely addressing safety issues. This ordinance is not to be relied upon as a determination that operation on the street is safe or advisable even if done in accordance with this ordinance. All persons operating carts must be observant of, and attentive to, the safety of themselves and others, including their passengers, other motorists, bicyclists, and pedestrians. All persons that operate or ride carts on streets inside the Town of Stedman do so at their own risk. The Town of Stedman shall have no liability under any theory of liability, for permitting carts to be operated on streets under legislative authority granted by the State of North Carolina, and pursuant to such legislative authority, such cart operation shall be in accordance with this ordinance.

(Ordinance Adopted April 2014 & Amended April 6, 2023)

§ 62.02 RULES AND REGULATIONS

Carts shall only be operated on streets within the municipal limits of the Town of Stedman in accordance with the following rules and regulations:

- (A) Any person who operates a cart in the Town of Stedman assumes all liability associated with operating the cart.
- (B) Any person who operates a cart must be at least sixteen (16) years of age and possess a valid driver's license required by the State of North Carolina for operation of a motor vehicle. Cart operators must always carry their driver's license on their person while operating a cart on the streets in the

corporate limits.

- (C) Carts shall be driven on the streets or other vehicular areas only from dawn to dusk.
- (D) Hand signals shall be used for turning and stopping.
- (E) Carts shall be equipped with a rear-view mirror and a rear mounted reflective triangular sign of standard form and size which may also contain the optional wording "slow moving vehicle", or similar language.
- (F) Carts may be driven on all streets in the Town of Stedman with a posted speed limit of 35 mph or less, except Clinton Road (Hwy 24), Carol Street and Hillsboro Street. As to Clinton Road (Hwy 24), Carol Street and Hillsboro Street, they may be crossed at a direct 90-degree angle with due caution.
- (G) Any person who operates a cart on the streets in the Town of Stedman shall adhere to all applicable State laws concerning the possession and use of alcoholic beverages and illegal drugs, and all applicable State traffic laws.
- (H) No cart shall be operated in a careless or reckless manner.
- (I) Carts shall be operated to the right side of the travel lane unless making a left turn.
- (J) The maximum occupancy of a cart traveling on the streets shall be one person per bucket seat or three people per bench seat. Child/infant restraints are required to be used in the cart in the same manner as required for passenger vehicles.
- (K) Carts shall not be operated on any sidewalk in the Town of Stedman.
- (L) Liability insurance coverage is required on any golf cart licensed under this Ordinance in an amount not less than those amounts required by North Carolina Motor Vehicle Laws for standard motor vehicles operated on the public highways of the State of North Carolina.
- (M) Carts shall only park in handicapped parking spaces if the driver or at least one passenger has a valid handicap-parking placard, and such placard is properly displayed in the cart.
- (N) No cart shall be operated at a speed greater than is reasonable and prudent for the existing conditions and in no instance at a speed greater than 20 miles per hour.
- (O) All carts operated on the streets and public vehicular areas in the Town of Stedman must have a valid annual Permit Sticker issued by the Town of Stedman.
- (1) The annual permit sticker shall be placed on the driver's side of the cart's windshield, if the cart has a windshield. If no windshield, then the permit shall be prominently placed at a location near the driver's side of the vehicle where it is easily visible from oncoming traffic in the opposite direction.
- (P) All owners of carts operated on streets within the Town shall complete and submit a cart registration form on an annual basis. The completed forms will be maintained by the Town of Stedman. A yearly registration fee will be charged for this permit sticker to cover the costs of implementing and maintaining this Ordinance. Permit stickers will be valid one year from the purchase date.

- (1) Initial Inspection by the Town of Stedman (includes annual permit sticker)*
- (2) Annual renewal inspections (including annual permit sticker)*
- (3) Re-inspection by the Town of Stedman *
(if a cart fails the initial or renewal inspection)
- (4) The initial fee and any renewal fees are valid for one year from the purchase date.

