

## Chapter 28

### TRAFFIC AND VEHICLES\*

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\* **Cross References:** Any ordinance prescribing specific traffic regulations for streets such as speed limits or one-way streets saved from repeal, § 1-6(13); transportation of radioactive substances, § 14-101 et seq.; riding on fire apparatus prohibited, § 16-1; streets, sidewalks and other public places, ch. 24.

**State Law References:** Authority to control, regulate, etc., traffic, G.S. 160A-300.

## ARTICLE I. IN GENERAL

### Sec. 28-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Authorized emergency vehicles* means vehicles of the fire department, police vehicles, ambulances and such other vehicles as are designated or authorized by the chief of police.

*Block* means the length of that portion of any street which is located between two street intersections.

*Crosswalk* means that portion of a roadway which lies between the prolongation of the lateral sidewalk or boundary lines over an intersection, or any portion of a roadway distinctly indicated by lines or other markings on the surface for pedestrian crossing.

*Driver* means every person who drives or is in actual physical control of a vehicle.

*Intersection* means the area embraced within the prolongation of the lateral curblines or, if none, then the lateral boundary lines of two or more streets which join one another at any angle whether or not one such street crosses the other.

*Motor vehicle* means every vehicle which is self-propelled, including those that are propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

*Official traffic control devices* means all signs, signals, markings and devices not inconsistent with this chapter placed or erected by authority of the city council or the official having jurisdiction for the purpose of regulating, warning or guiding traffic.

*Official traffic signals* means any device, whether manually or automatically operated, by which traffic is alternately directed to stop and to proceed.

*Park* means the standing of a vehicle whether occupied or not other than temporarily for the purpose of loading or unloading.

*Pedestrian* means any person afoot.

*Police officer* means every officer of the city police department or any officer authorized to direct traffic or to make arrests for violation of traffic regulations.

*Railroad* means a carrier of persons or property with cars operated on stationary rails.

*Railroad train* means a steam engine, electric or other locomotive with or without cars coupled thereto operated upon rails.

*Sidewalk* means that portion of a street between the curblines or the lateral lines of a roadway and the adjacent property lines, exclusively intended for the use of pedestrians.

*Street or highway* means the entire area between lateral property lines which is open to the use of the public as a matter of right for purposes of vehicular traffic.

*Traffic* means pedestrians, ridden or herded animals, vehicles, street cars and other conveyances either singly or together while using any street for purposes of travel.

(Code 1973, § 13-1)

**Cross References:** Definitions generally, § 1-2.

**State Law References:** Similar definitions, G.S. 20-38.

### Sec. 28-2. Violations of state law.

Any violation of a provision of the state motor vehicle law within the city shall be deemed a misdemeanor and punished as provided in section 1-11.

(Code 1973, § 13-5)

### Sec. 28-3. Direction of traffic by police in emergency.

Upon a fire or other emergency or when it is necessary to expedite traffic or to safeguard pedestrians, police officers may direct traffic as conditions require, notwithstanding the provisions of this chapter.

(Code 1973, § 13-2)

### Sec. 28-4. Applicability of chapter to push carts, bicycles and animal-drawn vehicles.

Every person propelling any push cart or riding a bicycle or an animal upon a roadway and every person driving any animal-drawn vehicle shall be subject to the provisions of this chapter which are applicable to any driver of any vehicle, except those provisions of this chapter which by their very nature can have no application.

(Code 1973, § 13-3)

**Sec. 28-5. Police cards on unattended vehicles in violation of chapter.**

In cases of violation of any section of this chapter by drivers or occupants of vehicles who have left the vehicle unattended, police cards designating the ordinance violated attached to the vehicle shall constitute legal summons to appear at court and shall in all respects be as effective as a personal summons.  
(Code 1973, § 13-4)

**Secs. 28-6--28-35. Reserved.**

**ARTICLE II. OPERATION OF VEHICLES\***

\* **State Law References:** Operation of vehicles and rules of the road, G.S. 20-138.1 et seq.

**Sec. 28-36. Truck routes.**

When signs have been erected designating certain streets or portions of streets as truck routes, as indicated on the official traffic maps of the city, persons operating trucks shall proceed only as directed by such signs.  
(Code 1973, § 13-6)

**Sec. 28-37. Streets designated for passenger motor vehicles only.**

When signs have been erected designating certain streets or portions of streets as streets for passenger motor vehicles only, as indicated on the official traffic maps of the city, trucks exceeding a specified gross weight shall not be permitted upon such streets or portions thereof.  
(Code 1973, § 13-6.1)

**Sec. 28-38. Stop intersections.**

When stop signs are placed upon streets at intersections, as designated on the official traffic maps of the city, the driver of any vehicle shall bring his vehicle to a stop before entering such intersection, and he shall not proceed into or across the intersecting street until he has first determined that no conflict with traffic will ensue.  
(Code 1973, § 13-7)

