Chapter 15 - TRAFFIC

**State Law reference—** Motor vehicles and traffic, G.S. Ch. 20; general authority of Town to regulate traffic, G.S. §§ 20-169, 160A-296 et seq.

ARTICLE I. - IN GENERAL

Sec. 15-1. - Definitions.

The following terms, when used in this chapter, shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:

*Authorized emergency vehicles.* Vehicles of the Fire Department, police vehicles and such ambulances designated or authorized by the Chief of Police.

*Bicycles.* A vehicle with two tandem wheels, neither of which is less than 20 inches in diameter, with solid or pneumatic tires and propelled by human power.

*Bicycle operation.* In any form or tense thereof, shall refer to using, putting into motion, or causing the functioning of a bicycle by a person mounted thereon.

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

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

*Curb.* The lateral boundaries of that portion of a street designed for the use of vehicles, whether marked by curbstone or not so marked.

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

*E-scooter (Electric scooter).* A vehicle that is steered by a steering handle, designed to be stood upon by the operator while the vehicle is in operation, and powered by a motor capable of propelling the vehicle at a speed no greater than 18 miles per hour on a level surface; and whose wheels have diameters of ten inches or less. All E-scooters shall comply with any applicable equipment and vehicle 121 registration requirements of Chapter 20 of the North Carolina General Statutes.

*Inspection.* The area embraced within the prolongation of the lateral curb or boundary lines of two or more roadways or highways which join, or which join and cross one another at an angle.

*Motor vehicle.* A vehicle which is self-propelled but not operated upon rails.

*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 this Town.

*Official traffic-control devices.* All signs, signals, markings, and devices consistent with this chapter which are placed or erected by authority of the Chief of Police or an official having jurisdiction for the purpose of regulating, warning or guiding traffic.

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

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

*Pedestrian.* Any person afoot.

*Police officer.* Every officer of the Town Police Department or any officer authorized to direct traffic or to make arrests for violations.

*Private road or driveway.* Every road or driveway closed to the use of the public for purposes of vehicular travel.

*Public conveyance.* Any vehicle which is engaged in the business of transporting persons for fare.

*Railroad.* A carrier of persons or property, with cars operated on stationary rails.

*Railroad train.* A steam engine, electric or other locomotor, with or without cars coupled thereto, operated upon rails.

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

*Standing.* Any stopping of a vehicle, whether occupied or not.

*Stop.* When required, means complete cessation of movement.

*Stop or stopping.* When prohibited, means any stopping of a vehicle, except when conflict with other traffic is imminent, or when otherwise directed by a police officer.

*Street* or *highway.* 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.* Pedestrians, ridden or herded animals, vehicles, and other conveyances, either singly or together, while using any street for purposes of travel.

*Traffic signs.* Authorized signs or markers which are assumed to be permanently or temporarily placed or erected or installed at certain places and which purport to give notice of direction or to convey a prohibition or warning. The presence of such signs, though not compulsory, is generally dictated by necessity or common sense, with a view to furtherance of public safety.

*Vehicle.* Any device in or upon which any person or property may be transported. For the purpose of this chapter, a bicycle or ridden animal shall also be deemed a vehicle.

**State Law reference—** Similar definitions of State law, G.S. § 20-4.01.

Sec. 15-2. - Authority of police to direct traffic; obedience to directions.

In the event of a fire or other emergency, or when it is necessary to expedite traffic or to safeguard pedestrians, police officers may direct traffic as conditions may require, notwithstanding the provisions of this chapter. It shall be unlawful for any person to refuse to comply with any lawful order or direction of a police officer given pursuant to the authority granted by this section.

**State Law reference—** Duties and powers of law enforcement officers, G.S. § 20-183.

Sec. 15-3. - Chapter applicable to drivers of government vehicles; obedience thereto.

The provisions of this chapter shall apply to the driver of any vehicle owned by or used in the service of the United States government and this State, County and Town. It shall be unlawful for any such driver to violate any of the provisions of this chapter or the State statutes regulating traffic.

**State Law reference—** Application of State traffic laws to drivers of government vehicles, G.S.

§ 20-168.

Sec. 15-4. - Application of chapter to emergency vehicles.

