

TITLE VII: TRAFFIC CODE

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CHAPTER 70: GENERAL PROVISIONS

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Cities may adopt ordinances for civil enforcement by means of traffic-control photographic system, see G.S. § 160A-300.1

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GENERAL TRAFFIC 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.

ALLEY. A thoroughfare through the middle of a block.

AUTHORIZED EMERGENCY VEHICLE. Vehicles of the Fire Department, police vehicles and such ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the Chief of Police.

BICYCLE. Every device propelled by human power upon which any person may ride, having two tandem wheels either of which is over 20 inches in diameter.

COMMERCIAL VEHICLE. Every vehicle designed, maintained or used primarily for the transportation of property.

CONTROLLED-ACCESS HIGHWAY. Every highway, street or roadway in respect to which owners or occupants of abutting property or lands and other persons have no legal right of access to or from the same, except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

CROSSWALK.

(1) The part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs from the edges of the traversable roadway.

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

CURB LOADING ZONE. A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

DRIVER. The operator of a vehicle.

FREIGHT CURB LOADING ZONE. A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight or passengers.

INTERSECTION.

(1) The area embraced within the prolongation of the lateral curblines or, if none, then the lateral edge of roadway lines of two or more highways which join one another at any angle whether or not one such highway crosses the other.

(2) Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate **INTERSECTION**.

(3) In the event that such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate **INTERSECTION**.

LANED ROADWAY. A roadway which is divided into two or more clearly marked lanes for vehicular traffic.

MOTOR VEHICLE. Every vehicle which is self-propelled and every vehicle designed to run upon the highways which is pulled by a self-propelled vehicle.

MOTORCYCLE. Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including motor scooters and motor-driven bicycles, but

excluding tractors and utility vehicles equipped with an additional form of device designed to transport property, and three-wheeled vehicles while being used by law enforcement agencies.

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 not inconsistent with this chapter placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

PARK. When prohibited, means the standing of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in loading or unloading.

PASSENGER CURB LOADING ZONE. A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

PEDESTRIAN. Any person afoot.

PERSON. Every individual, firm, partnership, association, corporation, governmental agency or combination thereof of whatever form or character.

POLICE OFFICER. Every officer of the municipal police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

PRIVATE ROAD OR DRIVEWAY. Every road or driveway not open to the use of the public as a matter of right for the purpose of vehicular traffic.

RAILROAD. A carrier of persons or property upon cars operated upon stationary rails.

RAILROAD TRAIN. A steam engine or electric or other motor, with or without cars coupled thereto, operated upon rails.

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

ROADWAY. The portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the shoulder. In the event a highway includes two or more separate roadways the term **ROADWAY** as used herein shall refer to any such roadway separately but not to all such roadways collectively.

SAFETY ZONE. Traffic island or other space officially set aside within a roadway for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone.

SIDEWALK. The portion of a street between the curblines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

STOP. When required, means complete cessation of movement.

STOP, STOPPING or STANDING. When prohibited means any stopping or standing of a vehicle, whether

occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

STREET or **HIGHWAY**. The entire width between property or right-of-way lines of every way or place of whatever nature, when any part thereof is open to the use of the public as a matter of right for the purposes of vehicular traffic. The terms **HIGHWAY** or **STREET** or a combination of the two terms shall be used synonymously.

THROUGH HIGHWAY. Every street or highway or portion thereof at the entrances to which vehicular traffic from intersecting streets or highways is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this title.

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

TRAFFIC-CONTROL SIGNAL. Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

TRAFFIC DIVISION. The Traffic Division of the Police Department of this town, or in the event a Traffic Division is not established, then said term whenever used herein shall be deemed to refer to the Police Department of this town.

VEHICLE. Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon fixed rails or tracks; provided that, for the purposes of this title, bicycles shall be deemed **VEHICLES** and every rider of a bicycle upon a highway shall be subject to the provisions of this chapter applicable to the driver of a vehicle except those which by their nature can have no application.
(Prior Code, § 50-1)

§ 70.02 EMERGENCY AND EXPERIMENTAL REGULATIONS.

The Chief of Police is hereby empowered to make regulations necessary to make effective the provisions of the traffic ordinances and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than 90 days.
(Prior Code, § 50-21)

ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS

§ 70.15 AUTHORITY OF POLICE AND FIRE DEPARTMENT OFFICIALS.

(A) It shall be the duty of the officers of the Police Department or such officers as are assigned by the Chief of Police to enforce all street traffic laws and all of the state vehicle laws applicable to street traffic.

(B) Officers of the Police Department or such officers as are assigned by the Chief of Police are hereby authorized to direct all traffic by voice, hand or signal in conformance with traffic laws, provided that, in the

event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the Police Department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.

(C) Officers of the Fire Department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.
(Prior Code, § 50-46)

§ 70.16 OBEDIENCE TO POLICE AND FIRE DEPARTMENT OFFICIALS.

No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer or Fire Department official.
(Prior Code, § 50-47) Penalty, see § 70.99

§ 70.17 PERSONS PROPELLING PUSHCARTS OR RIDING ANIMALS TO OBEY TRAFFIC REGULATIONS.

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

(Prior Code, § 50-48)

Statutory references:

Similar provision, G.S. § 20-171

§ 70.18 USE OF COASTERS, ROLLER SKATES AND SIMILAR DEVICES RESTRICTED.

No person upon roller skates, or riding in or by means of any coaster, toy vehicle or similar device, shall go upon any roadway except while crossing a street on a crosswalk and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This section shall not apply upon any street while set aside as a play street as authorized by ordinance.

(Prior Code, § 50-49) Penalty, see § 70.99

§ 70.19 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, this state, county or town, and it shall be unlawful for any driver to violate any of the provisions of this title, except as otherwise permitted in this chapter or by state statute.

(Prior Code, § 50-50) Penalty, see § 70.99

Statutory references:

Similar provision, see G.S. § 20-168

§ 70.20 AUTHORIZED EMERGENCY VEHICLES.

(A) The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual suspected violator of the law or when responding to, but not upon returning from, a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions herein stated.

(B) The driver of an authorized emergency vehicle may:

- (1) Park or stand, irrespective of 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 or she does not endanger life or property; and
- (4) Disregard regulations governing direction of movement or turning in specified directions.

(C) The exemptions herein granted to an authorized emergency vehicle shall apply only when the driver of any said vehicle while in motion sounds an audible signal by bell, siren or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a light visible from in front of the vehicle.

(D) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his or her reckless disregard for the safety of others.
(Prior Code, § 50-51)

§ 70.21 OPERATION OF VEHICLES ON APPROACH OF AUTHORIZED EMERGENCY VEHICLES.

(A) Upon the immediate approach of an authorized emergency vehicle equipped with at least one lighted lamp exhibiting light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle other than a police vehicle when operated as an authorized emergency vehicle, and when the driver is giving audible signal by siren, exhaust whistle or bell, the driver of every other vehicle shall yield the right-of-way, and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

(B) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.
(Prior Code, § 50-52)

§ 70.99 PENALTY.

