

TITLE VII: TRAFFIC CODE

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CHAPTER 70: GENERAL PROVISIONS

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Cross-reference:

Junked and abandoned motor vehicles, see Ch. 93
Motor vehicle noise, see § 90.15(B) and (C)

GENERAL PROVISIONS

§ 70.01 DEFINITIONS.

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

AUTHORIZED EMERGENCY VEHICLE. Vehicles of the Fire Department, police vehicles and ambulances designated or authorized by the Chief of Police.

BUSINESS DISTRICT. The territory contiguous to a road or a street when 50% or more of frontage thereon for a distance of 300 feet or more is occupied by buildings in use for business.

CROSSWALK.

(1) The portion of a roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections.

(2) Any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

INTERSECTION. The area embraced within the prolongation of the lateral curb lines or the lateral boundary lines of two or more streets which join one another at an angle whether or not one highway crosses the other.

MOTOR VEHICLE. Every vehicle which is self-propelled.

OFFICIAL TRAFFIC CONTROL DEVICES. All signs, signals, markings and devices not inconsistent with this title placed or erected by authority of the Board of Commissioners or the official having jurisdiction, for the purposes of regulating, warning or guiding traffic.

PARK. The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

POLICE OFFICER. Every officer of the Police Department or any officer authorized to direct or regulate traffic or to make arrests for violation of traffic regulations.

RESIDENCE DISTRICT. The territory contiguous to a street or a highway not comprising a business district when the frontage on the street or highway for a distance of 300 feet or more is mainly occupied by dwellings.

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

ROADWAY. The portion of a street improved, designed or ordinarily used for vehicular travel.

SIDEWALK. The portion of a street outside the curb lines or the lateral lines intended for the use of pedestrians.

STANDING. A vehicle's being stopped in a roadway whether the vehicle is occupied or not.

STOP. When required, means complete cessation of movement.

STOP or STOPPING. When prohibited, means any stopping of a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control signal.

(Prior Code, § 70.01)

§ 70.02 OBEDIENCE TO POLICE.

No person shall willfully fail or refuse to comply with any lawful order or direction by a police officer.

(Prior Code, § 70.02) Penalty, see § 70.99

§ 70.03 AUTHORITY OF POLICE IN SPECIAL CASES.

In the event of a fire or other emergency or when necessary to expedite traffic or safeguard pedestrians, police officers may direct traffic as conditions may require, notwithstanding other provisions of this title.

(Prior Code, § 70.03)

§ 70.04 PUBLIC EMPLOYEES TO OBEY TRAFFIC REGULATIONS.

The provisions of this title shall apply to the driver of any vehicle owned by or used in the service of the United States government, the state, county or town and no driver shall violate any of the provisions of this title, except as otherwise permitted in this title or by state statute.

(Prior Code, § 70.04) Penalty, see § 70.99

§ 70.05 VIOLATIONS.

(A) *Citation of motor vehicle.* The Police Department shall have the authority to place upon any motor vehicle a traffic citation for violation of any of the provisions of this title.

(B) *Issuance of arrest warrant for failure to pay penalty.* If any person refuses or neglects to pay the penalty prescribed by § 70.99, the Police Department shall immediately issue a warrant for the arrest of the owner of the motor vehicle for the violation specified in the citation.

(Prior Code, § 70.98)

REGISTRATION OF MOTOR VEHICLES

§ 70.20 LICENSE REQUIRED.

Every resident motor vehicle operated in the town, except motor vehicles temporarily operated for a period of time not exceeding a total of 14 days during any one year and except motor vehicles operated for display or exhibition purposes by manufacturers or dealers and displaying state dealers' license plates listed on county abstracts, shall be registered with the Town Clerk in accordance with the provisions of state law related to town licensing.

(Prior Code, § 70.20) Penalty, see § 70.99

§ 70.99 PENALTY.

(A) If any person shall violate any provision of this traffic code for which another penalty is not already provided, he or she shall be responsible for an infraction and shall be required to pay a penalty of not more than \$50.

(G.S. § 14-4(b)) (Prior Code, § 70.99)

(B) Any person cited for a violation shall pay a penalty of \$5 to the Police Department or to the Town Clerk's office for each violation; provided that, the citation is paid within 24 hours.

