

## **CHAPTER 9: MOTOR VEHICLES AND TRAFFIC**

### Article

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### ***Statutory reference:***

*Authority of city relative to traffic, see G.S. § 20-169*

*Motor vehicles and traffic generally, see G.S. Ch. 20*

*Streets, traffic and parking, see G.S. § 160A-296 et seq.*

*General Municipal Vehicle Tax, see G.S. §20-97(b)*

### **§ 9-1 DEFINITIONS.**

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

***AUTHORIZED EMERGENCY VEHICLE.*** Vehicles of the Fire Department, police vehicles and such ambulances designated or authorized by the City Council.

***BLOCK.*** A portion of any street located between two intersections next adjacent to each other.

**BUSINESS DISTRICT.** The territory contiguous to a highway where 75% or more of frontage thereon for a distance of 300 feet or more is occupied by buildings in use for business purposes.

**CROSSWALK.** That portion of a roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections. Any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

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

**INTERSECTION.**

(1) The area embraced within the prolongation of the lateral curblines or, if none, 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. 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.

**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. This shall not include mopeds as defined in G.S. § 105-164.3(22).

**OFFICIAL TRAFFIC-CONTROL DEVICES.** All signs, signals, markings and devices not inconsistent with this chapter, placed or erected by authority of the City Council for the purpose of regulating, warning or guiding traffic.

**OFFICIAL TRAFFIC SIGNAL.** Any device, whether manually, electrically or mechanically 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 and while actually engaged in loading or unloading.

**PARKING METER.** A mechanical device located upon a public street or sidewalk in a place regularly designated as a parking meter zone which device shall record a certain number of minutes by the use of a clock mechanism which determines the period of time for which parking privileges may be extended to the person so depositing a coin.

**PARKING METER ZONE.** A certain designated and marked-off section of the public street within the marked boundaries of which the vehicle may be temporarily parked and allowed to remain for such period of time as the parking meter attached thereto may indicate.

**PEDESTRIAN.** Any person afoot.

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

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

**PUBLIC CONVEYANCE.** Any vehicle other than a taxicab or railroad train for transporting for fare.

**RESIDENCE DISTRICT.** The territory contiguous to a highway not comprising a business district where 75% or more of the frontage thereon for a distance of 300 feet or more is mainly occupied by dwellings or by dwellings and buildings in use for business purposes.

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

**ROADWAY.** That portion of a highway improved, signed, or ordinarily used for vehicular travel, exclusive 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 such roadways collectively.

**SAFETY ZONE.** Traffic island or other space officially set aside within a highway 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 a safety zone.

**SIDEWALK.** That 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.

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

**STOP.** Complete cessation of movement when required.

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

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

**VEHICLE.** Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon fixed rails or tracks; provided that for the purpose of this chapter, bicycles shall be deemed vehicles and every rider of a bicycle on the highway shall be subject to this chapter applicable to the driver of a vehicle

except those which by their nature can have no application. This term shall not include a device which is designed for and intended to be used as a means of transportation for a person with a mobility impairment, is suitable for use both inside and outside a building, and whose maximum speed does not exceed 12 miles per hour when the device is being operated by a person with a mobility impairment.

('89 Code, § 9-1)

**Statutory reference:**

*Definitions, see G.S. § 20-4.01*

**§ 9-2 COMPLIANCE WITH CHAPTER REQUIRED.**

(A) Except for sections regulating the operation or parking of vehicles, it shall be unlawful for any person to do any act forbidden by or fail to perform any act required by any provision or section of this chapter.

(B) Any person violating any provision or section of this chapter regulating the operation or parking of vehicles shall be responsible for an infraction and shall be required to pay a penalty of not more than \$50.

(C) Each section of this chapter may be enforced by imposition of any one, all or a combination of the remedies and penalties authorized by G.S. § 160A-175.

('89 Code, § 9-2) (Ord. passed 2-24-87)

**Statutory reference:**

*Enforcement of ordinances, see G.S. § 160A-175*

**§ 9-3 EXEMPTIONS FOR AUTHORIZED EMERGENCY VEHICLES.**

(A) The provisions of this chapter regulating the operation, parking and standing of vehicles shall apply to authorized emergency vehicles except that a driver when operating such vehicle in any emergency, unless otherwise directed by a police officer, 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.

(B) The foregoing exemptions shall not, however, protect the driver of any such vehicle from the consequences of his reckless disregard of the safety of others.

('89 Code, § 9-3)

**Statutory reference:**

*Emergency vehicles, see G.S. § 20-157*

**§ 9-4 OBEDIENCE TO TRAFFIC-CONTROL DEVICES; ENFORCEMENT DEPENDENT ON PROPER POSITION AND LEGIBILITY.**

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

(B) No provision of any traffic ordinance of the city 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 an ordinarily observant person.