**Please see current Comprehensive List of Fees & Charges.*

- (Q) The Town of Stedman retains the right to refuse to issue and/or revoke any permit sticker from any cart at any time for any reasons that he feels is appropriate to ensure the safety and well-being of the citizens of the Town of Stedman or the motoring public. Golf Cart owners who disagree with a decision by the Town of Stedman may file with the Town Clerk a written appeal stating the basis for an appeal to the Town's Board of Commissioners. Hearings held under this division shall be conducted in accordance with local hearing procedure. The Town's Board of Commissioners shall make a final decision on the appeal within 90 days of the date the appeal was filed and shall transmit a written copy of its decision by first class mail.
- (R) Each owner shall have proof of cart ownership and must complete a Waiver of Liability, releasing the Town of Stedman, its employees, and officials from all liability that may arise as a result of operating a cart on streets inside the Town of Stedman. A current Waiver of Liability must be on file with the Town of Stedman to operate a cart on a Town street.
- (S) Lost or stolen permit stickers are the responsibility of the owner. A Police report must be filed in the event of a lost or stolen permit sticker. The Town of Stedman shall have discretion in determining whether a permit sticker may be re-issued in this instance. If no record can be found of a previous application, or the receipt of a permit sticker, the Town of Stedman may direct the applicant to reapply, and also resubmit any and all fees necessary, before a replacement permit sticker is issued.
- (T) Any person who operates a cart on the streets shall have a golf cart rider liability insurance coverage in an amount not less than that required by state law for motor vehicles operated on public highways, Proof of such insurance shall be in the possession of the operator of the cart while operating the cart and a copy shall be provided to the Town of Stedman at the time of permitting.
- (U) Any act constituting a violation of this ordinance or failure to comply with any of its requirements shall subject the offender, upon conviction, to a fine not to exceed \$50. Each day of violation shall constitute a separate offense. If an offender fails to pay a fine within ten (10) days of a final judgment or if there are more than six violations of this ordinance within a permitting period, the privileges and permit granted by this ordinance shall be revoked by the Town of Stedman.
- (V) Notwithstanding any prior language to the contrary, carts not maintained within the Town Limits of Stedman and are only occasionally used for special public events not exceeding a 48-hour consecutive time frame, are not specifically authorized by *this* ordinance and not regulated thereby.
- (W) This ordinance may be enforced as an infraction as provided for in N.C. Gen. Stat. §14-4 or by equitable relief as provided for in N.C. Gen. Stat. §160A-175(d).
(Ordinance Adopted April 2014 & Amended April 6, 2023)

Chapter 63 - Yard Sales

- 63.01 Definition
- 63.02 Regulations
- 63.03 Permits
- 63.04 Consignment Prohibited
- 63.05 Signs
- 63.06 Number of Sales & Hours of Operation
- 63.07 Unowned Premises
- 63.08 Coverage
- 63.09 Penalties

§ 63.01 DEFINITION

- (A) "Yard Sale" or "garage sale" as used in this ordinance refers to a display and sale from residential, business properties and non -profit organizations of personal property which has been owned or previously used. The term "yard sale" does not include the mere incidental sale of one or two items of personal property when such sale is not part of a general sale of a number of items of personal property.
- (B) "Goods" is meant to include any goods, wears, merchandise or any other property capable of being the object of or sale regulated.

§ 63.02 REGULATIONS

No person shall conduct any "yard sale" or "garage sale" without first obtaining a permit from the Town. All such sales shall be subject to the following rules and regulations:

§ 63.03 PERMITS

All persons conducting such a sale shall obtain a permit therefore from the Clerk or Administrative Assistant of the Town of Stedman. The permit fee is in the amount of \$10.00.

§ 63.04 CONSIGNMENT SALES PROHIBITED

No one shall accept or take in for sale, any goods from any commercial business or enterprise on a consignment basis for sale in a "yard sale".

§ 63.05 SIGNS

Two off-site directional signs may be permitted, but only during the hours the sale is actively being conducted. Off-site signs must be removed at the close of the sale activities, or by the end of daylight, whichever occurs first, each day of the sale. No freestanding signs may be placed in the public right-of-way. Signs may not, in any way, obstruct the flow of traffic, or the view of motorists either on the road or attempting to access the road.

§ 63.06 NUMBER OF SALES ALLOWED/HOURS OF OPERATION

Not more than four (4) such sales per year shall be held at the premises if occupied by the same family or any member of the family. No single sale shall be conducted for longer than one day.

"Yard Sales" or "garage sales" may be conducted during daylight hours only, between the hours of 6:00 am to 6:00 pm.

§ 63.07 UNOWNED PREMISES

(A) No "yard sale or "garage sales" shall be permitted on premises not owned or controlled by the person(s) holding the sale, unless the property owner purchases the permit.