If any person shall violate an ordinance of a county or town regulating the operation or parking of vehicles, 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))

CHAPTER 71: TRAFFIC-CONTROL DEVICES

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- 71.03 Obedience to official traffic-control devices
- 71.04 When traffic devices required for enforcement purposes
- 71.05 Traffic-control signal legend
- 71.06 Pedestrian-control signals
- 71.07 Flashing signals
- 71.08 Display of unauthorized signs, signals or markings
- 71.09 Interference with official traffic-control devices or railroad signs or signals
- 71.10 Authority to establish play streets
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§ 71.01 AUTHORITY TO INSTALL TRAFFIC-CONTROL DEVICES.

The town shall place and maintain traffic-control signs, signals and devices when and as required under this chapter to make effective the provisions of said chapter, and may place and maintain such additional traffic-control devices to regulate traffic under this chapter or under state law, or to guide or warn traffic.
(Prior Code, § 50-78)

§ 71.02 SPECIFICATIONS FOR TRAFFIC-CONTROL DEVICES.

All traffic-control signs, signals and devices shall conform to state regulations. All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location. All traffic-control devices so erected and not inconsistent with the provisions of state law or this chapter shall be official traffic-control devices.
(Prior Code, § 50-79)

§ 71.03 OBEDIENCE TO OFFICIAL TRAFFIC-CONTROL DEVICES.

The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with this chapter unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this chapter.
(Prior Code, § 50-80)

§ 71.04 WHEN TRAFFIC DEVICES REQUIRED FOR ENFORCEMENT PURPOSES.

No provisions 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 is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective even though no signs are erected or in place.
(Prior Code, § 50-81)

§ 71.05 TRAFFIC-CONTROL SIGNAL LEGEND.

Whenever traffic is controlled by traffic-control signals exhibiting the words "Go", "Caution" or "Stop", or exhibiting different colored lights successively one at a time, or with arrows, the following colors only shall be used and said terms and light shall indicate and apply to drivers of vehicles and pedestrians as follows.

(A) *Green alone or "Go".*

(1) Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

(2) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

(B) *Yellow alone or "Caution" when shown following the green or "Go" signal.*

(1) Vehicular traffic facing the signal is thereby warned that the red or "Stop" signal will be exhibited immediately thereafter and such vehicular traffic shall not enter or be crossing the intersection when the red or "Stop" signal is exhibited.

(2) No pedestrian facing such signal shall enter the roadway until the green or "Go" is shown alone unless authorized so to do by a pedestrian "Walk" signal.

(C) *Red alone or "Stop".*

(1) Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until green or "Go" is shown alone; provided, however, that if a sign is not erected prohibiting turns on red lights, then vehicles may turn right on red lights after coming to a complete stop.

(2) No pedestrian facing such signal shall enter the roadway until the green or "Go" is shown alone unless authorized so to do by a pedestrian "Walk" signal.

(D) *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 until the green or "Go" is shown alone unless authorized so to do by a pedestrian "Walk" signal.

(E) *Official traffic-control signal.* In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable, except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

(Prior Code, § 50-82) Penalty, see § 70.99

§ 71.06 PEDESTRIAN-CONTROL SIGNALS.

Whenever special pedestrian-control signals exhibiting the words "Walk" or "Don't Walk" are in place, such signals shall indicate as follows.

(A) *"Walk"*. Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.

(B) *"Don't Walk"*. No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his or her crossing on the "Walk" signal shall proceed to a sidewalk or safety island while the "Don't Walk" signal is showing.

(Prior Code, § 50-83) Penalty, see § 70.99

Statutory references:

Similar provision, see G.S. § 20-172

§ 71.07 FLASHING SIGNALS.

(A) Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by vehicular traffic as follows.

(1) *Flashing red (stop signal).* When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or, if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

(2) *Flashing yellow (caution signal).* When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

(B) This section shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules as set forth in § 72.37.

(Prior Code, § 50-84)

§ 71.08 DISPLAY OF UNAUTHORIZED SIGNS, SIGNALS OR MARKINGS.

(A) No person shall place, maintain or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be or is in imitation of or resembles an official traffic-control device

or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal.

(B) No person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising.

(C) This section shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.

(D) Every such prohibited sign, signal or marking is hereby declared to be a public nuisance and the authority having jurisdiction over the highway is hereby empowered to remove the same or cause it to be removed without notice.

(Prior Code, § 50-85) Penalty, see § 70.99

§ 71.09 INTERFERENCE WITH OFFICIAL TRAFFIC-CONTROL DEVICES OR RAILROAD SIGNS OR SIGNALS.

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

(Prior Code, § 50-86) Penalty, see § 70.99

§ 71.10 AUTHORITY TO ESTABLISH PLAY STREETS.

(A) The Council shall have authority to declare any street or part thereof a play street and to place appropriate signs or devices in the roadway indicating and helping to protect the same.

(B) Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof, except drivers of vehicles having business or whose residences are within such closed area, and then any said driver shall exercise the greatest care in driving upon any such street or portion thereof.

(Prior Code, § 50-87) Penalty, see § 70.99

§ 71.11 TRAFFIC LANES.

Where traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane, except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

(Prior Code, § 50-88) Penalty, see § 70.99

CHAPTER 72: TRAFFIC REGULATIONS

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Statutory references:

Authority of town to designate stop intersections, see G.S. § 20-158

GENERAL PROVISIONS**§ 72.01 SPEED LIMITS; EXCEPTIONS.**

(A) *General.* Except as otherwise provided in this subchapter, it shall be unlawful to operate a vehicle in excess of 35 mph inside the municipal corporate limits.

(Prior Code, § 50-120)

(B) *Exceptions.* It shall be unlawful to operate a vehicle in excess of the speeds listed upon the streets or portions of streets of the state highway system listed in Chapter 78, Schedule II.

(Prior Code, § 50-121)

Penalty, see § 70.99

§ 72.02 ONE-WAY STREETS AND ALLEYS.

(A) *Authority to sign one-way streets and alleys.* Whenever any ordinance designates any one-way street or alley, there shall be signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

(Prior Code, § 50-174)

(B) *One-way streets and alleys.* Upon those streets and parts of streets and in those alleys from time to time designated by the Town Council, 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.

(Prior Code, § 50-175)

Penalty, see § 70.99

TURNING MOVEMENTS**§ 72.15 REQUIRED POSITION AND METHOD OF TURNING AT INTERSECTIONS.**

The driver of a vehicle intending to turn at an intersection shall do so as follows.

(A) *Right turns.* Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.