(C) Whenever a particular section of a traffic ordinance of the city does not state that signs are required, such section shall be effective without signs being placed to give notice thereof.

('89 Code, § 9-4) Penalty, see §§ 9-2, 9-18

**Statutory reference:**

*Types of traffic-control devices and installation thereof, see G.S. § 20-169*

**§ 9-5 TRAFFIC-CONTROL SIGNS AND SIGNALS.**

(A) The city is hereby authorized to control vehicles:

(1) At intersections, by erecting or installing stop signs requiring vehicles to come to a complete stop at the entrance to that portion of the intersection designated as the main-traveled or through highway. Stop signs may also be erected at three or more entrances to an intersection.

(2) At appropriate places other than intersections, by erecting or installing stop signs requiring vehicles to come to a complete stop.

(3) At intersections and other appropriate places, by erecting or installing steady-beam traffic signals and other traffic-control devices, signs, or signals. All steady-beam traffic signals emitting alternate red and green lights shall be arranged so that the red light in vertical-arranged signal faces shall appear above, and in horizontal-arranged signal faces shall appear to the left of all yellow and green lights.

(4) At intersections and other appropriate places, by erecting or installing flashing red or yellow lights.

(B) Control of vehicles at intersections.

(1) When a stop sign has been erected or installed at an intersection, it shall be unlawful for the driver of any vehicle to fail to stop in obedience thereto and yield the right-of-way to vehicles operating on the designated main-traveled or through highway. When stop signs have been erected at three or more entrances to an intersection, the driver, after stopping in obedience thereto, may proceed with caution.

(2) (a) When a steady-beam traffic signal is emitting a red light controlling traffic approaching an intersection, an approaching vehicle facing the red light shall come to a stop and shall not enter the intersection. After coming to a complete stop and unless prohibited by an appropriate sign, that approaching vehicle may make a right turn.

(b) Any vehicle that turns right under this subdivision shall yield the right-of-way to:

1. Other traffic and pedestrians using the intersection; and

2. Pedestrians who are moving towards the intersection, who are in reasonably close proximity to the intersection, and who are preparing to cross in front of the traffic that is required to stop at the red light.

(c) Failure to yield to a pedestrian under this subdivision shall be an infraction, and the court may assess a penalty of not more than \$500 and not less than \$100.

(d) The Department of Transportation shall collect data regarding the number of individuals who are found responsible for violations of sub-subdivision (b) of this subdivision and the number of pedestrians who are involved in accidents at intersections because of a driver's failure to yield the right-of-way while turning right at a red light. The data shall include information regarding the number of disabled pedestrians, including individuals with visual or mobility-related disabilities, who are involved in right turn on red accidents. The Department shall report the data annually to the Joint Legislative Transportation Oversight Committee beginning January 1, 2006.

(3) When a traffic signal is emitting a steady yellow circular light on a traffic signal controlling traffic approaching an intersection or a steady yellow arrow light on a traffic signal controlling traffic turning at an intersection, vehicles facing the yellow light are warned that the related green light is being terminated or a red light will be immediately forthcoming. When the traffic signal is emitting a steady green light, vehicles may proceed with due care through the intersection subject to the rights of pedestrians and other vehicles as may otherwise be provided by law.

(4) When a flashing red light has been erected or installed at an intersection, approaching vehicles facing the red light shall stop and yield the right-of-way to vehicles in or approaching the intersection. The right to proceed shall be subject to the rules applicable to making a stop at a stop sign.

(5) When a flashing yellow light has been erected or installed at an intersection, approaching vehicles facing the yellow flashing light may proceed through the intersection with caution, yielding the right-of-way to vehicles in or approaching the intersection.



(6) When a stop sign, stoplight, flashing light, or other traffic-control device authorized by subsection (A) requires a vehicle to stop at an intersection, the driver shall stop at an appropriately marked stop line, or if none, before entering a marked crosswalk, or if none, before entering the intersection at the point nearest the intersecting street where the driver has a view of approaching traffic on the intersecting street.

(C) Control of vehicles at places other than intersections.

(1) When a stop sign has been erected or installed at a place other than an intersection, it shall be unlawful for the driver of any vehicle to fail to stop in obedience thereto and yield the right-of-way to pedestrians and other vehicles.

(2) When a stoplight has been erected or installed at a place other than an intersection, and is emitting a steady red light, vehicles facing the red light shall come to a complete stop. When the stoplight is emitting a steady yellow light, vehicles facing the light shall be warned that a red light will be immediately forthcoming and that vehicles may not proceed through such a red light. When the stoplight is emitting a steady green light, vehicles may proceed subject to the rights of pedestrians and other vehicles as may otherwise be provided by law.

