

Sec. 30-254. - Remedies for violations.

Any one or all of the following remedies may be used to enforce the provisions of this chapter:

- (1) *Injunction.* Any violation of this chapter or of any condition, order, or requirement adopted pursuant hereto may be restrained, corrected, abated, mandated, or enjoined by application to the appropriate division of the general court of justice for a mandatory or prohibitory injunction and order of abatement commanding the violator to correct the unlawful condition upon or cease the unlawful use of the property.
- (2) *Civil penalties.* Unless otherwise specifically provided, any person who violates any provision of this chapter shall be subject to the assessment of a civil penalty under the procedures provided in this article.
- (3) *Denial of permit or certificate.* The enforcement officer may withhold or deny any permit, certificate, occupancy authorization, or other form of authorization regarding any land, building, sign, structure or use in or on which there is an uncorrected violation of a provision of this chapter or of a condition or qualification of a permit, certificate, or other authorization previously granted.
- (4) *Conditional permit or temporary certificate.* The enforcement officer may condition the authorization of any permit or certificate upon the correction of a noticed deficiency, payment of assessed civil penalties, or the posting of a compliance security approved by appropriate governmental authority.
- (5) *Stop work orders.* Whenever a building, sign, or structure, or part thereof is being constructed, reconstructed, altered, or repaired in violation of this chapter, the enforcement officer may order the work to be immediately stopped. The stop order shall be in writing and directed to the owner, occupant, or person doing the work. The stop order shall state the specific work to be stopped, the specific reasons for the stoppage, and the conditions under which the work may be resumed. Such action shall be in accordance with G.S. 160A-421, as applicable, or the state building code.
- (6) *Revocation of permits.* The enforcement officer may revoke and require the return of a permit or by notifying the permit holder in writing stating the reason for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, or specifications upon which the same was granted, refusal or failure to comply with the requirements of state or local laws applicable thereto, or for false statements or misrepresentations made in securing such permit. Any permit mistakenly issued in violation of an applicable state or local law, ordinance, or certificate may also be revoked.
- (7) *Criminal penalties.* Any violation of this chapter pertaining to unsafe building conditions shall be a misdemeanor or infraction as provided by G.S. 14-4, subject to a maximum fine of \$500.00, and may be prosecuted in the the appropriate division of the general court of justice.
- (8) *Cumulative violations.* All such remedies provided herein shall be cumulative, and this chapter may be enforced by any one, all, or a combination of the remedies authorized and prescribed by this section, including simultaneous enforcement by two or more of such remedies. To the extent that state law may limit the availability of a particular remedy set forth herein for a certain violation or a part thereof, such remedy shall remain available for other violations or other parts of the same violation.
- (9) *State and common law remedies.* In addition to other enforcement provisions contained in this article, the town council may exercise any and all enforcement powers granted to it by state law or common law.
- (10) *Previous enforcement.* Nothing in this chapter shall prohibit the continuation of previous enforcement actions.

(Ord. of 11-10-2016)