(Prior Code, § 70.98)

CHAPTER 71: TRAFFIC REGULATIONS

Section

- 71.01 Obedience; signs required in certain cases
- 71.02 No-turn signs and turning markers
- 71.03 No-parking zone and safety zone markers
- 71.04 Speed limits

§ 71.01 OBEDIENCE; SIGNS REQUIRED IN CERTAIN CASES.

(A) The driver of every vehicle shall obey the directions of any applicable official traffic control device placed in accordance with this chapter, unless otherwise directed by a police officer and subject to the exceptions granted the driver of an authorized emergency vehicle.

(B) (1) No provision of this chapter for which signs are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official sign was not in proper position and sufficiently legible to an ordinarily observant person.

(2) Whenever a particular section does not state that signs are required, the section shall be effective without signs being placed to give notice thereof.

(Prior Code, § 71.01) Penalty, see § 70.99

§ 71.02 NO-TURN SIGNS AND TURNING MARKERS.

When authorized signs are placed, erected or installed indicating that no right or left or “U” turn is permitted, no driver of a vehicle shall disobey the directions of any sign and, when authorized markers or other indications are placed within an intersection indicating the course to be traveled by vehicles traversing or turning there, no driver of a vehicle shall disobey the directions of the indications.

(Prior Code, § 71.02) Penalty, see § 70.99

§ 71.03 NO-PARKING ZONE AND SAFETY ZONE MARKERS.

When authorized signs or markings are placed, erected or installed indicating no-parking zones or

safety zones, no driver of a vehicle shall disobey the regulations concerning those zones.
(Prior Code, § 71.03) Penalty, see § 70.99

§ 71.04 SPEED LIMITS.

No vehicle shall be operated on any street of the town in the business sections at a rate of speed exceeding 20 mph; provided that, at no time shall the speed be greater than is reasonable and prudent under the conditions then existing. The speed limit on state highways and streets in residential sections shall be 35 mph unless otherwise posted.

(Prior Code, § 71.04) Penalty, see § 70.99

CHAPTER 72: STOPPING, STANDING, AND PARKING

Section

- 72.01 Stopping vehicles in street
- 72.02 Stop intersections
- 72.03 Parking prohibited in certain places
- 72.04 Twenty-four hour parking zones
- 72.05 Two-hour parking zones
- 72.06 Ten-minute parking zones
- 72.07 Parking trucks over one and one-half tons on streets or public parking lots
- 72.08 Stands for specified purposes
- 72.09 Parking with left side to curb prohibited in business district
- 72.10 Parking within lines
- 72.11 Parking for certain purposes prohibited

- 72.99 Penalty

Cross-reference:

Parking Schedules, see Ch. 74

§ 72.01 STOPPING VEHICLES IN STREET.

No vehicle shall stop in any street, except for the purpose of parking as prescribed in this chapter or of discharging passengers unless the stop is made necessary by the approach of fire apparatus, by the approach of funeral or other procession which is given the right-of-way, by the stopping of a public conveyance, by the lowering of railway gates, by the giving of traffic signals, by the passing of some other vehicle or a pedestrian or by some emergency; and, in any case covered by these exceptions, the vehicles shall stop so as not to obstruct any footway, pedestrian aisle, safety zone, crossing or street intersection if it can be avoided.

(Prior Code, § 72.01) (Ord. passed - -) Penalty, see § 72.99

§ 72.02 STOP INTERSECTIONS.

When stop signs are placed, erected or installed at those intersections indicated on the official traffic map as stop intersections, every driver of a vehicle shall stop in obedience to the signs before entering the intersection and shall not proceed into or across the through street until he or she can do so without interfering with traffic or pedestrians in or approaching the intersection.

(Prior Code, § 72.02) (Ord. passed - -) Penalty, see § 72.99

§ 72.03 PARKING PROHIBITED IN CERTAIN PLACES.

When signs are placed, erected or installed indicating a reserved parking zone, no-parking zone or the curbing has been painted yellow in lieu of the signs at locations indicated on the official traffic map as no-parking zones, no person shall park a vehicle at any time in those locations.

(Prior Code, § 72.03) (Ord. passed - -) Penalty, see § 72.99

§ 72.04 TWENTY-FOUR HOUR PARKING ZONES.

(A) When signs are placed, erected or installed in any municipally owned parking lot giving notice of 24-hour parking at locations indicated on the official traffic map as 24-hour parking zones, no person shall park a vehicle for longer than 24 hours.