(3) When a flashing red light has been erected or installed at a place other than an intersection, approaching vehicles facing the light shall stop and yield the right-of-way to pedestrians or other vehicles.

(4) When a flashing yellow light has been erected or installed at a place other than an intersection, approaching vehicles facing the light may proceed with caution, yielding the right-of-way to pedestrians and other vehicles.

(5) When a stoplight, stop sign, or other signaling device authorized by subsection (A) requires a vehicle to stop at a place other than an intersection, the driver shall stop at an appropriately marked stop line, or if none, before entering a marked crosswalk, or if none, before proceeding past the signaling device.

(D) No failure to stop as required by the provisions of this section shall be considered negligence or contributory negligence per se in any action at law for injury to person or property, but the facts relating to such failure to stop may be considered with the other facts in the case in determining whether a party was guilty of negligence or contributory negligence.

(E) Defense. It shall be a defense to a violation of sub-subdivision (B)(2)(a) of this section if the operator of a motorcycle, as defined in G.S. § 20-401(27)d., shows all of the following:

(1) The operator brought the motorcycle to a complete stop at the intersection or stop bar where a steady red light was being emitted in the direction of the operator.

(2) The intersection is controlled by a vehicle actuated traffic signal using an inductive loop to activate the traffic signal.



(3) No other vehicle that was entitled to have the right-of-way under applicable law was sitting at, traveling through, or approaching the intersection.

(4) No pedestrians were attempting to cross at or near the intersection.

(5) The motorcycle operator who received the citation waited a minimum of three minutes at the intersection or stop bar where the steady red light was being emitted in the direction of the operator before entering the intersection.

(G.S. § 20-158) ('89 Code, § 9-5) Penalty, see §§ 9-2, 9-18

### § 9-6 PEDESTRIANS SUBJECT TO TRAFFIC-CONTROL SIGNALS.

(A) The city, with reference to highways under its jurisdiction, is hereby authorized to erect or install, at intersections or other appropriate places, special pedestrian-control signals exhibiting the words or symbols "WALK" or "DON'T WALK" as a part of a system of traffic-control signals or devices.

(B) Whenever special pedestrian-control signals are in place, such signals shall indicate as follows:

(1) *WALK*. Pedestrians facing such signal may proceed across the highway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.

(2) *DON'T WALK*. No pedestrian shall start to cross the highway in the direction of such signal, but any pedestrian who has partially completed his crossing on the "WALK" signal shall proceed to a sidewalk or safety island while the "DON'T WALK" signal is showing.

(C) Where a system of traffic-control signals or devices does not include special pedestrian-control signals, pedestrians shall be subject to the vehicular traffic-control signals or devices as they apply to pedestrian traffic.

(D) At places without traffic-control signals or devices, pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in G.S. § 20-172 *et seq.*

('89 Code, § 9-6) Penalty, see §§ 9-2, 9-18

***Statutory reference:***

*For similar provisions, see G.S. § 20-172*

### § 9-7 STOPLIGHT INTERSECTIONS.

At the intersections indicated on the official traffic map, when stoplights are placed, erected or installed, traffic shall proceed only in obedience to the signal displayed by such stoplight.

('89 Code, § 9-7) Penalty, see §§ 9-2, 9-18

**§ 9-8 OVERLOADED OR OVERCROWDED VEHICLE.**

No person shall operate upon a highway or public vehicular area a motor vehicle which is so loaded or crowded with passengers or property or both as to obstruct the operator's view of the highway or public vehicular area, including intersections, or so as to impair or restrict otherwise the proper operation of the vehicle. Penalty, see §§ 9-2, 9-18  
(‘89 Code, § 9-8) (Ord. passed 2-24-87)

***Statutory reference:***

*For similar provisions, see G.S. § 20-140.2*

**§ 9-9 BOARDING OR ALIGHTING FROM MOVING VEHICLE PROHIBITED.**

No person shall board or alight from any public conveyance or other vehicle while such conveyance or vehicle is in motion.  
(‘89 Code, § 9-9) Penalty, see §§ 9-2, 9-18

**§ 9-10 RIDING VEHICLE OR PORTION THEREOF NOT DESIGNED FOR PASSENGERS.**

No person shall ride on any public conveyance or vehicle or any portion thereof not designed or intended for the use of passengers, provided that this section shall not apply to an employee engaged in the necessary discharge of a duty or to persons riding within truck bodies in spaces intended for merchandise.  
(‘89 Code, § 9-10) Penalty, see §§ 9-2, 9-18

**§ 9-11 RIDING WITH BODY PROTRUDING.**

No person, when riding in any vehicle, shall allow any part of his body to protrude beyond the limits of the vehicle in which he is riding, except to give such signals as are by law required.  
(‘89 Code, § 9-11) Penalty, see §§ 9-2, 9-18