1. *Fire and police vehicles.* The provisions of this chapter regulating the operation, parking, and standing of vehicles shall apply to vehicles of the Fire Department and police vehicles, except that, unless otherwise directed by a police officer, the driver of such a vehicle, when operating in an emergency, may:
	1. Park or stand, notwithstanding the provisions of this chapter.
	2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
	3. Exceed the prima facie speed limits so long as he does not endanger life or property.
	4. Disregard regulations governing direction of movement, or turning in specified directions, so long as he does not endanger life or property.
	5. Drive through a funeral procession.
2. *Ambulances.* The provisions of this chapter regulating the operation, parking, and standing of vehicles shall apply to ambulances, except that, when the driver of an ambulance is displaying a lighted red light and, if traffic conditions require it, is sounding a siren, and the nature of the driver's official duties require it, such driver may:
	1. Park without regard to parking regulations.
	2. Turn without regard to turning restrictions except into one-way streets the wrong way.
	3. Exceed the speed limits so long as such driver does not endanger life or property.
	4. Drive through a funeral procession.
	5. Proceed past a traffic signal showing a red light, or a stop sign, but only after slowing down as may be necessary for safe operation.
3. *Effect of section.* This section shall not relieve the driver of any vehicle referred to herein from the duty to drive with due regard to the safety of all persons, nor shall this section protect such a driver from the consequences of reckless disregard for the safety of others.

**State Law reference—** Emergency vehicles exempted from speed restrictions, G.S. § 20-145; yielding right-of-way thereto, G.S. § 20-156; conduct of drivers upon approach thereof, G.S. § 20-157.

Sec. 15-5. - Application of chapter to persons propelling pushcarts, riding bicycles, etc.

Every person propelling any pushcart 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 for those provisions of this chapter which, by their very nature, can have no application.

**State Law reference—** Traffic laws applicable to persons riding animals, etc., G.S. § 20-171.

Sec. 15-6. - Penalties for violations of chapter.

Any person who shall violate any provision of this chapter shall be guilty of a misdemeanor and punishable as prescribed in this Code; provided, however, that when a citation ticket is placed upon any vehicle indicating that such vehicle is parked in violation of any provision of this chapter, the owner or operator of such vehicle may, within five days thereafter, pay to the Town the sum of $50.00 in full satisfaction of such violation with the exception of parking in front of a fire hydrant, for which a penalty of $50.00 is fixed for each offense; and, provided further, that the owner of any vehicle who fails to display a Town number plate as required by this chapter may, within five days after notice from the Town of such failure, pay the Town the sum of $50.00 in full satisfaction of such violation.

Sec. 15-7. - Official traffic-control devices—Duty of drivers to obey.

Except as otherwise provided in this chapter and except as otherwise directed by a police officer, every driver of a vehicle in the Town shall obey the directions of any official traffic-control device placed in accordance with the provisions of this chapter.

**State Law reference—** Authority to regulate traffic by means of signaling devices, G.S. § 20169; vehicle control signs and signals, G.S. § 20-158.

Sec. 15-7. - Same—Necessity of signs.

No provision of this chapter which provides for signs shall be enforced against an alleged violator, if, at the time and place of the alleged violation, such official sign is not in proper position or is insufficiently legible to an ordinarily observant person. Whenever a particular section does not stipulate signs, such section shall be effective without signs being placed to give notice thereof.

Sec. 15-8. - Same—Installation of traffic lights.

The Chief of Police as authorized from time to time by resolution of the Board of Aldermen shall designate intersections at which traffic shall be controlled by electric traffic lights or signals and shall cause such lights or signals to be installed and maintained at such intersections.

Sec. 15-9. - Same—Stop and go signal legend; flashing.

Whenever traffic is controlled by traffic-control signals exhibiting the words "Go", "Caution" or "Stop" or exhibiting differently colored lights, successively, one at a time, or flashing lights, the following colors only shall be used, and such terms and lights shall indicate as follows:

1. *Green alone, or "Go".* Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign prohibits either such turn; but vehicular traffic shall yield the right-of-way to other vehicles and to pedestrians who happen to be lawfully within the intersection.
2. *Yellow alone, or "Caution", when shown following the green or "Go" signal.*
	1. Vehicular travel facing the signal shall stop before entering the nearest crosswalk at the intersection, but if such stop cannot be made in safety, a vehicle may be driven cautiously through the intersection.
	2. Pedestrians facing such signal are thereby warned that there will not be sufficient time to safely cross a roadway, and any pedestrian then starting to cross shall yield the right-of-way to all vehicles.
3. *Red alone, or "Stop".*
	1. Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection, or at such other point as may be indicated by a clearly visible line, and shall remain standing until green or "Go" is shown alone; provided, however, that unless specifically prohibited by duly erected signs at such intersections so indicating, "No turn on red," vehicular traffic may turn right on such signal after first coming to a complete stop and ascertaining that such turn can be made in safety.
	2. No pedestrian facing such signal shall enter the roadway unless such person can do so without interfering with any vehicular traffic.
	3. No turn on red signs shall be erected at intersections designated by the Board of Aldermen.
4. *Red with green arrow.*
	1. Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow but shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection.
	2. No pedestrian facing such signal shall enter the roadway unless such person can do so safely and without interfering with any vehicular traffic.
5. *Flashing.* Whenever flashing red or yellow signals are used, they shall require obedience by vehicular traffic as follows:
	1. *Flashing red (stop signal).* When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection, or at a limit line when marked, and the right to proceed shall be subject to the rules of safety and noninterference with other traffic.
	2. *Flashing yellow (caution signal).* When a yellow lens is illuminated by rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