(B) Changing the position of a vehicle from one point directly to another point within the same parking lot shall be deemed as one continuous parking period.

(Ord. passed - -) Penalty, see § 72.99

§ 72.05 TWO-HOUR PARKING ZONES.

(A) When signs are placed, erected or installed in each block giving notice of two-hour parking at locations indicated on the official traffic map as two-hour parking zones, no person shall park a vehicle for longer than two hours between the hours of 6:00 a.m. and 6:30 p.m. in those locations, except on Sundays and public holidays.

(B) Changing the position of a vehicle from one point directly to another point within the same block shall be deemed one continuous parking period.

(Prior Code, § 72.04) (Ord. passed - -) Penalty, see § 72.99

§ 72.06 TEN-MINUTE PARKING ZONES.

(A) When signs are placed, erected or installed in each block giving notice of ten minute parking at locations indicated on the official traffic map as ten-minute parking zones, no person shall park a vehicle for longer than ten minutes in the locations.

(B) Changing the position of a vehicle from one point directly to another point within the same

areas shall be deemed one continuous parking period.
(Prior Code, § 72.05) (Ord. passed - -) Penalty, see § 72.99

§ 72.07 PARKING TRUCKS OVER ONE AND ONE-HALF TONS ON STREETS OR PUBLIC PARKING LOTS.

No person shall park any vehicle of one and one-half tons or over on the public streets or public parking lots for a longer period of time than one hour, and this time must be used in the actual loading and unloading of the vehicle. Where, in the opinion of the Police Department, it is necessary to park the vehicles on the street for a longer period of time, the Police Department may grant the permission; provided that, a member of the Police Department is at the scene of the loading or unloading of the vehicle. If, however, this causes undue hardship to anyone or if a proper complaint is filed, then the Police Department shall immediately cause the vehicle to be moved.

(Prior Code, § 72.06) (Ord. passed - -; Ord. passed 5-22-1963) Penalty, see § 72.99

§ 72.08 STANDS FOR SPECIFIED PURPOSES.

Those streets or parts of streets designated on the official traffic map as stands shall be reserved for the purposes specified on the map and no person shall park a vehicle therein, except those for which the space has been designated.

(Prior Code, § 72.07) (Ord. passed - -) Penalty, see § 72.99

§ 72.09 PARKING WITH LEFT SIDE TO CURB PROHIBITED IN BUSINESS DISTRICT.

No vehicle shall stop with its left side to the curb in the business district; except that, on one-way streets vehicles shall stop headed in the direction of traffic.

(Prior Code, § 72.08) (Ord. passed - -) Penalty, see § 72.99

§ 72.10 PARKING WITHIN LINES.

On any street, which is marked off with lines indicating the parking spaces for cars, the same shall be parked between the lines.

(Prior Code, § 72.09) (Ord. passed - -) Penalty, see § 72.99

§ 72.11 PARKING FOR CERTAIN PURPOSES PROHIBITED.

No person shall stand or park a vehicle upon any street for the principal purpose of:

- (A) Displaying it for sale;

(B) Washing, greasing or repairing the vehicle, except repairs necessitated by an emergency;

(C) Storage thereof by garages, dealers or other persons when the storage is not incident to the bona fide use of operation of the automobile or other vehicles;

(D) Storage of any detached trailer or van when the towing unit has been disconnected or for the purpose of transferring merchandise, or freight, from one vehicle to another; and/or

(E) Advertising of any kind.

(Prior Code, § 72.10) (Ord. passed - -) Penalty, see § 72.99

§ 72.99 PENALTY.

(A) Any motor vehicle parked in violation of this chapter may be issued a \$10 penalty payable within ten days to the Town Clerk. If payment is not made within ten days, the charges shall constitute a lien against any vehicle.

(B) Any motor vehicle not moved within 24 hours of the issuing date and time of the initial \$10 penalty will be removed by the Police Department and stored in a safe place.

(C) Any motor vehicle parked in violation of this chapter may be towed away and stored in some garage or other suitable place until such time as the owner or other person, proving himself or herself to be entitled to the possession thereof shall request the vehicle to be released from storage; provided that, a charge for towing and storing the vehicle in an amount established from time to time by the Board of Commissioners and filed in the office of the Town Clerk shall first be paid. If the vehicle shall remain stored more than 24 hours, an additional charge in an amount established from time to time by the Board of Commissioners and filed in the office of the Town Clerk for each additional 24 hours or any fraction thereof shall be paid. The charges shall constitute a lien against any vehicle.