(B) *Left turns on two-way roadways.* At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the centerline thereof and by passing to the right of such centerline where it enters the intersection, and after entering the intersection, the left turn shall be made so as to leave the

intersection to the right of the centerline of the roadway being entered. Whenever practicable, the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

(C) *Left turns on other than two-way roadways.* At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection to traffic moving in the direction of travel of such vehicle and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practicable, in the lefthand lane lawfully available to traffic moving in such direction upon the roadway being entered.

(Prior Code, § 50-141) Penalty, see § 70.99

Statutory references:

Similar provision, see G.S. § 20-153

§ 72.16 TURNING MARKERS.

When authorized markers, buttons or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications. (Prior Code, § 50-142) Penalty, see § 70.99

§ 72.17 AUTHORITY TO PLACE RESTRICTED TURN SIGNS.

(A) The Council shall determine those intersections at which drivers of vehicles shall not make a right, left or U-turn, and shall place proper signs at such intersections.

(B) The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are permitted.

(Prior Code, § 50-143) Penalty, see § 70.99

§ 72.18 OBEDIENCE TO NO-TURN SIGNS.

Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.

(Prior Code, § 50-144) Penalty, see § 70.99

§ 72.19 LIMITATIONS ON TURNING AROUND.

The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district and shall not upon any other street so turn a vehicle unless such movement can be made in safety and without interfering with other traffic.

(Prior Code, § 50-145) Penalty, see § 70.99

SPECIAL STOPS REQUIRED**§ 72.30 THROUGH STREETS DESIGNATED.**

Those streets and parts of streets as may be designated from time to time by the Town Council are declared to be through streets for the purpose of this section.
(Prior Code, § 50-204)

§ 72.31 AUTHORITY TO ERECT STOP SIGNS.

Whenever any ordinance designates and describes a through street, there shall be a stop sign on each and every street intersecting such through street or intersecting that portion thereof described and designated as such by any ordinance unless traffic at any such intersection is controlled at all times by traffic-control signals; provided, however, that at the intersection of two such through streets or at the intersection of a through street and a heavy traffic street not so designated, stop signs shall be erected at the approaches of either of said streets.
(Prior Code, § 50-205)

§ 72.32 INTERSECTIONS WHERE STOP REQUIRED.

(A) The Council may determine and designate intersections where particular hazard exists upon other than through streets and may determine whether vehicles shall stop at one or more entrances to any such stop intersection, and shall erect a stop sign at every such place where a stop is required.

(B) Such places are specified in Chapter 78, Schedule I, hereby made a part hereof.
(Prior Code, § 50-206)

§ 72.33 SIGNS TO BEAR THE WORD "STOP".

(A) Every sign erected pursuant to this subchapter shall bear the word "Stop" in letters not less than eight inches in height, and such sign shall at nighttime be rendered luminous by steady or flashing internal illumination, or by a fixed floodlight projected on the face of the sign, or by efficient reflecting elements on the face of the sign.

(B) Every stop sign shall be located as near as practicable at the nearest line of the crosswalk on the near side of the intersection or, if none, at the nearest line of the roadway.
(Prior Code, § 50-207)

§ 72.34 VEHICLES TO STOP AT STOP SIGNS.

When stop signs are erected as herein authorized at or near the entrance to any intersection, every driver of a vehicle shall stop before entering the crosswalk on the near side of the intersection, or in the event there is no crosswalk, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway

where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, except when directed to proceed by a police officer or traffic-control signal.
(Prior Code, § 50-208) Penalty, see § 70.99

§ 72.35 EMERGING FROM ALLEY, DRIVEWAY OR BUILDING.

The driver of a vehicle within a business or residence district emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, yielding the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.
(Prior Code, § 50-209) Penalty, see § 70.99

§ 72.36 STOP WHEN TRAFFIC OBSTRUCTED.

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he or she is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed.
(Prior Code, § 50-210) Penalty, see § 70.99

§ 72.37 OBEDIENCE TO SIGNAL INDICATING APPROACH OF RAILROAD TRAIN.

(A) (1) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within 50 feet but not less than 15 feet from the nearest rail of such railroad, and shall not proceed until he or she can do so safely.

(2) Division (A)(1) above shall apply when:

(a) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;

(b) A crossing gate is lowered or when a human flagger gives or continues to give a signal of the approach or passage of a railroad train;

(c) A railroad train approaching within approximately 1,500 feet of the highway crossing emits a signal audible from such distance and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard; or

(d) An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

(B) No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad grade crossing while such gate or barrier is closed or is being opened or closed.
(Prior Code, § 50-211) Penalty, see § 70.99

DRIVING RULES**§ 72.50 FOLLOWING FIRE APPARATUS PROHIBITED.**

The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

(Prior Code, § 50-231) Penalty, see § 70.99

§ 72.51 CROSSING FIRE HOSE.

No vehicle shall be driven over any unprotected hose of a Fire Department when laid down on any street, private driveway or streetcar track, to be used at any fire or alarm of fire, without the consent of the Fire Department official in command.

(Prior Code, § 50-232) Penalty, see § 70.99

§ 72.52 DRIVING THROUGH FUNERAL OR OTHER PROCESSION.

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this chapter. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers.

(Prior Code, § 50-233) Penalty, see § 70.99

§ 72.53 DRIVERS IN A PROCESSION.

Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practical, and shall follow the vehicle ahead as close as is practical and safe.

(Prior Code, § 50-234) Penalty, see § 70.99

§ 72.54 FUNERAL PROCESSIONS TO BE IDENTIFIED.

A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other method as may be determined and designated by the Traffic Division.

(Prior Code, § 50-235) Penalty, see § 70.99

§ 72.55 WHEN PERMITS REQUIRED FOR PARADES AND PROCESSIONS.

No funeral, procession or parade containing 200 or more persons or 50 or more vehicles, excepting the forces of the United States Army or Navy, the military forces of this state, and forces of the Police and Fire Departments, shall occupy, march or proceed along any street, except in accordance with a permit issued by the Chief of Police and such other regulations as are set forth herein which may apply.

(Prior Code, § 50-236) Penalty, see § 70.99

§ 72.56 VEHICLES SHALL NOT BE DRIVEN ON A SIDEWALK.

The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway.
(Prior Code, § 50-237) Penalty, see § 70.99

§ 72.57 LIMITATIONS ON BACKING.

The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic.
(Prior Code, § 50-238) Penalty, see § 70.99

§ 72.58 RIDING ON MOTORCYCLES.

A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the rear or side of the operator.
(Prior Code, § 50-239) Penalty, see § 70.99

§ 72.59 CLINGING TO VEHICLES.

No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself or herself to any vehicle upon a roadway.
(Prior Code, § 50-240) Penalty, see § 70.99

§ 72.60 CONTROLLED ACCESS.