Sec. 15-10. - Same—Interference with official traffic-control device or railroad signs and signals.

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

Sec. 15-11. - Clinging to moving vehicles.

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

Sec. 15-12. - Riding on part of vehicle not intended for passengers.

1. No person shall ride on any part of any public conveyance or vehicle not designated or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty, nor to persons riding within truck bodies in spaces intended for merchandise.
2. The operator of a motorcycle or bicycle, when upon a street, shall not carry any person upon the handlebars, frame, or tank of such vehicle, nor shall any person so ride upon any such vehicle.

Sec. 15-13. – RESERVED.

**State Law reference—** Overcrowded vehicles, G.S. § 20-140.2; number of persons on motorcycles, G.S. § 20-140.4.

Sec. 15-14. - Passengers to remain inside vehicles.

No person shall allow any part of such person's body to protrude beyond the limits of the vehicle in which such person is riding, except to give such signals as are by law required and no person shall hang onto any vehicle whatsoever.

Sec. 15-15. - Boarding or alighting from moving vehicles.

No person shall board or alight from any public conveyance or other vehicle while such conveyance or vehicle is in motion.

Sec. 15-16. - Entering or riding vehicle without permission.

No person shall enter, jump on or ride any automobile or other vehicle without the consent of the owner or driver thereof.

Sec. 15-17. - Dragging vehicle or load upon streets.

It shall be unlawful for any person driving any vehicle or contrivance to allow such vehicle or contrivance or any part of same, or any load or portion of load carried thereon, to drag upon any street in the Town.

Sec. 15-18. - Open doors obstructing traffic.

It shall be unlawful for any person to open or leave open any door of a motor vehicle on the street side of such vehicle in such manner that it will obstruct the free flow of traffic.

Sec. 15-19. - Use of e-scooters, roller skates, coasters, etc., on roadways and sidewalks.

No person on e-scooters, roller skates or riding any coaster, toy vehicle or similar device shall go upon any roadway, other than a street set aside as a play street, except while crossing a street at a crosswalk or intersection, and no person shall ride any such device or toy vehicle on any sidewalk in the Business District.

Sec. 15-20. - Parades, etc.

It shall be the duty of the Chief of Police to control the authorization and regulation of all parades, marches, demonstrations and similar functions which shall pass or attempt to pass through the public streets or sidewalks of the Town. No such parade, march, demonstration or similar function shall be conducted on any public street or sidewalk within the Town limits without the sponsor, sponsoring organization, or person in charge having first applied for and having received from the Chief of Police a

written parade permit, setting forth the time, place, purpose, number of units and their description, and the name of the sponsor, sponsoring organization, or person in charge. Such requests shall be made to the Chief of Police no later than ten days before such event is to be held. It shall be within the exclusive jurisdiction of the Chief of Police to grant or deny such applications; provided however, that the sponsor, sponsoring organization, or person in charge shall have the right to appeal the denial of any such request to the Board of Aldermen for such discussion and recommendation as may be necessary; the ruling of the Board in such appeals shall be final. The failure or neglect of any such sponsor, sponsoring organization, or person in charge to obtain such a permit shall be punishable as a misdemeanor, as provided in Section

1-6, such fine or imprisonment to be applicable to each person or group of persons violating the provisions of this section.

Sec. 15-21. - Soliciting or attempting to solicit from any street, highway, or right-of-way.

It shall be unlawful for any person to stand, sit, or loiter, in or on any street or highway, including the shoulders or median strip, or right-of-way of any such street or highway, but excluding sidewalks, while soliciting or attempting to solicit any employment, business, or contributions from the driver or occupants of any vehicle.

Secs. 15-22—15-29. - Reserved.