***Statutory reference:***

*Overloaded or overcrowded vehicles, see G.S. § 20-140.2*

**§ 9-12 CLINGING TO VEHICLES.**

Any person riding upon any bicycle, motorcycle, coaster, sled, roller skates or any toy vehicle shall not attach it or himself to any public conveyance or moving vehicle upon any roadway, and no person shall hang onto any vehicle whatsoever.  
(‘89 Code, § 9-12) Penalty, see §§ 9-2, 9-18

**§ 9-13 RIDING ON VEHICLE WITHOUT PERMISSION.**

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

('89 Code, § 9-13) Penalty, see §§ 9-2, 9-18

**§ 9-14 TRAINS NOT TO BLOCK CROSSINGS FOR MORE THAN FIVE MINUTES.**

It shall be an infraction for any person to allow a railroad train, locomotive or any railroad vehicle to stand upon a public crossing or any part thereof for more than five minutes at any time.

('89 Code, § 9-14) (Ord. passed 2-24-87) Penalty, see §§ 9-2, 9-18

**§ 9-15 BICYCLES, MOTORCYCLES - RIDING ON HANDLEBAR, FRAME OR TANK PROHIBITED.**

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

('89 Code, § 9-15) Penalty, see §§ 9-2, 9-18

***Cross-reference:***

*Riding bicycle on sidewalk unlawful, see § 13-29*

**§ 9-16 SAME - HANDLEBARS.**

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

('89 Code, § 9-16) Penalty, see §§ 9-2, 9-18

**§ 9-17 USE OF COASTERS, ROLLER SKATES, TOY VEHICLES RESTRICTED TO PLAY STREETS.**

No person upon roller skates or riding in or by means of any coaster, toy vehicle or similar device shall go upon any roadway, unless it is while crossing a street at a crosswalk or intersection, except upon streets set aside as play streets.

('89 Code, § 9-17) Penalty, see §§ 9-2, 9-18

**§ 9-18 PENALTIES FOR VIOLATIONS.**

The violation of any provision of this chapter shall be a misdemeanor punishable by a fine of \$50 and imprisonment of up to 30 days, except for those violations designated as infractions, which

violation shall be subject to the penalty provided for by § 9-2(B).  
(’89 Code, § 9-18) (Ord. passed 2-24-87)

### **§ 9-19 LOADING OF VEHICLES.**

(A) No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom except that sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway.

(B) Trucks, trailers or other vehicles when loaded with rock, gravel, stone or other similar substances which could blow, leak, sift or drop shall not be driven or moved on any highway unless the height of the load against all four walls does not extend above a horizontal line six inches below their tops when loaded at the loading point, or if not so loaded, unless the load shall be securely covered by tarpaulin or some other suitable covering, or unless it is otherwise constructed so as to prevent any of its load from dropping, sifting, leaking, blowing or otherwise escaping therefrom. This section shall not be applicable to or in any manner restrict the transportation of seed cotton, poultry or livestock or silage or other feed grain used in the feeding of poultry or livestock.

(’89 Code, § 9-19) Penalty, see §§ 9-2, 9-18

***Statutory reference:***

*Loads on vehicles not to blow or drop on highways, see G.S. § 20-116(g)*

### **§ 9-20 OFFICIAL TRAFFIC MAP BOOKS.**

The following classes of ordinances shall be codified by appropriate entries upon Official Traffic Map Books which shall be retained permanently in the office of the City Clerk:

(A) Ordinances designating the location of traffic control devices which shall be shown on a map entitled "Official Traffic Map of Traffic Control Devices."

(B) Ordinances designating areas or zones where regulations are applied to parking, loading, bus stops, or taxicab stands which shall be shown on a map entitled "Official Traffic Map of Regulated Parking Areas."

(C) Ordinances establishing speed limits which shall be shown on a map entitled "Official Traffic Map of Speed Limits."

(D) Ordinances restricting or regulating traffic at certain times on certain streets, or to certain types, weights or sizes of vehicles which shall be shown on a map entitled "Official Traffic Map Restricting the Time of Use and the Type, Weight or Size of Vehicles."

(E) Ordinances designating the location of through streets, stop intersections, yield right-of-way intersections, waiting lanes, one-way streets, or truck traffic routes which shall be shown on a map entitled "Official Traffic Map Regulating Types of Streets, Intersections and Truck Routes."