No person shall drive a vehicle onto or from any controlled-access roadway, except at such entrances and exits as are established by public authority.
(Prior Code, § 50-241) Penalty, see § 70.99

CHAPTER 73: PEDESTRIANS

Section

- 73.01 Pedestrians subject to traffic-control signals
- 73.02 Pedestrians' right-of-way in crosswalk
- 73.03 Pedestrians to use right half of crosswalk
- 73.04 Crossing at right angles
- 73.05 When pedestrian shall yield
- 73.06 Prohibited crossing
- 73.07 Pedestrians walking along roadway
- 73.08 Pedestrians soliciting rides or business
- 73.09 Drivers to exercise due care

§ 73.01 PEDESTRIANS SUBJECT TO TRAFFIC-CONTROL SIGNALS.

Pedestrians shall be subject to traffic-control signals as declared in §§ 71.05 and 71.06, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this chapter.

(Prior Code, § 50-261) Penalty, see § 70.99

Statutory reference:

Similar provision, see G.S. § 20-172

§ 73.02 PEDESTRIANS' RIGHT-OF-WAY IN CROSSWALK.

(A) When traffic-control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that is impossible for the driver to yield. A pedestrian's right-of-way in a crosswalk is modified under the condition and as stated in § 73.05(B).

(B) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

(Prior Code, § 50-262) Penalty, see § 70.99

Statutory reference:

Similar provision, see G.S. § 20-173

§ 73.03 PEDESTRIANS TO USE RIGHT HALF OF CROSSWALK.

Pedestrians shall move, whenever practicable, upon the right half of crosswalks.
(Prior Code, § 50-263) Penalty, see § 70.99

§ 73.04 CROSSING AT RIGHT ANGLES.

No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb, except in a crosswalk.
(Prior Code, § 50-264) Penalty, see § 70.99

§ 73.05 WHEN PEDESTRIAN SHALL YIELD.

(A) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

(B) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

(C) Divisions (A) and (B) above have no application under the conditions stated in § 73.06 when pedestrians are prohibited from crossing at certain designated places.
(Prior Code, § 50-265) Penalty, see § 70.99

Statutory reference:

Similar provision, see G.S. § 20-174(a), (b)

§ 73.06 PROHIBITED CROSSING.

(A) Between adjacent intersections at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a crosswalk.

(B) No pedestrian shall cross a roadway other than in a crosswalk in any business district.
(Prior Code, § 50-266) Penalty, see § 70.99

§ 73.07 PEDESTRIANS WALKING ALONG ROADWAY.

(A) Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(B) Where sidewalks are not provided, any pedestrian walking along and upon a highway shall, when practicable, walk only on the left side of the roadway, or its shoulder facing traffic which may approach from the opposite direction.
(Prior Code, § 50-267) Penalty, see § 70.99

§ 73.08 PEDESTRIANS SOLICITING RIDES OR BUSINESS.

(A) No person shall stand in a roadway for the purpose of soliciting a ride, employment or business from the occupant of any vehicle.

(B) No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.

(Prior Code, § 50-268) Penalty, see § 70.99

Statutory references:

Similar provision, see G.S. § 20-175.1 et seq.

§ 73.09 DRIVERS TO EXERCISE DUE CARE.

Notwithstanding the foregoing provisions of this chapter, every driver shall exercise due care to avoid colliding with any pedestrian upon any roadway; shall give warning by sounding the horn when necessary; and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway.

(Prior Code, § 50-269)

Statutory reference:

Similar provision, see G.S. § 20-174(e)

CHAPTER 74: BICYCLES

Section

- 74.01 Effect of regulations
- 74.02 Traffic laws apply to persons riding bicycles
- 74.03 Obedience to traffic-control devices
- 74.04 Riding on bicycles
- 74.05 Riding on roadways and bicycle paths
- 74.06 Speed
- 74.07 Emerging from alley or driveway
- 74.08 Carrying articles
- 74.09 Parking
- 74.10 Riding on sidewalks
- 74.11 Lamps and other equipment on bicycles
- 74.12 Bicycles during certain hours prohibited

Statutory references:

Operation of bicycles, see G.S. §§ 20-171.1 et seq.

§ 74.01 EFFECT OF REGULATIONS.

(A) The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter.

(B) These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any street or upon any public path set aside for the exclusive use of bicycles, subject to those exceptions stated herein. (Prior Code, § 50-287) Penalty, see § 70.99

§ 74.02 TRAFFIC LAWS APPLY TO PERSONS RIDING BICYCLES.

Every person riding a bicycle upon a roadway shall be granted all of the rights, and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles or by this chapter applicable to the driver of a vehicle, except as to special regulations in this chapter, and except as to those provisions of laws and ordinances which by their nature can have no application. (Prior Code, § 50-288)

§ 74.03 OBEDIENCE TO TRAFFIC-CONTROL DEVICES.

(A) Any person operating a bicycle shall obey the instruction of official traffic-control signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer.

(B) Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no persons operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

(Prior Code, § 50-289) Penalty, see § 70.99

§ 74.04 RIDING ON BICYCLES.

(A) A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto.

(B) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

(Prior Code, § 50-290) Penalty, see § 70.99

§ 74.05 RIDING ON ROADWAYS AND BICYCLE PATHS.

(A) Every person operating a bicycle upon a roadway shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(B) Persons riding bicycles upon a roadway shall not ride more than two abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles.

(C) Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

(Prior Code, § 50-291) Penalty, see § 70.99

§ 74.06 SPEED.

No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

(Prior Code, § 50-292) Penalty, see § 70.99

§ 74.07 EMERGING FROM ALLEY OR DRIVEWAY.

The operator of a bicycle emerging from an alley, driveway or building, shall upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

(Prior Code, § 50-293) Penalty, see § 70.99

§ 74.08 CARRYING ARTICLES.

No person operating a bicycle shall carry any package, bundle or article which prevents the rider from keeping at least one hand upon the handlebars.
(Prior Code, § 50-294) Penalty, see § 70.99

§ 74.09 PARKING.

No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such a manner as to afford the least obstruction to pedestrian traffic.
(Prior Code, § 50-295) Penalty, see § 70.99

§ 74.10 RIDING ON SIDEWALKS.

(A) No person shall ride a bicycle upon a sidewalk within a business district.

(B) The Chief of Police is authorized to erect signs on any roadway prohibiting the riding of bicycles thereon by any person and when such signs are in place no person shall disobey the same.

(C) No person 15 or more years of age shall ride a bicycle upon any sidewalk.

(D) Whenever any person is riding a bicycle upon a sidewalk, such persons shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.
(Prior Code, § 50-296) Penalty, see § 70.99

§ 74.11 LAMPS AND OTHER EQUIPMENT ON BICYCLES.

(A) Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type which shall be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.

(B) No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet, except that a bicycle shall not be equipped with, nor shall any persons use upon a bicycle any siren or whistle.

(C) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.
(Prior Code, § 50-297) Penalty, see § 70.99

Statutory references:

Lamps on bicycles, see G.S. § 20-129(e)

§ 74.12 BICYCLES DURING CERTAIN HOURS PROHIBITED.