ARTICLE II. - OPERATION OF VEHICLES

**State Law reference—** Operation of vehicles and rules of the road, G.S. § 20-138.1 et seq.

Sec. 15-30. - Speed limits—Generally and Maximum Speed Limits on Certain Streets within the Town of Glen Alpine

1. Speed Limit Established – 35 miles per hour. Under the provisions of North Carolina General Statutes § 20-141, (e), and (f), the Town Council has determined upon the basis of an engineering and traffic investigation that a safe and reasonable speed limit of Thirty-five (35) miles per hour should be enacted on all the streets in the Town limits unless otherwise designated or posted.
2. Speed Limit Established for School Zones and Residential. Under the provisions of North Carolina General Statutes § 20-141, (e), and (f), the Town Council has determined upon the basis of an engineering and traffic investigation that a safe and reasonable speed limit of Twenty-five (25) miles per hour should be enacted for any school zones and in residential areas in the Town limits as designed and posted. This includes, but is not limited to the following streets; London Street (school zone), Hennessee Street, and Pea Ridge Street.
3. State Maintained Streets Within Town Limits. The following streets within the Town of Glen Alpine are maintained by the State of North Carolina: Main Street, London Street, Pea Ridge Street and Hennessee Street.
4. Civil Penalties.

i. Any person, firm, or corporation violating any provision of this Ordinance shall be subject to the imposition by citation of a Civil Penalty for each such violation in the amount of One Hundred Dollars ($100.00) which shall be paid in full within seventy-two (72) hours of the service of the citation in accordance with North Carolina General Statute § 160A-175. ii. Any person, firm, or corporation violating any provision of this Ordinance shall further be subject to Glen Alpine enforcing the provisions of this Ordinance by applying to a court of competent jurisdiction in the General Court of Justice for equitable relief including, but not limited to mandatory or prohibitory injunctions and/or orders in accordance with North Carolina General Statute § 160A-175. iii. Each day of violation shall be considered a separate and distinct offense for the purpose of the enforcement of this Ordinance.

* 1. Failure to make payment and to correct the violation within the Seventy-Two (72) hour period will result in an additional fine of Twenty-five Dollars ($25.00) per day for a total of Fifteen

(15) days. The penalty and delinquent charge may be recovered by the Town in a civil action.

* 1. The violator may be charged as provided in General Statutes § 14.4.

**State Law reference—** Speed limits and powers of local authorities relative thereto, G.S. § 20141 et seq.

Sec. 15-31. - Same—In park.

It shall be unlawful to operate any motor vehicle in excess of five miles per hour in any Town park.

Sec. 15-32. - One-way streets—Designation and marking.

1. The Chief of Police is hereby authorized to cause any street or section or portion thereof to be designated and maintained as a one-way street and to designate the direction in which vehicles shall lawfully travel thereon, as may be authorized from time to time by resolution of the Board of Aldermen. Whenever any street is so designated, the Chief of Police shall cause the same to be identified as a one-way street by signs or markings painted on the surface of the street or by clearly visible and uniform signs erected adjacent thereto, or both, which signs or markings shall indicate the designation of such street as a one-way street and the direction on which vehicles shall lawfully travel by arrows pointing in that direction. Such signs or markings shall be erected or painted at each entrance to the one-way street and at each cross intersection and at such other points as may be deemed advisable by the Chief of Police. Designated one-way streets include a portion of Hennessee Street around Simpson Park, Davis Street, and Old Mill Street.
2. The fact that a one-way street has been designated, as indicated by appropriate signs and markings painted or erected as provided in this section, shall be prima facie evidence that the Chief of Police was authorized by the Board of Aldermen to designate same and that it was determined by the Board that the same should be designated according to such markings and signs as they then exist.

Sec. 15-33. - Same—Driving in wrong direction.

Whenever any street has been designated as a one-way street as provided in section 15-32, it shall be unlawful for the operator of a vehicle to drive the same upon or over such street in a direction other than that determined and indicated by the appropriate signs and markings conforming to the provisions of such section.

**State Law reference—** Authority to prohibit other than one-way traffic on streets, G.S. § 20169.

Sec. 15-34. - General restrictions on turning.