**Sec. 28-39. One-way streets.**

Upon those streets and parts of streets indicated on the official traffic maps of the city, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every

intersection where movement in the opposite direction is prohibited.  
(Code 1973, § 13-8)

**Sec. 28-40. Quiet zones.**

Whenever authorized signs are placed, as indicated on the official traffic maps of the city, which indicate a zone of quiet, any person operating a motor vehicle within any such zone shall not sound the horn or any other warning device of such vehicle, except in an emergency.  
(Code 1973, § 13-9)

**Sec. 28-41. Driving on sidewalk.**

The driver of a vehicle shall not drive within any sidewalk area, except at a permanent or temporary driveway.  
(Code 1973, § 13-10)

**Sec. 28-42. Motorcycles and bicycles, riding on handlebars, frame or tank.**

The operator of a motorcycle or bicycle, when upon a street, shall not carry any person upon the handlebars, frame or tank of his vehicle, nor shall any person so ride upon any such vehicle.  
(Code 1973, § 13-11)

**Sec. 28-43. Operation of certain vehicles prohibited in central business district.**

(a) It shall be unlawful for any person to ride, operate, lead, push, slide, or propel in any manner any velocipede or vehicle, motorized or otherwise, including but not limited to unicycles, bicycles, tricycles, minibikes, motorcycles, roller skates, skateboards, go-carts, sleds, skis, ponies, horses, cattle, sheep, goats and other large animals on the sidewalk in the central business district of the city, the same being generally described as that area bounded on the north by the Seaboard Railroad, on the east by Depot Street, on the south by Academy Street and on the west by Mulberry Street.

(b) This section shall not apply to wheelchairs and stretchers used for the purpose of transporting disabled, sick or wounded persons.  
(Code 1973, § 13-12)

**Sec. 28-44. Lights on bicycles.**

Every person riding a bicycle at night shall have a lighted lamp on such bicycle.

(Code 1973, § 13-13)

**Sec. 28-45. Toy vehicles, etc., on streets.**

No person on roller skates or riding in any coaster, toy vehicle, sled or similar device shall go upon any roadway.

(Code 1973, § 13-14)

**Sec. 28-46. Speed limitations generally.**

Unless the city council stipulates specific speed limits for vehicles, as indicated on the official traffic maps, the provisions of the motor vehicle law of the state, relating to speeds of vehicle, shall be applicable in all sections of the city.

(Code 1973, § 13-15)

**Sec. 28-47. Obstruction of traffic at intersections.**

No driver shall move his vehicle across an intersection or a marked crosswalk, unless he knows that there is sufficient space on the other side of the intersection or crosswalk to accommodate his vehicle without obstructing the passage of other vehicles or pedestrians, although a traffic control signal may be indicating his right to proceed.

(Code 1973, § 13-17)

**Sec. 28-48. Vehicle processions.**

(a) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Vehicle procession* means a group of motor vehicles:

- (1) The lead vehicle of the procession being a motor vehicle of a law enforcement department with blue warning lights in operation; and
- (2) In single file with headlights of all vehicles in operation.

(b) Any violation of this section shall constitute an infraction, punishable in accordance with section 1-11.

(c) The operator of any motor vehicle, animal-drawn vehicle, velocipede, mounted animal or pedestrian

traveling on or entering upon the streets or highways shall yield the right-of-way to a vehicle procession.

(d) A vehicle procession shall have the right-of-way at all intersections, regardless of the method of traffic control present or in operation at any intersection.

(e) No motor vehicle, animal-drawn vehicle, velocipede, mounted animal or pedestrian, not included in the vehicle procession, shall proceed through a vehicle procession, except emergency vehicles as set forth in G.S. 20-156 and 20-157 when operated in conformity with the provisions of G.S. 20-156 and 20-157.

(f) In zones having a maximum speed limit of 25 miles per hour or less, a vehicle procession may travel at the maximum speed limit. In zones having a maximum speed limit greater than 25 miles per hour, a vehicle procession shall not exceed a speed of ten miles per hour less than the posted speed limit.

(Code 1973, §§ 13-18.1--13-18.4)

**Secs. 28-49--28-75. Reserved.**

**ARTICLE III. TRAFFIC CONTROL DEVICES\***

\* **State Law References:** Authority of city to use traffic control devices, G.S. 20-169.

**Sec. 28-76. Obedience generally.**

The driver of any vehicle shall obey the directions of any official traffic control device placed in accordance with the provisions of this Code and other ordinances of the city, subject to certain exceptions which are granted the driver of any authorized emergency vehicle by state law, unless otherwise directed by a police officer.

(Code 1973, § 13-19)

**Sec. 28-77. Turn signs and indicators.**

Whenever authorized signs are placed, as designated by the official traffic maps of the city, which indicate that no right, left or U-turn is permitted, the driver of a vehicle shall obey the directions of any such sign; and when authorized markers, buttons or other indications are placed within an intersection which indicate the course to be traveled by vehicles traversing or turning, the driver of a vehicle shall obey the directions of such indications.