(B) No "yard sale" shall be permitted on vacant lots within the Town Limits.

§ 63.08 COVERAGE

The provisions of this ordinance shall not apply to or affect persons selling goods pursuant to an order of a Court of competent jurisdiction or persons acting in accordance with their powers and duties as public officials.

§ 63.09 PENALTIES

(A) Violation of any provision of this ordinance shall subject the offender to a civil penalty in the amount of \$50.00 to be recovered by the Town.

(B) Violators shall be issued a written citation which must be paid in 72 hours. Each days continuing violation of this ordinance shall be a separate and distinct offense.

Chapter 64 - Youth Curfew

§ 64.00 YOUTH CURFEW

The Stedman Board of Commissioners adopts through incorporation by reference the *Cumberland County Firearms Ordinance*, Section 9.5-100 et seq. of the Cumberland County Code, in its entirety, *(Adopted by Stedman December 4, 2014)*.

Chapter 65 - Firearms

§ 65.00 FIREARMS

The Stedman Board of Commissioners adopts through incorporation by reference the *Cumberland County Firearms Ordinance*, Section 9.5-121 et seq. of the Cumberland County Code, in its entirety, *(Adopted by Stedman December 4, 2014)*.

Chapter 66 - Parades – RESERVED

66.00

Chapter 67 - False Alarms – RESERVED

67.00

Chapter 68 - Ball Playing

BALL PLAYING & PLACEMENT OF BACKBOARDS ON STREETS

In order to protect the safety of our citizens and, in particular, our children, it shall be unlawful for any person to place any goal, backboard, or net apparatus incidental to ball playing on the streets, sidewalks, or alleys of the Town in a manner that affects or interferes with pedestrian or motor vehicle traffic.

(Adopted October 2017)

Chapter 69 - Parks

- 69.01 Purpose
- 69.02 Hours of Operation
- 69.03 Reservation of Park Facilities
- 69.04 Prohibited Conduct, Uses and Activities
- 69.05 General Rules & Regulations
- 69.06 Enforcement

§ 69.01 PURPOSE

This ordinance shall regulate the use and occupancy and the conduct of persons in the Stedman Ernest Freeman Park and all recreation areas owned by the Town of Stedman.

§ 69.02 HOURS OF OPERATION

The Stedman Ernest Freeman Park and recreation areas shall be open to the public between dawn and dusk. It shall be unlawful for any person to use or inhabit the park or recreation area at any time other than the hours that the park or recreation area is open to the public, unless the Town Board of Commissioners grants special permission.

Any section or part of any public recreation area may be declared closed to the public by the Town at any time and or any interval of time, either temporarily or at regular and started intervals and to certain users.

§ 69.03 RESERVATION OF PARK FACILITIES

Park facilities that may be reserved are picnic shelters. The playground area may not be reserved and must remain open to the public during hours of park operation. Information regarding facility reservations, policies and rules can be obtained at the Town Hall.

§ 69.04 PROHIBITED CONDUCT, USES AND ACTIVITIES

(A) Advertising

It shall be unlawful for any person to place or erect any structure, sign, or poster or advertising device of any kind whatever in any recreation facility, or to attach any notice, sign, poster, wire, rod, chain, or cord to any tree, shrub, fence or structure within any park, unless special permission is granted by the Town Board of Commissioners.

(B) Alcoholic Beverages and Narcotic Drugs

It shall be unlawful for any person to bring upon, possess, consume, display or sell any beer, wine, malt or alcoholic beverage containing more than one percent of alcohol or narcotic drugs in the park or recreation area; and it shall be unlawful for any person under the influence of the above listed beverages to enter or remain within the park or recreation area.

(C) Animals Running at Large

It shall be unlawful for anyone to allow or permit dogs or other animals to be in the park or recreation area at any time.

(D) Skateboards, Inline Skates & Similar Toy Vehicles

It shall be unlawful for any person to operate or ride a skateboard, toy vehicle, coaster scooter, inline

skates, rollerblades, or similar device within all parks and recreation areas, including parking areas.

(E) *Destruction of Recreation Area Property*

It shall be unlawful for any person to remove, destroy, mutilate, or deface any structure, planter, fountain, wall, fence, railing, vehicle, bench, picnic table, tree, plant, paving or paving materials, signs, notices or placards, whether temporary or permanent, stakes, posts, or other structures of equipment, facilities or property or appurtenances whatsoever, either real or personal. It shall also be unlawful for any person to dig otherwise disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of any area.