1. The Chief of Police, as authorized from time to time by resolution of the Board of Aldermen is hereby empowered to cause any street intersection to be designated as an intersection at which no right turn shall be made, or at which no left turn shall be made, or at which no U turn shall be made, and to cause any street intersection to be designated as an intersection at which no turn whatsoever shall be made. The Chief of Police is further authorized to cause appropriate signs and markings to be painted on the surface of the street or intersection or clearly visible and uniform signs to be erected at such intersection indicating that it has been designated as an intersection at which no right turn, left turn or U turn shall be made or as an intersection at which no turn shall be made.
2. It shall be unlawful for the operator of a vehicle to make a right turn at any intersection which has been designated as an intersection at which no right turn shall be made, and it shall be unlawful for the operator of a vehicle to make a left turn at an intersection that has been designated as an intersection at which no left turn shall be made, and it shall be unlawful for the operator of a vehicle to make a U turn at an intersection that has been designated as an intersection at which no U turn shall be made, and it shall be unlawful for the operator of a vehicle to make any turn at an intersection that has been designated as an intersection at which no turn shall be made, and at which intersection signs or markings have been painted or erected indicating that no right turn, no left turn, no U turn or no turn shall be made, as the case may be.
3. The fact that an intersection has been designated as an intersection at which turning is restricted as provided in this section, as indicated by appropriate signs or markings erected or painted in accord with this section, shall be prima facie evidence that the Chief of Police was authorized by the Board of Aldermen to make such designation and that it was determined by the Board that such intersection should be designated according to such signs or markings as they then exist.

Sec. 15-35. - Manner of making left turns.

The driver of a vehicle approaching an intersection at which such driver intends to turn left shall keep close to the center line of the street and the left turn shall be made beyond the center of the intersection, as may or may not be indicated by buttons, markers or other directing signs, and shall proceed in the new direction along the right-hand lane.

**State Law reference—** Similar State law, G.S. § 20-153.

Sec. 15-36. - Limitations on turning around.

No driver shall turn any vehicle and proceed in the opposite direction within the business district, except at street intersections, and then only at intersections at which U turns are not prohibited in accordance with Section 15-34.

Sec. 15-37. - Limitations on backing.

The driver of a vehicle shall not back it into any intersection, or over a crosswalk, nor shall the driver of a vehicle back it otherwise unless such movement can be made in safety, and unless ample warning has been given by horn or other signal.

Sec. 15-38. - Driving on roadways laned for traffic.

All vehicles operated on any roadway which has been clearly marked with traffic lanes shall be driven, as nearly as practical, entirely within a single lane and shall not be moved out of such lane until the driver has first ascertained that such movement can be made with safety.

**State Law reference—** Similar provisions, G.S. § 20-146(d)(1)—(4).

Sec. 15-39. - Obstructing intersections or crosswalks.

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

Sec. 15-40. - Driving in school zones.

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

Sec. 15-41. - Driving on play streets.

Whenever authorized signs are placed which prescribe any street, or part thereof, as a play street, no person shall drive a vehicle upon any such prescribed street, except persons whose business requires the use thereof or who reside within such prescribed area. Any such person shall exercise the greatest care when driving upon any such play street.

Sec. 15-42. - Sounding of horn in quiet zones.

Whenever authorized signs are placed which indicate a zone of quiet, a 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.

Sec. 15-43. - Driving through funeral processions.

No vehicle may be driven through a funeral procession except as provided in Section 15-4.

Sec. 15-44. - Driving within sidewalk area.

The driver of a motor vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway.

Sec. 15-45. - Driving near fires.

1. No person shall drive any vehicle of any nature within one block of any fire occurring within the Town, during the time the fire company is engaged in fighting such fire or when the fire truck or other apparatus is going to answer a call to such fire. Such vehicles shall be removed immediately upon any alarm of fire being given, from the territory within a block of such fire, and shall not be driven within a block of such fire while firefighters are engaged in the work of extinguishing such fire.
2. No person shall drive any vehicle within a block of such fire at any time immediately preceding, during, or immediately after the fire is being fought by the fire company or members thereof, when told to desist from driving such vehicle by any police officer or Chief of the Fire Department or other authorized firefighter.

Sec. 15-46. - Driving over fire hose.

No vehicle shall be driven over any hose of the Fire Department being used at any fire, without the consent of the Fire Department official in command.

**State Law reference—** Similar state law, G.S. § 20-157(d).

Sec. 15-47. - Driving through safety zone.

No vehicle shall at any time be driven through or within a safety zone.

Sec. 15-48. - Cutting corners.

When a filling station or other business is located on any corner in the Town it shall be unlawful for the driver of any vehicle to use the driveway of such filling station or other business for the purpose of avoiding making the proper turn at the corner.

Sec. 15-49. - Procedure upon approach of authorized emergency vehicle.

The driver of any vehicle shall yield the right-of-way to any authorized emergency vehicle operated on official business and when such authorized emergency vehicle is sounding its siren or other audible device. The driver of any vehicle on the approach of any authorized emergency vehicle which is operated on official business and when such authorized emergency vehicle is sounding its siren or other audible device shall immediately drive to a position parallel to the right-hand edge of the curb, clear of any intersection, and shall stop and remain in such position until the emergency vehicle has passed.