It shall be unlawful for any person riding a bicycle to be on the streets after 8:30 p.m. and any such riders caught shall have to leave such bicycles in custody of police until the next day.
(Prior Code, § 50-298) Penalty, see § 70.99

CHAPTER 75: GOLF CARTS

Section

- 75.01 Purpose
- 75.02 Definitions
- 75.03 Rules and regulations
- 75.04 Inspection and fees
- 75.05 Enforcement

- 75.99 Penalty
- Appendix A: Disclaimer of Liability

§ 75.01 PURPOSE.

The purpose of this chapter shall be to establish a golf cart ordinance within the town to promote the health, safety and welfare of persons operating cart(s) within the town.
(Ord. passed 2-2-2010)

§ 75.02 DEFINITIONS.

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

GOLF CART. A vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 25 mph.

OPERATOR. Only persons over 16 years of age, who possess a valid North Carolina motor vehicle operator's license, may operate a golf cart.
(Ord. passed 2-2-2010)

§ 75.03 RULES AND REGULATIONS.

(A) Carts may be driven on roads only from official sunrise to official sunset, unless the cart is equipped with two operating headlights (one on each side of the front of the golf cart) and two operating tail lights with brake lights (one on each side of the rear of the cart) which are visible from a distance of 500 feet.

(B) Carts must be equipped with a rear vision mirror and rear triangle reflector of the same type required by state law.

(C) No golf cart may be operated at a speed greater than reasonable and prudent for the existing conditions, and in no instance at a speed greater than 25 mph.

(D) No golf cart shall be operated on any town street with a posted speed limit of greater than 35 mph; however, carts may cross over roads that have a posted speed limit of greater than 35 mph.

(E) The number of occupants in a golf cart shall be limited to the number of persons for whom individual seating is installed and provided on the golf cart. The operator and all occupants shall be seated in the golf cart, and no part of the body of the operator or occupant shall extend outside the perimeter of the golf cart while the golf cart is in motion. No passengers shall be carried on the part of a golf cart designed by carry golf bags.

(F) Children must be properly seated while golf cart is in motion and may not be transported in a negligent manner.

(G) All applicable state laws shall be adhered to, including the possession and use of alcoholic beverages and all other illegal drugs.

(H) The operator of the golf cart shall comply with all traffic rules and regulations adopted by the state and the town which governs the operation of motor vehicles.

(I) Carts are only allowed to park in handicapped parking spaces if the driver or at least one passenger has a valid handicap parking sticker or placard.

(J) Carts will adhere to all traffic flow patterns, and will operate on the far right side of the roadway and must yield to all vehicular and pedestrian traffic.

(K) Carts shall not be operated on sidewalks.

(L) Carts shall not be operated on private property without the permission and consent of the property owner.

(Ord. passed 2-2-2010) Penalty, see § 75.99

§ 75.04 INSPECTION AND FEES.

(A) The inspection by the Chief of Police, or his or her designee, will cover the following safety requirements and every cart operating on the town streets must have the following safety equipment: permits/stickers issued to operators/owners of golf carts by the Town Police Department.

(B) In order to obtain a permit/sticker, each owner must present proof of ownership and sign a disclaimer of liability, releasing the town, its employees, and affiliates from all liability that may arise as a result of operating a cart inside the town. A current disclaimer of liability must be on file with the Town Police Department, and must be renewed annually.

(C) All carts must meet the requirements or minimum standards of safety equipment as set forth in § 75.03.

(D) Permits/stickers will be issued annually, and are valid from January 1 to December 31 of each year. Permits/stickers must be attached to driver's side of golf cart. The following fees shall apply.

(1) Inspection by Police Department: \$10 annually (includes permit/sticker).

(2) Re-inspection by Police Department: \$5 (if a cart fails the initial inspection).

(E) Lost or stolen permit/stickers are the responsibility of the owner. A police report must be filed in the event of a lost or stolen permit/sticker. The Chief of Police will have the discretion in determining whether a permit/sticker may be re-issued in this instance. If no record can be found of a previous application, or the receipt of a permit/sticker, the Chief of Police may direct the applicant to re-apply, and also re-submit any and all fees necessary, before a replacement permit/sticker is issued.

(F) Any person who operates a cart in the town and fails to receive and properly display a town permit/sticker will be subject to all applicable state laws, in addition to being in violation of this chapter.

(G) Cart owners must complete the attached registration form. This form will be maintained by the Town Police Department.

(H) The Town Chief of Police retains the right to refuse to issue and/or revoke any permit/sticker from any cart at any time for any reason that he or she feels is appropriate to ensure the safety and well-being of the citizens of the town.

(Ord. passed 2-2-2010) Penalty, see § 75.99

§ 75.05 ENFORCEMENT.

It shall be the policy of the Town Police Department to issue a written warning or a state citation against any person the officer has probable cause to believe has violated this chapter, whether the offending person is a juvenile or any other person.

(Ord. passed 2-2-2010)

§ 75.99 PENALTY.

Any act constituting a violation of this chapter or a failure to comply with any of its requirements shall subject the offender, upon conviction, guilty of a misdemeanor, and subject to a fine not to exceed \$50. Each day that any of the provisions of this chapter is violated shall constitute a separate offense.

(Ord. passed 2-2-2010)

APPENDIX A: DISCLAIMER OF LIABILITY

Bethel Police Department

Disclaimer of Liability

Golf Cart Use and Operation

The Town of Bethel's Ordinance authorizing the use of Golf Carts on public streets and public vehicular areas was adopted to address the interests of public safety. Golf carts are not designed or manufactured to be used on public streets or public vehicular areas. The Town of Bethel, North Carolina in no way advocates or endorses their operation on public streets or vehicular areas. The Town of Bethel, by regulating such operation, is merely trying to address obvious safety issues, and the adoption of this Ordinance is not to be relied upon as a determination that operation on public streets or public vehicular areas is safe or advisable, if done in accordance with this Ordinance.

All persons who operate or ride upon golf carts on public streets or public vehicular areas do so at their own risk and peril, and must be observant of, and attentive to the safety of themselves and others, including their passengers, other motorist, bicyclists and pedestrians. The Town of Bethel has no liability under any theory of liability, and the Town of Bethel assumes no liability, for permitting Golf Carts to be operated on the public streets and public vehicular areas, under special legislation granted by the State's Legislature.

By my signature below, I confirm that I have read and understand the DISCLAIMER above, and agree to indemnify and hold harmless the Town of Bethel, its officers, managers, agents, employees, successors and/or other affiliated persons free from any liability in connection with any use of a Golf Cart on a public street or public vehicular area in the Town of Bethel, North Carolina. Further I agree to be responsible for any person who operates my golf cart on a public street or public vehicular area in the Town of Bethel, North Carolina.