(F) *Dumping/Littering*

It shall be unlawful for any person to dump, deposit or leave any bottles, broken glass, ashes, paper boxes, cans, dirt, rubbish, garbage or refuse, or other trash in a public recreation area. Such refuse, rubbish and waste shall be deposited in receptacles so provided. Where receptacles are not provided, all such refuse, rubbish or waste shall be carried away from the public recreation area by the person responsible for its presence and properly disposed of elsewhere.

(G) *Firearms, fireworks, golf balls etc.*

It shall be unlawful for any person, except duly authorized law enforcement officers in the course of their duty to carry any firearms or dangerous weapons of any nature, including but not limited to archery equipment, air rifles, toy pistols, toy guns, or any other toy arms designed to forcibly hurl a projectile of missile at any time or under any circumstances, within a public recreation area. The use of fireworks of any type is expressly prohibited. It shall be unlawful for any person to hit golf balls within any public recreation area.

(H) *Fires and Grills*

It shall be unlawful for any person to make a fire in any park except in a park grill. Permission must be granted by the town for a personal grill to be in the park or recreation area. It shall be unlawful for any person to leave any grill unattended, or to fail to completely extinguish a fire and all the embers before leaving such fire.

(I) *Personal Conduct*

It shall be unlawful for any person to use any profane, boisterous, or insulting language or to be guilty of disorderly conduct of any kind in the town park or recreation area. It shall be unlawful for any person to make or cause to be made any loud, disturbing or unnecessary noises in the park or recreation area except normal cheering and applauding during the progress of a duly authorized activity.

(J) *Selling, Peddling, etc.*

It shall be unlawful for any person to engage in soliciting, peddling, begging, or selling of any description in the park or any recreation area, unless special permission is granted by the Town Board of Commissioners.

(K) Unattended Minors

It shall be unlawful for any child age 12 or under to be in any public park without the supervision of an adult.

(L) Vehicles in Recreation Areas

It is unlawful for any person to drive or propel any motor vehicle, mini-bike, motorcycle, or other vehicle in, over or through any recreational area, except in the paved park roads or designated parking area only. It shall be unlawful for any person to park or permit any vehicle to be parked in any recreation areas, unless the Town Board grants special permission.

(M) Camping

It shall be unlawful for any person to set up tents, shacks, or any other temporary shelter for the purpose of overnight camping, nor shall any person leave in the park after closing hours any movable structure or special vehicle to be used or that could be used for such purpose, such as a camper/trailer, house trailer, or the like.

(N) Wildlife

It shall be unlawful for any person to trap, catch, wound or kill or cause to be injured, treat cruelly, tease or attempt trap, catch, wound or kill or tease any wildlife in the park or recreation area owned by the Town.

§ 69.04 GENERAL RULES AND REGULATIONS

The Town of Stedman Board of Commissioners has the authority and responsibility to establish general rules and regulations governing the use and/or rental of public recreational facilities by duly adopted resolution.

A copy of this ordinance and any rules and regulations governing the use and/or rental of public recreational facilities may be obtained at the Town Hall. A violation of any rules and regulations shall constitute a violation of this ordinance.

§ 69.05 ENFORCEMENT

(A) Authority to Eject Person(s)

Violation of park rules or abuse of property may result in expulsion with denial of future use and reservation privileges and assessment of costs to clean and repair. Any law enforcement officer or any authorized town employee shall have the authority to eject from any public recreation area any person acting in violation of this ordinance.

(B) Criminal Penalty

Any person who shall violate the provisions of this ordinance shall be guilty of a misdemeanor

punishable by a fine of not more than \$1000.00 or imprisonment for not more than thirty (30) days, or both, at the discretion of the court, as provided in Section 14-4 of the General Statutes of North Carolina. In case of a violation by a minor, the parent(s) or guardian shall be issued the citation.

(C) *Civil Penalty:*

Any person who shall violate the provisions of this ordinance shall be subject to a civil penalty of \$500.00 for each separate offence. In case of a violation by a minor, the parent(s) or guardian shall be responsible for the penalty.