**State Law reference—** Similar state law, §§ 20-156, 20-157.

Sec. 15-50. - Following and passing authorized emergency vehicle.

It shall be unlawful for the driver of any automobile or other vehicle to follow an authorized emergency vehicle operated on official business and sounding a siren or other audible device at a distance closer than one block or 400 feet or to pass such emergency vehicle.

**State Law reference—** Similar state law, G.S. § 20-157.

Sec. 15-51. - Stop required when emerging from alley, driveway or building.

The driver of a vehicle emerging from an alley, driveway or building shall stop such vehicle immediately prior to reaching the sidewalk, or the sidewalk area extending across any alleyway, and, upon entering the roadway, shall yield the right-of-way to all vehicles approaching on the roadway.

Sec. 15-52. - Stop intersection.

The Chief of Police is hereby authorized to cause any street intersection to be designated and maintained as a stop intersection and to designate the streets upon which vehicles shall stop before entering such intersection, as may be authorized from time to time by resolution of the Board of Aldermen. Whenever any intersection has been so designated, the Chief of Police shall cause the same to be identified by the erection of signs indicating which vehicles approaching the intersection shall stop, and it shall be the duty of the driver of any vehicle approaching such a sign to bring such vehicle to a complete stop and ascertain that the way is clear before entering such intersection. The fact that a stop intersection has been designated by the Chief of Police, as indicated by appropriate signs erected as provided herein, shall be prima facie evidence that the Chief of Police was authorized by the Board of Aldermen to designate the same and that it was determined by the Board that the same should be designated according to the signs as they then exist.

**State Law reference—** Authority to designate stop intersections, G.S. § 20-158.

Sec. 15-53. - Trucks prohibited on certain streets.

1. It shall be unlawful to drive any truck, except for the purpose of making a delivery, and then only for a distance necessary to make such delivery, on any streets so posted by sign.
2. All through truck traffic with three (3) or more axles than one ton shall be prohibited on Jug Wilson Street (from the intersection of E. Main Street (U.S. Hwy. 70) to London Street; Church Street (from the intersection of London Street to the intersection of Hennessee Street; Pea Ridge Street; and Cuthberson Street, except for local delivery to residences, businesses, or property located on these streets.
3. Any person or firm violating the provisions of this ordinance shall be subject to the imposition by citation of a Civil Penalty for each such violation in the amount of fifty ($50.00) dollars.

**State Law reference—** Authority and power to regulate use of public streets, G.S. § 160A296(a)(5).

Sec. 15-54. - Cruising.

1. *When and where prohibited.* No person shall drive or permit a motor vehicle under his care, custody or control to be driven past a traffic-control point three or more times within a two-hour period from 6:00 p.m. to 4:00 a.m. Monday through Sunday, in or around a posted no cruising area so as to contribute to traffic congestion, obstruction of streets, sidewalks, or parking lots, public vehicular areas, impediment of access to shopping centers or other buildings open to the public, or interference with the use of property or conduct of business in the area adjacent thereto.
2. *Signs to be posted; definition of no cruising area.* At every point where a public street or alley becomes or provides ingress to a no cruising area there shall be posted a sign which designates "no cruising" areas and times. The definition of a "no cruising" area is as follows: No person shall drive or permit a motor vehicle under his care, custody, or control to be driven past a traffic-control point three or more times within a two-hour period in or around this area so as to contribute to traffic congestion, obstruction of streets, sidewalks, or parking lots, public vehicular areas, impediment of access to shopping centers or other buildings open to the public, or interference with the use of property or the conduct of business in the adjacent area.
3. *Definition of traffic-control point.* A traffic-control point, as used in this section, means any point or points within the no cruising area established by the Police Department for the purpose of monitoring cruising.
4. *Violations generally.* No violations shall occur except upon the third passage by the same trafficcontrol point within the aforementioned two-hour period.
5. *Designation, posting of no cruising area by resolution.* No area shall be designated as a "no cruising" area except upon the passage of a resolution by the Council specifically mandating such designation and posting for a particular area.
6. *Exception.* This section shall not apply to in-service emergency vehicles, taxicabs for hire, buses and other vehicles being used for business purposes.
7. *Penalties for violation.* Where there is a violation of any provision of this section, the Town shall take the following action: A police officer shall issue a citation for the violation subjecting the violator to a $50.00 civil penalty to be paid within ten days, which penalty shall provide for an additional $50.00 delinquency charge upon nonpayment, and which penalty and delinquency may be recovered by the Town in a civil action, together with the costs of such action including reasonable attorney fees.