Printed Name

Signature

Date

Witness

CHAPTER 76: STOPPING, STANDING, PARKING

Section

Method of Parking

- 76.01 Standing or parking close to curb
- 76.02 Signs or markings indicating angle parking
- 76.03 Obedience to angle-parking signs or markings
- 76.04 Lights on parked vehicles

Stopping, Standing or Parking Prohibited in Specified Places

- 76.15 No signs required
- 76.16 Parking not to obstruct traffic
- 76.17 Parking in alleys
- 76.18 Parking for certain purposes prohibited
- 76.19 Parking adjacent to schools
- 76.20 Standing or parking on one-way roadways
- 76.21 No stopping, standing or parking near hazardous or congested places
- 76.22 Parking within marked spaces

Stopping for Loading or Unloading Only

- 76.35 Loading and unloading zones
- 76.36 Commercial loading zones
- 76.37 Public carrier stops and stands
- 76.38 Stopping, standing and parking of buses and taxicabs regulated
- 76.39 Restricted use of bus and taxicab stands
- 76.40 Parking on paved portion of certain streets prohibited

Stopping, Standing or Parking on Certain Streets

- 76.55 Application of subchapter
- 76.56 Regulations not exclusive
- 76.57 Parking prohibited at all times on certain streets
- 76.58 Parking signs required

Cross-references:

General traffic provisions, see Chapter 70

Parking schedules, see Chapter 79

Truck regulations, see Chapter 77

Statutory reference:

Town may regulate and prohibit parking on public streets, alleys and bridges, see G.S. § 160A-301

METHOD OF PARKING**§ 76.01 STANDING OR PARKING CLOSE TO CURB.**

No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the right-hand wheels of the vehicle within 18 inches of the curb or edge of the roadway except as otherwise provided in this subchapter.

(Prior Code, § 50-330) Penalty, see § 70.99

§ 76.02 SIGNS OR MARKINGS INDICATING ANGLE PARKING.

(A) The Council shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets.

(B) Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street.

(Prior Code, § 50-331)

§ 76.03 OBEDIENCE TO ANGLE-PARKING SIGNS OR MARKINGS.

Upon those streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

(Prior Code, § 50-332)

§ 76.04 LIGHTS ON PARKED VEHICLES.

(A) Whenever a vehicle is lawfully parked at nighttime upon any street within a business or residence district, no lights need be displayed upon such parked vehicle.

(B) Whenever a vehicle is parked upon a street or highway outside of a business or residence district during the hours between one-half hour after sunset and one-half hour before sunrise, such vehicle shall be equipped with one or more lamps which shall exhibit a white light on the roadway side visible from a distance of 500 feet to the front of the vehicle and a red light visible from a distance of 500 feet to the rear.

(C) Any lighted headlamps upon a parked vehicle shall be depressed or dimmed.

(Prior Code, § 50-33) Penalty, see § 70.99

*STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES***§ 76.15 NO SIGNS REQUIRED.**

(A) No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic-control device, in any of the following places:

- (1) On a sidewalk;
- (2) In front of a public or private driveway;
- (3) Within an intersection;
- (4) Within 15 feet of a fire hydrant;
- (5) On a crosswalk;
- (6) Within 20 feet of a crosswalk at an intersection;
- (7) Within 30 feet upon the approach to any flashing beacon, stop sign or traffic-control signal located at the side of a roadway;
- (8) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless signs or markings indicate a different length;
- (9) Within 50 feet of the nearest rail of a railroad crossing;
- (10) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance (when properly signposted);
- (11) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
- (12) On a roadway side of any vehicle stopped or parked at the edge or curb of a street;
- (13) Upon any bridge or other elevated structure upon a highway or within a highway tunnel; or
- (14) At any place where official signs prohibit stopping.

(B) No person shall move a vehicle not lawfully under his or her control into any such prohibited area or away from a curb such distance as is unlawful.

(Prior Code, § 50-355) Penalty, see § 70.99

§ 76.16 PARKING NOT TO OBSTRUCT TRAFFIC.

No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic.

(Prior Code, § 50-356) Penalty, see § 70.99

§ 76.17 PARKING IN ALLEYS.

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley, in such position as to block the driveway entrance to any abutting property.

(Prior Code, § 50-357) Penalty, see § 70.99

§ 76.18 PARKING FOR CERTAIN PURPOSES PROHIBITED.

No person shall park a vehicle upon any roadway for the principal purpose of:

(A) Displaying such vehicle for sale; or

(B) Washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

(Prior Code, § 50-359) Penalty, see § 70.99

§ 76.19 PARKING ADJACENT TO SCHOOLS.

When official signs are erected indicating no parking upon either side of a street adjacent to any school property as authorized herein, no person shall park a vehicle in any such designated place.

(Prior Code, § 50-360) Penalty, see § 70.99

§ 76.20 STANDING OR PARKING ON ONE-WAY ROADWAYS.

In the event a highway includes two or more separate roadways and traffic is restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless signs are erected to permit such standing or parking.

(Prior Code, § 50-361) Penalty, see § 70.99

§ 76.21 NO STOPPING, STANDING OR PARKING NEAR HAZARDOUS OR CONGESTED PLACES.

When official signs are erected at hazardous or congested places, no person shall stop, stand or park a vehicle in any such designated place.

(Prior Code, § 50-362) Penalty, see § 70.99

§ 76.22 PARKING WITHIN MARKED SPACES.

No person shall park a motor vehicle on the streets of the town where parking spaces have been appropriately marked by white markings except within such markings.

(Prior Code, § 50-363) (Ord. passed 10-7-1975) Penalty, see § 70.99

STOPPING FOR LOADING OR UNLOADING ONLY

§ 76.35 LOADING AND UNLOADING ZONES.

Whenever vehicle loading and unloading zones are designated and described by this subchapter and when signs are placed, erected or installed, giving notice thereof, it shall be unlawful for any person to stop, stand or park any vehicle for any purpose or period of time except in accordance with the requirements of this subchapter.

(Prior Code, § 50-385) Penalty, see § 70.99

§ 76.36 COMMERCIAL LOADING ZONES.

The streets, or parts thereof, as may be designated by Town Council from time to time, are hereby designated as commercial loading and unloading zones and no person shall stop, stand or park a vehicle therein during the hours of 8:00 a.m. to 6:00 p.m. for any purpose other than the expeditious unloading and delivery, or pickup and loading of materials and goods, and then only for a period not to exceed 30 minutes.

(Prior Code, § 50-387) Penalty, see § 70.99

§ 76.37 PUBLIC CARRIER STOPS AND STANDS.

Bus stands, taxicab stands and stands for other passenger common-carrier motor vehicles, designated by appropriate signs, shall be designated by the Town Council from time to time.

(Prior Code, § 50-388)

§ 76.38 STOPPING, STANDING AND PARKING OF BUSES AND TAXICABS REGULATED.

(A) The operator of a bus shall not stand or park such vehicle upon any street at any place other than at a bus stand so designated as provided herein.