(F) Ordinances establishing regulations upon vehicle turns at designated locations which shall be shown on a map entitled "Official Traffic Map Regulations of Vehicle Turns at Designated Intersections." (Ord. passed 7-18-00)

**§ 9-21 IMPOSITION OF GENERAL MUNICIPAL VEHICLE TAX.**

A tax per year as set forth in the Schedule of Taxes and Fees and adopted annual by the City Council shall be paid and levied upon any vehicle resident in the City of Eden. The proceeds of the tax may be used for purposes set forth in NCGS § 20-97 (b1). (Ord. passed 5-19-15) (Am. Ord. passed 5-16-17)





## ARTICLE II: TRAFFIC BUREAU

### Section

- 9-36 Appointment of desk officers; explanation of procedure
- 9-37 Duties of desk officer
- 9-38 Traffic violations docket to be kept by Police Department
- 9-39 Payment of penalty

### **§ 9-36 APPOINTMENT OF DESK OFFICERS; EXPLANATION OF PROCEDURE.**

The Chief of Police may designate or appoint a sufficient number of desk officers so that there shall be on duty at the police station one desk officer at all times. The desk officer on duty shall deal with the violator of this chapter in accordance with the provisions of this article, being careful to make it clear to such violator that the procedure under this article is for the convenience of the violator, that he is at perfect liberty to decline to be dealt with under this article and to have the matter presented to the appropriate court and that his case will, in no manner whatsoever, be prejudiced by reason of his unwillingness to have the matter dealt with pursuant to this article.

('89 Code, § 9-36)

### **§ 9-37 DUTIES OF DESK OFFICER.**

The desk officer at the police station shall have the following duties:

(A) Accept designated penalties, issue receipts for them, and perform such other duties as are imposed on him by this article and assigned to him by the Chief of Police.

(B) If a person responsible for an infraction of any provision of this chapter regulating the stopping or parking of a vehicle fails to appear in response to a notice affixed to the vehicle involved within a period of 24 hours after the affixing of such notice, the desk officer shall send to the registered owner of such vehicle a notice informing the owner of the violation and warning such person that he will be held responsible for the appearance of the violator and that if such notice is disregarded for a period of five days, a citation will be issued for such violation.

(C) If any person fails to comply with a notice issued as provided in the preceding subsection, the desk officer shall cause such infraction to be enforced and disposed of as provided by G.S. Chapter 15A, Article 66.

('89 Code, § 9-37) (Ord. passed 2-24-87)

**§ 9-38 TRAFFIC VIOLATIONS DOCKET TO BE KEPT BY POLICE DEPARTMENT.**

The Police Department shall establish and keep a traffic violations docket which shall contain the following language: "I hereby waive issuance of the summons. I hereby deposit the amount of the penalty and do this voluntarily for my own convenience." In addition, there shall be a place for the signature of the person charged. Opposite the place provided for such signature and on a line with it shall appear sufficient data to identify the person charged and show the date of the charge, the waiver number, citation number, name and address of the person charged, the officer making the charge, a description of the charge, the number of the receipt issued to the person charged and the amount of the civil penalty paid.

('89 Code, § 9-38)

**§ 9-39 PAYMENT OF PENALTY.**

When a person charged with the violation of any of the provisions of this chapter appears before the desk officer on duty at the police station in response to a traffic citation, such officer is authorized, if such person desires to do so, to allow him to sign the docket provided for in this article and pay the civil penalty affixed. Upon such payment the desk officer shall give to such person a receipt for the money paid, showing the violation for which it was paid.

('89 Code, § 9-39)

### ARTICLE III: OPERATION OF VEHICLES

#### Section

- 9-56 U turns
- 9-57 Left turns
- 9-58 Stop intersections
- 9-59 Stop signs and yield right-of-way signs
- 9-60 Blocking intersections
- 9-61 Driving through funeral processions
- 9-62 Backing vehicles
- 9-63 Emerging from alley or driveway
- 9-64 Driving on sidewalks
- 9-65 Moving vehicle from parked position
- 9-66 Driving within fire lanes
- 9-67 One-way streets
- 9-68 Dual-wheel vehicles

#### **§ 9-56 U TURNS.**

No driver shall turn any vehicle so as to proceed in the opposite direction where a traffic signal is displayed or in the business district, except at street intersections in the streets or portions of streets designated on the official traffic map.

('89 Code, § 9-56)

#### **§ 9-57 LEFT TURNS.**

It shall be an infraction for the driver of any vehicle to make a left turn on those streets so indicated on the official traffic map which is on file in the City Clerk's office.

('89 Code, § 9-23) (Ord. passed 2-24-87) Penalty, see §§ 9-2, 9-18

#### **§ 9-58 STOP INTERSECTIONS.**

The intersections designated on the official traffic map which is on file in the City Clerk's office are hereby declared to be stop intersections. When stop signs are placed, erected or installed at such

intersections, every driver of a vehicle or streetcar shall stop in obedience to such signs before entering the intersection and shall not proceed into or across the through street until he has first determined that no conflict will be involved.

