New Business

**Department:** Legal Dept.  
**Presenter(s):** Michael Frue/Brandon Freeman

**Contact(s):** Michael Frue/Brandon Freeman

**Subject:** An Ordinance Amending the Enforcement Provisions of Certain County Ordinances to Comply with Session Law 2021-138

**Brief Summary:**

On August 25, 2021, the North Carolina General Assembly enacted Session Law 2021-138, which prohibited criminal penalties for certain local ordinance violations, removed the legal presumption that local ordinances violations constituted misdemeanor offenses and required local governments to specify which violations of its ordinances constitute misdemeanor offenses, and provided new defenses for persons changed with criminal violations of local ordinances.

The County Legal Department has worked with the County officials who administer the County’s Code of Ordinances to draft suggested amendments to the County’s Code of Ordinances that bring it in line with Session Law 2021-138, approximately thirty revisions in all.

**Recommended Motion & Requested Action:** Enact the Ordinance Amending the Enforcement Provisions of Certain County Ordinances to Comply with Session Law 2021-138. This will require introduction at the first meeting and enactment at a subsequent meeting (Session Law 2021-138 mandates that “no ordinance specifying a criminal penalty may be enacted at the meeting in which it is first introduced.”).

**County Manager’s comments and Recommendation:** County Manager recommends approval.