(B) The operator of a bus shall not stop such vehicle upon any street at any place for the purpose of loading or unloading passengers or their baggage other than at a bus stop, bus stand or passenger loading zone so designated as provided herein, except in case of an emergency.

(C) The operator of a bus shall enter a bus stop, bus stand or passenger loading zone on a public street in such a manner that the bus when stopped to load or unload passengers or baggage shall be in a position with the right front wheel of such vehicle not farther than 18 inches from the curb and the bus approximately parallel to the curb, so as not to unduly impede the movement of other vehicular traffic.

(D) The operator of a taxicab shall not stand or park such vehicle upon any street at any place other than in a taxicab stand so designated as provided herein. This provision shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers.
(Prior Code, § 50-389) Penalty, see § 70.99

§ 76.39 RESTRICTED USE OF BUS AND TAXICAB STANDS.

No person shall stop, stand or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand, when any such stop has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus, or taxicab waiting to enter or about to enter such zone.
(Prior Code, § 50-390) Penalty, see § 70.99

§ 76.40 PARKING ON PAVED PORTION OF CERTAIN STREETS PROHIBITED.

No person, firm or corporation shall park a vehicle on the paved portion of any of the streets specified in Chapter 79, Schedule I, hereby made a part hereof. This shall in no way limit the parking of vehicles on said street except as stated herein. When any such listed street has been curbed and guttered, parking shall be permitted as indicated by appropriate signs.
(Prior Code, § 50-391) (Ord. passed 10-7-1975) Penalty, see § 70.99

STOPPING, STANDING OR PARKING ON CERTAIN STREETS

§ 76.55 APPLICATION OF SUBCHAPTER.

The provisions of this subchapter prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control device.
(Prior Code, § 50-411)

§ 76.56 REGULATIONS NOT EXCLUSIVE.

The provisions of this subchapter imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.
(Prior Code, § 50-412)

§ 76.57 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.

When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets described in Chapter 79, Schedule I, hereby made a part hereof.
(Prior Code, § 50-413) Penalty, see § 70.99

§ 76.58 PARKING SIGNS REQUIRED.

Whenever by this or any other article any parking time limit is imposed or parking is prohibited on designated streets there shall be appropriate signs giving notice thereof and no such regulations shall be effective unless said signs are erected and in place at the time of any alleged offense.
(Prior Code, § 50-415)

CHAPTER 77: TRUCK REGULATIONS

Section

- 77.01 Definitions
- 77.02 Truck routes
- 77.03 Parking of trucks regulated

- 77.99 Penalty

§ 77.01 DEFINITIONS.

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

CARGO. Any property transported by truck.

DIRECTION SIGN. The customary highway marker designating the highway route number or that a certain direction should be followed to reach a given destination.

LOCAL OR SECONDARY STREETS. Paved streets or roads designed to carry very little traffic and limited to residential areas where heaviest wheel loads expected are passenger vehicles and lighter.

LOCAL TRUCK. Any truck having three or more axles, and which enters, leaves or operates within the town for the purpose of either collecting or discharging cargo, or for the purpose of either collecting or discharging passengers within the town.

OPERATOR. The person physically operating a truck or a person therein and directing its operation.

PASSENGER. Any person transported by truck.

THROUGH TRUCK. Any truck having three or more axles, which passes through the town without stopping for the purpose of either collecting or discharging cargo or for the purpose of either collecting or discharging passengers.

THROUGH TRUCK ROUTE. Those routes or streets established herein and designated by signs as numbered N.C. or U.S. routes.

TRUCK. Any motor vehicle used or designed to be used for the transportation of cargo or passengers, including, but not limited to, the following: trucks; intercity buses; truck-drawn trailers when the truck is designed primarily for use in towing a trailer, and any truck equipped with three or more axles. The following motor

vehicles are excluded from this meaning: passenger automobiles; pick-up trucks, vehicle-drawn trailers when the vehicle drawing the trailer is not designed primarily for drawing a trailer; motorcycles; motor scooters; school buses; charter buses; and other non-scheduled buses.
(Prior Code, § 50-485) (Ord. 33, passed 10-2-2001)

§ 77.02 TRUCK ROUTES.

(A) All three-axle trucks and tractor-trailer trucks are hereby prohibited from traveling on a street not designated with an N.C. or U.S. number. Signs shall be posted at all junction points and turns where necessary, and at approaches to the street or parts of streets on which trucks are prohibited, stating that truck traffic is prohibited or directing truck traffic in accordance with this section.

(B) No truck traffic shall be allowed in the residential area of the town on any town-maintained street unless a service or delivery stop within the residential area is the destination of the truck. Notwithstanding the forgoing, truck traffic shall be permitted upon the streets which have been designated for through truck traffic, by placing of authorized signs on such streets, if any.

(C) All N.C. and U.S. numbered routes are hereby designated as through truck routes.

(D) All through trucks shall travel exclusively on streets and roads which are numbered N.C. or U.S. routes, and shall not operate on SR. numbered routes or local streets except to travel to a point off a through truck route for the purpose of collecting or discharging cargo or passengers.

(E) The operator of a through truck entering the town by way of a route not a through truck route shall, upon entering the town, proceed to the nearest through truck route, and proceed exclusively upon a through "truck" route until he or she leaves the town.

(Prior Code, § 50-509) (Ord. 33, passed 10-2-2001) Penalty, see § 77.99

§ 77.03 PARKING OF TRUCKS REGULATED.

(A) It shall be unlawful for any person to park or cause to be parked any truck having three or more axles, including tractor or trailer units whether attached or unattached, upon any of the streets, public alleys or rights-of-way within the corporate limits of the town, except for the purpose of loading or unloading cargo or passengers; and except for temporary parking in cases of emergency involving a mechanical breakdown necessitating repairs to any such vehicle. This section shall not apply to emergency service vehicles or public utility vehicles engaged in the conduct of such services.

(B) In cases of the above exceptions, no person shall park a truck for a period of more than two consecutive hours on any nonresidential street or on the right-of-way thereof.

(C) No person shall park a truck at any time on any street or on the right-of-way thereof within any area having a residential district zoning classification as defined by Chapter 153, pertaining to zoning.
(Prior Code, § 50-529) (Ord. 33, passed 10-2-2001) Penalty, see § 77.99

§ 77.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) (1) The violation of any provision of § 77.02 shall subject the offender to a civil penalty in the amount of \$30 to be recovered by the town. Violators shall be issued a written citation, which must be paid within ten calendar days.

(2) Upon receiving notice of a violation of any of the provisions in § 77.02 relating to unlawful truck traffic, the owner or operator of the vehicle in violation shall pay a penalty to the town in the amount of \$30. If the citation is not paid within ten calendar days, the owner or operator of the vehicle shall be liable for an additional penalty for failure to pay within ten days. If paid between the eleventh calendar day after issuance and the thirteenth day after issuance, the violator shall be subject to a total penalty of \$40. If the citation is not paid within 30 days after issuance, the violator shall be subject to a total penalty of \$50.