('89 Code, § 9-58) Penalty, see §§ 9-2, 9-18

### **§ 9-59 STOP SIGNS AND YIELD RIGHT-OF-WAY SIGNS.**

(A) Main-traveled or through streets may be designated as such by erecting at the entrance thereto from intersecting streets signs notifying drivers of vehicles to stop or yield the right-of-way to drivers of vehicles approaching the intersection on the main-traveled or through street.

(B) Whenever a stop sign has been erected, it shall be an infraction for the driver of a vehicle to fail to stop such vehicle before entering or crossing the main-traveled street or through street, in obedience to such stop sign.

(C) Whenever a yield right-of-way sign has been erected, it shall be an infraction for the driver of any vehicle to enter or cross such main-traveled or through street, unless such driver shall first slow down and yield the right-of-way to any vehicle in movement on the main-traveled or through street which is approaching so as to arrive at the intersection at approximately the same time as the vehicle entering the main-traveled or through street.

('89 Code, § 9-59) (Ord. passed 2-24-87) Penalty, see §§ 9-2, 9-18

### **§ 9-60 BLOCKING INTERSECTIONS.**

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 is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed.

('89 Code, § 9-60) Penalty, see §§ 9-2, 9-18

### **§ 9-61 DRIVING THROUGH FUNERAL PROCESSIONS.**

No vehicle shall be driven through a funeral procession, except Fire Department vehicles, police patrols and ambulances when they are responding to calls.

('89 Code, § 9-61) Penalty, see §§ 9-2, 9-18

### **§ 9-62 BACKING VEHICLES.**

The driver of a vehicle shall not back it into any intersection or over a crosswalk and shall not in any event or at any place back a vehicle unless such movement can be made in safety. In addition, he shall have given ample warning to those who may be behind, by hand and horn or other signal.

('89 Code, § 9-62) Penalty, see §§ 9-2, 9-18

**§ 9-63 EMERGING FROM ALLEY OR DRIVEWAY.**

The driver of a vehicle emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or sidewalk areas extending across any alleyway, and upon entering the roadway he shall yield the right-of-way to all vehicles approaching on such roadway. ('89 Code, § 9-63) Penalty, see §§ 9-2, 9-18

**§ 9-64 DRIVING ON SIDEWALKS.**

The driver of a vehicle shall not drive within any sidewalk area except on a driveway. ('89 Code, § 9-64) Penalty, see §§ 9-2, 9-18

**§ 9-65 MOVING VEHICLE FROM PARKED POSITION.**

Cars parked shall move out in the direction headed or if they are parked at an angle with the curb they shall back out on that angle until they have cleared the other cars and shall then proceed in the direction they are most nearly headed in. ('89 Code, § 9-65) Penalty, see §§ 9-2, 9-18

**§ 9-66 DRIVING WITHIN TRAFFIC LANE.**

All vehicles operated on any roadway which has been clearly marked with lanes for traffic shall be driven as nearly as practical entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety. ('89 Code, § 9-66) Penalty, see §§ 9-2, 9-18

**§ 9-67 ONE-WAY STREETS.**

Upon the streets and parts of streets designated as one-way streets on the official traffic map which is on file in the City Clerk's office, 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. ('89 Code, § 9-67) Penalty, see §§ 9-2, 9-18

**§ 9-68 DUAL-WHEEL VEHICLES.**

It shall be an infraction to operate any dual-wheel vehicle upon the streets in the city with dirt, rocks, bricks, wood, debris or other foreign material lodged between the dual wheels of such vehicle. ('89 Code, § 9-68) (Ord. passed 2-24-87) Penalty, see §§ 9-2, 9-18



## ARTICLE IV: SPEED RESTRICTIONS

### Section

9-86 General speed limits

### **§ 9-86 GENERAL SPEED LIMITS.**

Except as otherwise provided in this chapter, it shall be an infraction to operate a motor vehicle on the public streets and highways in excess of the following speeds:

(A) Twenty miles per hour in areas designated as business sections on the official traffic map which is on file in the City Clerk's office.

(B) Thirty-five miles per hour in areas designated as residential sections on the official traffic map which is on file in the City Clerk's office.

(C) Thirty-five miles per hour on all other streets and highways except as otherwise provided on the official traffic map which is on file in the City Clerk's office.