CHAPTER 70: BUSINESS REGULATIONS

Chapter 70 - Smoke & Vape Shops

- 70.01 Definitions
- 70.02 General Regulations
- 70.03 Enforcement

§ 70.01 DEFINITIONS

For the purposes of this Ordinance, the following terms shall have the following meanings:

- (A) ***Additional line of devices*** shall refer to the following four separate lines of devices:
 - (1) Grinders;
 - (2) Any storage devices with false or hidden compartments commonly associated with tobacco, vaping or drug use;
 - (3) Weighing devices commonly associated with tobacco, vaping, or drug use; and
 - (4) Torch lighters.
- (B) ***Alternative nicotine product*** shall mean any noncombustible product containing nicotine or any other chemical, substance, drug, or other harmful additive that is intended for human consumption, whether chewed, absorbed, or ingested by any other means.
- (C) ***Minor*** means any person who is under the age of 18 years.
- (D) ***Non-traditional tobacco paraphernalia*** shall mean non-traditional instruments designed to facilitate the smoking, consumption, or ingestion of tobacco, nicotine, chemicals, substances, drugs, or other harmful additives in any form (such as bongs, hookah pipes, or faux jewelry, bracelets, or necklaces commonly associated with tobacco, vaping, or drug use, with one purpose of such items being the inhalation or ingestion of tobacco or drugs; provided, however, that the term "non-traditional tobacco paraphernalia" shall exclude products that contain nicotine, tobacco products, cigarette papers, or other products, devices, or substances used for the purpose of making tobacco cigarettes; provided further that said term shall also not include any item for which the sale and/or use of the same is regulated under state or federal law.
- (E) ***Person*** shall mean and refer to any individual, natural person, partnership, firm, corporation, joint venture, proprietorship, business entity, association, agency, group, organization or group of

persons or any other entity.

- (F) **Smoking and Vape Shop** shall mean a business establishment, the main purpose of which is the sale of smoking and e-cigarettes, and vapes, smoking, e-cigarette and vape products, and accessories for such products, that receives no less than seventy-five percent (75%) of its total annual revenues from the sale of smoking, e-cigarettes and vapes, smoking, e-cigarette and vape products, and accessories for such products.
- (G) **Tobacco product** means any cigarettes, cigars, little cigars, smoking tobacco, fine-cut and other chewing tobaccos, and other forms and kinds of tobacco, prepared in such a manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking. The term "tobacco product" shall not include any alternative nicotine product, vapor product, or product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Food, Drug, and Cosmetic Act.
- (H) **Vape juice** shall refer to any liquid that can be used for vaping by means of an alternative nicotine product or vapor product.
- (I) **Vaping** shall mean the ingestion or inhalation of vape juice from an alternative nicotine product or vapor product.
- (J) **Vape product** means any noncombustible product containing nicotine or any other chemical, substance, drug or other harmful additive that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from said nicotine, chemical, substance, drug or other harmful additive in a solution or other form. The term "vapor product" shall include, but in no way be limited to, any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of nicotine, chemical substance, drug, or harmful additive in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device.

§ 70.02 GENERAL REGULATION OF BUSINESS OPERATIONS

In order to protect the safety of our citizens and, in particular, our children, it follows that:

- (A) No person or employee of any person shall sell or permit to be sold any item of non-traditional tobacco paraphernalia to any person who is a minor, either directly or indirectly.
- (B) Code Enforcement Officers for Cumberland County and/or the Town of Stedman shall have the authority to inspect any business and premises subject to this Ordinance during the hours when said business is open for business. These inspections shall be made for the purpose of verifying compliance with the requirements of this Ordinance and state law. This section is not intended to limit the authority of any other municipal, county, state or federal officer to conduct inspections authorized by other provisions of law.
- (C) No tobacco products, alternative nicotine products, vape juice, vape products, and/or non-

traditional tobacco paraphernalia shall be sold in premises that are in or within 100 yards of any church building, or on any property owned or leased to a church, or in or within one (1) mile of any school building, educational building, school grounds, or on any property owned or leased to a public or private school or school board for elementary or secondary education.

§ 70.03 ENFORCEMENT

Any person or employee of any person who violates any of the provisions of this Ordinance shall be subject to criminal prosecution pursuant to N.C.G.S. §14-4 and/or the imposition of a civil penalty in the amount of \$100.00. Each violation of this article shall constitute a separate violation subject to a separate citation and penalties.