(D) Vehicles parked in violation of the parking requirements of this chapter shall be removed by the Police Department and stored in a safe place. The owner shall be required to pay all towing and storage charges in order to recover the vehicle. The town and police officer shall incur no liability for any damage done to the vehicle in being towed away and stored.

(Ord. passed - -)

CHAPTER 73: MOTORCYCLES, BICYCLES, AND TOY VEHICLES

Section

- 73.01 Clinging to moving vehicles
- 73.02 Riding on handlebars
- 73.03 Riding on sidewalks or without hands on handlebars
- 73.04 Use of coasters, roller skates and the like
- 73.05 Helmets required

- 73.99 Penalty

Cross-reference:

Curfew for minors, see § 130.02

§ 73.01 CLINGING TO MOVING VEHICLES.

No person who is riding upon any bicycle, motorcycle, coaster, sled, roller skate or any toy vehicle shall attach the same or himself or herself to any public conveyance or moving vehicle upon any roadway.

(Prior Code, § 73.01) Penalty, see § 73.99

§ 73.02 RIDING ON HANDLEBARS.

The operator of any motorcycle or bicycle, when upon a street, shall not carry any person upon the handlebar, frame or tank of the vehicle, nor shall any person so ride upon the vehicle.

(Prior Code, § 73.02) Penalty, see § 73.99

§ 73.03 RIDING ON SIDEWALKS OR WITHOUT HANDS ON HANDLEBARS.

No person shall ride a bicycle or motorcycle on any street without having his or her hands upon the handlebars, nor shall any person ride a bicycle on any sidewalk within the town.

(Prior Code, § 73.03) Penalty, see § 73.99

§ 73.04 USE OF COASTERS, ROLLER SKATES AND THE LIKE.

No person who is upon roller skates or is riding on or by means of any coaster, toy vehicle or similar device shall go upon any roadway, unless to cross a street at a crosswalk or intersection and except upon streets set aside as play streets.

(Prior Code, § 73.04) Penalty, see § 73.99

§ 73.05 HELMETS REQUIRED.

(A) All persons under the age of 16 who operate a bicycle on a public street or right-of-way or on any property owned and operated by the town shall wear a helmet which is securely fastened under the chin and which meets the:

(1) Standards established by the American National Standards Institute (ANSI); or

(2) Standards established by the Snell Memorial Foundation's 1984 standards for protective headgear.

(B) No person shall operate a bicycle on a public street or right-of-way or on any property owned and operated by the town which is equipped to hold two or more persons unless all passengers under the age of 16 wear a helmet which is securely fastened under the chin and which meets the specifications outlined in division (A) above.

(Ord. OR-99, passed 1-12-1999) Penalty, see § 73.99

§ 73.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 70.99.

(B) The first violation of § 73.05 shall be dismissed upon the submission by the offender of proof of purchase of protective gear meeting the standards described herein. Any subsequent violation shall subject the offender to a civil penalty not to exceed \$50. If the offender is under the age of 16, the parent, guardian or custodian of the offender shall be responsible for payment of the civil penalty.

(Ord. OR-99, passed 1-12-1999)

CHAPTER 74: PARKING SCHEDULES

Schedule

- I. Parking time limited on certain streets
- II. Parking prohibited at all times

SCHEDULE I. PARKING TIME LIMITED ON CERTAIN STREETS.

Parking is limited to certain times on the following streets:

<i>Street</i>	<i>Location</i>	<i>Side(s)</i>	<i>Times</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Queen Street	From Church Street to the post office	South	2-hour limit from 8:00 a.m. to 5:00 p.m.	-	--
Queen Street	From Pitt Street to the post office	North	2-hour limit from 8:00 a.m. to 5:00 p.m.	-	--

(Prior Code, Ch. 74, Sch. I) Penalty, see § 70.99

SCHEDULE II. PARKING PROHIBITED AT ALL TIMES.

Parking is prohibited at all times on the following streets:

<i>Street</i>	<i>Location</i>	<i>Side(s)</i>	<i>Times</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Highland Avenue	From Main Street to Contentnea Bridge	East	All	-	11-13-1977

(Prior Code, Ch. 74, Sch. II) Penalty, see § 70.99