('89 Code, § 9-86) Penalty, see §§ 9-2, 9-18





## ARTICLE V: STOPPING, STANDING AND PARKING

### Section

#### *Division 1 Generally*

- 9-101 Prohibited in certain places
- 9-102 Stopping in streets
- 9-103 Standing, parking in streets restricted
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- 9-162 Location of four-hour parking zones

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- 9-171 Enforcement authorized

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- 9-172 Enforcement authorized
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***Statutory reference:***

*Authority to regulate parking, see G.S. § 160A-301*

*Prima facie rule of evidence for enforcement of parking regulations, see G.S. § 20-162.1*

*Stopping, standing and parking, see G.S. §§ 20-161 to 20-163*

***DIVISION 1 GENERALLY*****§ 9-101 PROHIBITED IN CERTAIN PLACES.**

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

- (A) On the sidewalk and on the space between the sidewalk and the curb;

(B) On a crosswalk;

(C) Within 30 feet of any flashing beacon, stop sign or traffic-control signal located at the side of a street or roadway;

(D) Alongside or opposite any street excavation or obstruction, when such stopping, standing or parking would obstruct traffic;

(E) Upon any bridge or other elevated structure or within any underpass structure;

(F) Within 15 feet in either direction of the entrance to a hotel, theater, hospital, sanatorium or any public building;

(G) On the roadway side of any vehicle stopped, standing or parked at the edge or curb of a street;

(H) In an area designated as a fire lane;

(I) Upon the shoulder of a public street or highway unless it does not obstruct the normal movement of traffic;

(J) Upon the main-traveled portion of any public street, public highway or bridge, whether attended or unattended, unless such vehicle is disabled to such an extent that it is impossible to avoid stopping and temporarily leaving the vehicle upon the main-traveled portion of the public street, public highway or bridge.

('89 Code, § 9-101) (Ord. passed 8-21-84; Ord. passed 11-17-87) Penalty, see §§ 9-2, 9-18

**Statutory reference:**

*Parking in front of driveways, fire hydrants, fire station intersections, fire lanes, see G.S. § 20-162*

**§ 9-102 STOPPING IN STREETS.**

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

('89 Code, § 9-102) Penalty, see §§ 9-2, 9-18

**§ 9-103 STANDING, PARKING IN STREETS RESTRICTED.**

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

- (1) Displaying it for sale;
- (2) Washing, greasing or repairing such vehicle, except repairs necessitated by an emergency;
- (3) Storage thereof by garages, dealers or other persons when such storage is not incident to the bona fide use and operation of such automobile or other vehicles;
- (4) Storage of any detached trailer or van when the towing unit has been disconnected or for the purpose of transferring merchandise or freight from one vehicle to another;
- (5) Advertising.

(B) No person shall park or stand a tractor and trailer, tractor and semitrailer, a trailer, semitrailer, van, oil tanker or other tanker on any street in the city at any time for a period longer than one hour except when actually being loaded or unloaded and when such vehicle is incapacitated.

('89 Code, § 9-103) Penalty, see §§ 9-2, 9-18

#### **§ 9-104 PARKING RESTRICTED ON DESIGNATED STREETS.**

When signs are placed, erected or installed giving notice thereof or the curbing has been painted yellow in lieu of such signs, no person shall park a vehicle at any time or for longer than the time specified upon any of the streets designated on the official traffic map which is on file in the City Clerk's office.

('89 Code, § 9-104) Penalty, see §§ 9-2, 9-18

#### **§ 9-105 PARKING RESTRICTED IN DESIGNATED AREAS; CHANGING POSITION OF VEHICLE.**

When signs are placed, erected or installed in each block giving notice thereof, no person shall park a vehicle for longer than the time specified, upon any of the streets designated on the official traffic map which is on file in the City Clerk's office. 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 period.

('89 Code, § 9-105) Penalty, see §§ 9-2, 9-18, 9-115

#### **§ 9-106 PARKING IN LOADING ZONES.**

It shall be an infraction for any vehicle, other than a commercial vehicle parked for the purpose of loading or unloading, to park in a space designated as a loading zone on the official traffic map which is on file in the City Clerk's office.

('89 Code, § 9-106) Penalty, see §§ 9-2, 9-18

**§ 9-107 PARKING, STOPPING WITHIN BUS AND TAXICAB STANDS.**

The streets or parts of streets so designated on the official traffic map which is on file in the City Clerk's office shall be reserved as stands or zones for buses and taxicabs, and no automobile or other vehicle, except those for which the space or stand has been designated, shall park or stop therein. ('89 Code, § 9-107) Penalty, see §§ 9-2, 9-18

**§ 9-108 PARKING OF TAXICABS.**

Taxicabs shall be parked in established taxi stands or zones. ('89 Code, § 9-108) Penalty, see §§ 9-2, 9-18

**§ 9-109 MANNER OF PARKING ON UNMARKED STREETS.**

Where not otherwise indicated by this division and where the street is not marked to show how vehicles shall park, all vehicles shall park parallel to the curb and not more than 12 inches therefrom. ('89 Code, § 9-109) Penalty, see §§ 9-2, 9-18

**§ 9-110 MANNER OF PARKING ON MARKED STREETS.**

On any street which is marked off with lines indicating the parking spaces for cars, they shall be parked between such lines. ('89 Code, § 9-110) Penalty, see §§ 9-2, 9-18