ARTICLE III. - STANDING AND PARKING

**State Law reference—** Authority to regulate and limit vehicular parking, G.S. § 160A-301.

Sec. 15-55. - Parking prohibited in specified places—Generally.

No person shall stop, stand or park a vehicle, except when in 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. Alongside or opposite any street excavation or obstruction, if such stopping, standing or parking would obstruct traffic;
	6. Upon any bridge or other elevated structure or within any underpass structure;
	7. Within 15 feet in either direction of the entrance to a hotel, theater, hospital, sanatorium or any public building;
	8. On the roadway side of any vehicle stopping, standing or parking at the edge or curb of a street;

or

* 1. Within 15 feet of any fire plug or hydrant.

Sec. 15-56. - Same—Parking prohibited near underpasses, overhead bridges and grade crossings.

1. No person shall park any vehicle 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.
2. No person shall park any vehicle 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.

Sec. 15-57. - Same—Near intersections, etc.

It shall be unlawful for any person to cause, allow, let, permit or suffer any vehicle registered in such person's name or owned and operated by such person or in such person's possession and under such person's control to park or to be parked and remain parked within 25 feet of any intersection so marked and designated prohibiting such parking by appropriate signs or marking and painting of curbs within the corporate limits of the Town.

Sec. 15-58. - Same—Within block of fire.

No person shall park any vehicle within one block of any fire occurring in the Town during the time that firefighters are engaged in fighting such fire or when fire apparatus is going to answer a call to such fire. Any vehicle so parked prior to such fire shall be removed immediately from the area within a block thereof, upon the sounding of the fire alarm.

**State Law reference—** Parking within one block of fire apparatus prohibited, G.S. § 20-157(b).

Sec. 15-59. - Same—In certain alleys and access ways.

The Fire Chief or the Chief's designated representative shall inspect all alleys and other access ways in the vicinity of structures in the Town and the Fire Chief, as authorized from time to time by the Board of Aldermen shall designate those alleys or access ways which such officer feels should be kept open at all times for fire safety reasons and in which the parking of vehicles should be prohibited. Appropriate signs or other markings shall be erected in alleys or access ways so designated and thereafter it shall be unlawful for any person to park any vehicle in such an alley or access way.

Sec. 15-60. - Parking prohibited for certain purposes.

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

1. Advertising;
2. Displaying it for sale;
3. Washing, greasing or repairing such vehicle, except repairs necessitated by an emergency;
4. Storage thereof by garages, dealers or other persons;
5. Storage of any detached trailer or van, when the towing unit has been disconnected;
6. Transferring merchandise or freight from one vehicle to another;
7. Selling merchandise that is normally sold in stores, with the exception that this shall not apply to farmers, hucksters, or peddlers who are exempt or have a special license to sell goods door to door; or
8. Loading or unloading of automobiles from or upon auto transport trailer within a residential area of the Town.

Sec. 15-61. - Parking in Simpson Park.

It shall be unlawful to park a motor vehicle in Simpson Park in other than designated parking areas. It shall be unlawful to park a motor vehicle overnight in Simpson Park.

Sec. 15-62. - Parking so as to interfere with emergency vehicles and personnel.

It shall be unlawful for any person to park, stop or stand any vehicle in the vicinity of an authorized emergency vehicle which has stopped or parked in the performance of its official duties, so as to obstruct or impede in any manner the movement of such emergency vehicle or in any manner hinder police officers, firefighters or other authorized personnel in the performance of their duty.

Sec. 15-63. - Stopping and standing in street generally.

No vehicle shall stop in any street, except for the purpose of parking as prescribed in this chapter and except where required by some traffic-control device, the direction of a police officer or some provision of this chapter or by an emergency. No vehicle shall stop or stand in any street so as to obstruct any footway, pedestrian aisle, safety zone, crossing or street intersection or traffic, if it can be avoided.

Sec. 15-64. - Parking of junked vehicle.

No junked or inoperative vehicle, licensed or unlicensed, shall be permitted to park on any Town street for more than 72 hours where no restrictions are posted.

Sec. 15-65. - Designation and marking of parking spaces and areas where parking is prohibited or limited generally.