(Code 1973, § 13-20)

**Secs. 28-78--28-100. Reserved.**

**ARTICLE IV. STANDING, STOPPING AND PARKING\***

\* **State Law References:** Municipal authority re parking, G.S. 160A-301, 160A-302.

**Sec. 28-101. Prohibited in certain locations.**

No person shall stop, stand or park a vehicle, except when conflict with other traffic is imminent or when so directed by a police officer or traffic control device in any of the following places:

- (1) On a sidewalk.
- (2) Within an intersection.
- (3) On a crosswalk.
- (4) Within 30 feet of any flashing beacon stop sign or traffic control signal located at the side of a street or roadway.
- (5) On either side of any street leading to a railroad underpass or an overhead bridge, within 50 feet in any direction of the outer edge of such underpass or overhead bridge.
- (6) On either side of any street leading to a grade crossing within 50 feet of the closest rail; provided, that where existing permanent structures are located closer than 50 feet, parking may be permitted in front of such structures unless otherwise prohibited and if such parking does not block the view in either direction of the approach of a locomotive or train.
- (7) Beside or opposite any street excavation or obstruction if the stopping or standing or parking would obstruct traffic.
- (8) Upon any bridge or other elevated structure or within any underpass structure.
- (9) On the roadway side of any vehicle stopping, standing or parking at the edge or curb of a street.
- (10) Within 15 feet of any fireplug or hydrant.

(11) Within ten feet of any street corner.  
(Code 1973, § 13-21)

**State Law References:** Parking near fire hydrant, fire station or private driveway, G.S. 20-162.

**Sec. 28-102. Standing or parking for certain purposes.**

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

- (1) Displaying such vehicle for sale.
- (2) Washing, greasing or repairing such vehicle, except repairs necessitated by an emergency.
- (3) Storage of such vehicle.
- (4) Storage of any detached trailer or van when the towing unit has been disconnected.
- (5) Transferring merchandise or freight from one vehicle to another.
- (6) Advertising.

(Code 1973, § 13-22)

**Sec. 28-103. Stopping other than for parking.**

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

(Code 1973, § 13-23)

**Sec. 28-104. Interference with passage of other vehicles.**

No vehicle shall so stand on any street as to interrupt or interfere with the passage of public conveyances or other vehicles.

(Code 1973, § 13-24)

**Sec. 28-105. Limited parking--Prohibited at all times on certain streets.**

When signs have been placed which prohibit parking or when the curbing has been painted yellow in lieu of such signs, no person shall park a vehicle at any time upon any street so marked or signed and indicated on the official traffic maps of the city.  
(Code 1973, § 13-25)

**Sec. 28-106. Same--During certain hours.**

When signs have been erected, placed or installed in each block giving notice thereof, no person shall park a vehicle for longer than the period indicated on the signs or during such hours as prohibited by such signs upon any of the streets described on the official traffic maps of the city.  
(Code 1973, § 13-26)

**Sec. 28-107. Same--Two-hour limit.**

No person shall park, or cause to be parked, any motor vehicle on any street for a period of time in excess of two hours unless posted or marked otherwise, except the owner or resident of the abutting real estate in residential areas of the city.  
(Code 1973, § 13-26.2)

**Sec. 28-108. Places for specified purposes.**

When signs have been erected designating certain locations as reserved for the purposes specified on such sign, no person shall park a vehicle in violation of such sign on any street indicated on the official traffic maps of the city.  
(Code 1973, § 13-27)

**Sec. 28-109. Parallel parking generally.**

Where not otherwise indicated by this chapter, all vehicles shall park parallel to the curb and not more than 18 inches therefrom.  
(Code 1973, § 13-28)

**Sec. 28-110. Left side of vehicle to curb prohibited.**

No vehicle shall stop with its left side to the curb.  
(Code 1973, § 13-29)

**Sec. 28-111. Marked areas generally.**

On any street which is marked off with lines indicating parking spaces for motor vehicles, any person parking on such street shall park only as indicated by such lines.  
(Code 1973, § 13-30)

**Sec. 28-112. Fines For Parking Violations.**

The City Council shall establish a schedule of fines for parking violations and may amend said schedule of fines periodically by resolution.

This Ordinance will become effective on the 14<sup>th</sup> day of December, 1998.

Fine	Charge	Proposed
	Handicap Parking	
	\$100.00	
	Loading Zone	\$20.00
	Parking on Sidewalk	\$10.00
	Parking Left to Curb	\$10.00
	Parking – No Parking Zone	\$10.00
	2 Hour Parking	\$10.00
	Improper Parking	
	\$10.00	
	More Than 12” From Curb	\$10.00