(3) Law enforcement officers may require truck operators to show a bill of lading or other proof of destination.
(Prior Code, § 50-510)

(C) (1) The violation of any provision of § 77.03 shall subject the offender, the owner or operator of the vehicle to a civil penalty in the amount of \$30 to be recovered by the town. Violators shall be issued a written citation, which must be paid within ten calendar days.

(2) Upon receiving notice of a violation of any of the provisions in § 77.03 relating to illegal parking, the owner or operator of the vehicle in violation shall pay a penalty to the town in the amount of \$30. If the citation is not paid within ten calendar days, the owner or operator of the vehicle shall be liable for an additional penalty for failure to pay within ten days. If paid between the eleventh calendar day after issuance and the thirteenth day after issuance, the violator shall be subject to a total penalty of \$40. If the citation is not paid within 30 days after issuance, the violator shall be subject to a total penalty of \$50.

(Prior Code, § 50-530)

(Ord. 33, passed 10-2-2001)

CHAPTER 78: TRAFFIC SCHEDULES

Schedule

- I. Stop intersections
- II. Speed limits
- III. Trains

SCHEDULE I. STOP INTERSECTIONS.

(A) Intersection at which stop is required before entering (see § 72.32):

- (1) All streets entering Pleasant Street;
- (2) All streets entering Main Street;
- (3) All streets entering into Rives Street;
- (4) All streets entering into Nelson Street;
- (5) All streets except Main Street (N.C. #11) that enters South Railroad Street;
- (6) All streets except Main Street (N.C. #11) that enters Washington Street (U.S. #64);
- (7) All streets entering into Smith Street;
- (8) Southwest corner of Martin Street;
- (9) Church Street connects with Martin Street;
- (10) Northeast corner of Martin Street;
- (11) Where the following streets enter other streets:

Blount Circle	Enters Hammond Avenue
Barnhill Street	Enters Church Street
Carson Street	Enters Whitehurst Street
Cecil Street	Enters Carson Street

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Cecil Street	Enters Ives Street
Chatham Circle	Enters Jefferson Street
Cherry Street	Enters Carson Street
Church Street	Enters Gray Street
Church Street	Enters Flat Swamp Road
Cullifer Street	Enters Carson Street
Crawford Street	Enters Barnhill Street
East Moore Drive	Enters State Road #1429
East Street	Enters Church Street
Greenbriar Street	Enters Hammond Avenue
Greenbriar Street	Enters Woodview Road
Hammond Avenue	Enters McWhorter Street
Ives Street	Enters Cherry Street
Ives Street	Enters North Railroad
James Street	Enters Church Street
Jefferson Street	Enters East Street
Jefferson Street	Enters James Street
Lincoln Street	Enters Barnhill Street
Lincoln Street	Enters Norfolk Street
Martin Street	Enters East Street
McWhorter Street	Enters Harper Drive
McWhorter Street	Enters Ives Street
Moore Drive	Enters East Moore Drive
Louis Jenkins Street	Enters Church Street
Louis Jenkins Street	Enters Barnhill Street
North Railroad Street	Enters Cherry Street
North Railroad	Enters James Street
Briley Street	Enters Jefferson Street
Rives Street	Enters McWhorter Street

Robinson Street	Enters Carson Street
Smith Street	Enters State Road #1429
Willard Street	Enters Jefferson Street
Woodview Road	Enters Whitehurst Street
Whitehurst Street	Enters Hammond Avenue
Whitehurst Street	Enters Rives Street

(B) A stop sign on Smith Street at the intersection of Church Street.

(C) Nelson Street and Whitehurst Street: remove both signs, east and west, from Nelson Street and place northbound stop sign on Whitehurst leave southbound stop sign on Whitehurst Street.

(D) Rives Street and Cullifer Street: remove eastbound stop sign on Rives Street and place northbound stop sign on Cullifer Street.

(E) McWhorter Street and Carson Street: remove both north and south stop signs from McWhorter Street and place westbound stop sign on Carson Street and leave eastbound stop sign on Carson Street.

(F) Robinson Street and Nelson Street: remove north and south stop signs from Robinson Street and place a westbound stop sign on Nelson Street.

(G) Church Street and Barnhill Street: remove east and west stop signs from Church Street and place a northbound stop sign on Barnhill Street.

(H) Church Street and Smith Street: remove north and south stop signs from Smith Street and leave east and west stop signs on Church Street.

(Prior Code, App. B, § 209) (Ord. passed 11-3-2015)

SCHEDULE II. SPEED LIMITS.

(A) Twenty mph speed limit on the following streets (see § 72.01(B)(1)(a)):

(1) Railroad Street from Main Street to Briley Street; and

(2) Main Street from Jefferson Street to North Railroad Street.

(Prior Code, App. B, § 215)

(B) Twenty-five mph speed limit on the following streets (see § 72.01(B)(1)(b)):

(1) Washington Street (U.S. 64) from Main Street (U.S. 13-N.C. 11) to James Street;

(2) Washington Street (U.S. 64) from Main Street (U.S. 13-N.C. 11) to East Street;

(3) Nelson Street from Main Street to Robinson Street; and

(4) McWhorter Street from Ives Street to Blount Circle.

(Prior Code, App. B, § 216)

(Ord. 10, passed 11-5-1985; Ord. passed 8-2-1988; Ord. 22, passed 12-20-1989; Ord. passed 11-3-2015)

SCHEDULE III. TRAINS.

Trains will not exceed 20 mph over Highway No. 11 crossing and James Street crossing (known as "Depot Crossing") until crossing are covered, after which trains may increase speed to authorized speed.
(Ord. 4, passed 3-6-1984) Penalty, see § 70.99

CHAPTER 79: PARKING SCHEDULES

Schedule

I. Parking prohibited

SCHEDULE I. PARKING PROHIBITED.

(A) Parking prohibited at all times on the following streets: on the south side of West Railroad Street from the intersection of Pitt and West Railroad Streets westwardly to the town limits. See § 76.17.
(Prior Code, App. B, § 201)

(B) Parking prohibited on paved portion of the following streets (see § 76.40):

Blount Circle	Jefferson Street
Carson Street	Pittman Street
Cecil Street	Lincoln Street
Cherry Street	Barnhill Street
Cullifer Street	Norfolk Street
Greenbriar Street	Church Street
Hammond Avenue	James Street
Harper Drive	Pitt Street
Jenkins Street	Chatham Circle
McWhorter Street	Moore Drive
Nelson Street	Flat Swamp Road
North Railroad Street	Ives Street
Rives Street	Crawford Street
Robinson Street	New Street
Short Street	Fairview Avenue
Smith Street	Dawson Street
West Lane	East Street

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Whitehurst Street	East Moore Drive
William Street	Martin Street
Wollard Street	Market Street
Woodview Road	Second Street

(Prior Code, App. C, § 304)