1. The Chief of Police is hereby authorized to cause parking spaces to be designated, maintained and marked off in and on such parts of the streets of the Town as may be authorized by the Board of Aldermen from time to time and is also authorized to cause zones or areas of such streets or parts thereof in which vehicles are prohibited from parking to be designated, maintained and marked off as may be authorized by the Board of Aldermen from time to time. The Chief of Police is further authorized to cause time limit parking areas to be designated, maintained and marked off in and on such parts of Town streets as may be authorized by the Board of Aldermen from time to time. All spaces for parking vehicles shall be laid out either parallel with the street or at an angle of approximately 45 degrees, and shall be designated by painted lines showing clearly the manner in which a vehicle is to be parked. The fact that a parking space, a prohibited parking area or a time parking area is designated by lines or markings painted on the surface of the street or by clearly visible signs indicating the area affected respectively shall be prima facie evidence that the Chief of Police was authorized by the Board of Aldermen to designate the same at the place it is located and that it was determined by the Board of Aldermen that the same should be designated according to the markings or signs, as the case may be, as they then exist.
2. Areas designated as time limit parking areas shall be designated with clearly distinguishable markings or signs at both ends of the time limit area and at reasonable intervals between the beginning and ending of such time limit area, indicating the time allowed for parking in such area.
3. Any time limit on parking established under this section shall apply on all days other than Sundays and holidays, and shall be effective from 7:00 a.m. until 6:00 p.m. unless otherwise designated at the area by sign or markings indicating different hours during which time limit parking is effective.
4. It shall be unlawful to park a motor vehicle on Catawba Street at all times; right of way on Catawba Street is reserved for railroad vehicle access and parking.
5. It shall be unlawful to park a motor vehicle overnight in the right-of-way of any street or road in Town limits.

Sec. 15-66. - Parking time limited to two hours in designated places.

When signs are placed, erected or installed in each block giving notice thereof, no person shall park a vehicle for longer than two hours at any time between the hours of 7:00 a.m. and 6:00 p.m. (unless otherwise designated), except Sundays and public holidays, and the changing of the position of a vehicle from one point directly to another point within the same block shall be deemed one continuous parking. This section shall become effective as of the time that such areas are designated by the Board of Aldermen and clearly visible signs are posted.

Sec. 15-67. - Designation of parking in no parking or loading zones.

Areas designated by yellow curbing shall be no parking zones. Loading Zones shall be designated by appropriate signs or by the legend "Loading Zone" within the restricted parking area. Parking in a no parking zone so designated or in a Loading Zone for other than such restricted purpose shall be a violation of this section.

Sec. 15-68. - Parking in prohibited areas; overtime parking.

It shall be unlawful for any person to cause, allow, permit or suffer any vehicle registered in such person's name or owned or operated by such person or in such person's possession or under such person's control to be or remain in any prohibited parking area designated according to the provisions of section 15-71, or in a time limit parking area for a longer period of time than that designated by the markings on the street or by clearly visible signs.

Sec. 15-69. - Manner of parking generally.

All vehicles shall park parallel to the curb and not more than 12 inches therefrom, except on those streets, or portions thereof, which have been marked for angle parking in accord with section 15-71; in which event vehicles shall be parked at an angle to the curb. On any street which is marked off with lines indicating the parking spaces for vehicles, the same shall be parked between such lines.

Sec. 15-70. - Parking on left.

No vehicle shall be parked with its left side to the curb on any street in the Town, except on a oneway street.

Sec. 15-71. - Backing to curb.

In no case shall a vehicle remain backed up to the curb, except when actually loading or unloading.

Sec. 15-72. - Loading zones—Designation.

The Chief of Police, as authorized from time to time by the Board of Aldermen, shall designate, by appropriate signs or markings, passenger and freight curb loading zones for the use of vehicles carrying passengers or freight in loading or unloading. The fact that such a zone is so designated by signs or markings shall be prima facie evidence that the designation was authorized by the Board of Aldermen.

Sec. 15-73. - Same—Use restricted.

1. No person shall stop, stand or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger loading zone during the hours when the regulations applicable to such passenger zone are effective, and then only for a period not to exceed thirty minutes.
2. No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a freight loading zone during hours when the provisions applicable to loading zones are in effect. In no case shall the stop for loading and unloading of materials exceed 30 minutes, except on authority of a police officer.

Sec. 15-74. - Moving vehicle from parked position.

The driver of a vehicle who desires to move from a parked position shall move such vehicle out in the direction headed or if parked at an angle with the curb, shall back out at that angle until the vehicle has cleared the other vehicles and shall then proceed in the direction in which the vehicle is most nearly headed.

Sec. 15-75. - Impoundment of illegally parked vehicles.

The Chief of Police or any police officer of the Town is hereby authorized to take up or cause to be taken up or removed to a place designated by the Town Clerk, any vehicle parked in violation of any of the provisions of this chapter or other parking regulations of the Town, and is authorized and empowered to keep same in such place so designated by the Town Clerk until all fines and charges assessed for moving and storage against the owner and the vehicle have been paid or satisfactory bond arranged, or until other lawful disposition thereof.