**§ 9-111 BACKING UP TO CURB PROHIBITED.**

In no case shall a vehicle remain backed up to curb, except when actually loading or unloading. ('89 Code, § 9-111) Penalty, see §§ 9-2, 9-18

**§ 9-112 STOPPING WITH LEFT SIDE TO CURB IN BUSINESS DISTRICT.**

No vehicle shall stop with its left side to the curb in the business district, except that on one-way streets vehicles shall stop headed in the direction of traffic. ('89 Code, § 9-112) Penalty, see §§ 9-2, 9-18

**§ 9-113 DIAGONAL PARKING ON DESIGNATED STREETS.**

Automobiles and other vehicles shall be parked at an angle of approximately 45 degrees with the curb on the streets or parts of streets designated on the official traffic map which is on file in the City

Clerk's office.

('89 Code, § 9-113) Penalty, see §§ 9-2, 9-18

**§ 9-114 MOVING VEHICLES OF OTHERS INTO RESTRICTED AREAS PROHIBITED.**

No person shall move a vehicle not owned by such person into any prohibited area or sufficiently away from the curb to make such distance an infraction.

('89 Code, § 9-114) (Ord. passed 2-24-87) Penalty, see §§ 9-2, 9-18

**§ 9-115 CIVIL PENALTY - ESTABLISHED.**

Violation of any section on overtime parking shall subject the offender to a civil penalty of \$2. Violation of § 9-101(H) (fire lane) shall subject the offender to a civil penalty of \$50. Such penalty may be recovered by the city in a civil action in the nature of debt if the offender does not pay the penalty within the prescribed period of time after such offender has been cited for violation of this chapter.

('89 Code, § 9-115) (Am. Ord. passed 8-20-03)

***DIVISION 2 METERED PARKING***

**§ 9-126 DESIGNATION OF PARKING METER ZONES.**

Parking meter zones are hereby created in those areas designated on the official traffic map which is on file in the City Clerk's office.

('89 Code, § 9-126)

***Statutory reference:***

*Authority to install parking meters, see G.S. § 160A-301(a)*

**§ 9-127 INSTALLATION OF METERS; ESTABLISHMENT OF TIME LIMITATIONS.**

In parking meter zones the City Council shall cause parking meters to be installed in such number and at such places as may be necessary for the regulation, control and inspection of the parking of vehicles therein, including the reservation of loading zones for commercial vehicles, and shall cause parking meter spaces to be designated as provided in this division. The City Council shall fix the time limitations for legal parking in such zones, the hours during the day when the parking meters must be used, when the time limitation shall be effective in compliance with the provisions of this division and shall indicate the time limitations by designating the same on the parking meters or by appropriate signs posted in such zone.

('89 Code, § 9-127)

**§ 9-128 METER REQUIREMENTS.**

Each parking meter shall be placed or set in such a manner as to show or display by a signal that the parking space adjacent to such meter is or is not legally in use. Each parking meter installed shall indicate by a proper legend the legal parking time established by the city and when operated shall indicate on and by its dial and pointer the duration of the period of legal parking. Upon the expiration of such period, such meter shall indicate illegal or overtime parking.

('89 Code, § 9-128)

**§ 9-129 DESIGNATION OF PARKING METER SPACES; MANNER OF PARKING WITHIN SPACES.**

The city shall have markings painted or placed upon the curb or upon the street adjacent to each parking meter for the purpose of designating the parking space for which such meter is to be used, and each vehicle parking adjacent or next to any parking meter shall park within the lines or markings so established. It shall be an infraction and a violation of this division to park any vehicle across any such line or marking or to park such vehicle in such position that it shall not be entirely within the area so designated by such lines or markings.

('89 Code, § 9-129) (Ord. passed 2-24-87) Penalty, see §§ 9-2, 9-18

**§ 9-130 PARKING TIME LIMITS; OVERTIME PARKING.**

(A) Upon placing such meter in operation, the parking space may be lawfully occupied by such vehicle for a period of 12 consecutive minutes for each one-cent coin of the United States deposited therein up to 120 minutes or for a period of 60 consecutive minutes for each five-cent coin of the United States deposited therein up to 120 minutes. Payment of the aforesaid amounts for the above period shall be made for parking in the areas regulated by this division, or 24 minutes for \$0.01, two hours for \$0.05 or four hours for \$0.10, if the meter so indicates. The rate plate on the meter shall control.

(B) If such vehicle shall remain parked in any such parking space beyond the parking time limit as fixed by the coins deposited in such meter for such parking space, the parking meter shall by its dial and pointer indicate such illegal parking which shall constitute a violation of this division.

('89 Code, § 9-130) Penalty, see §§ 9-2, 9-18, 9-115

**§ 9-131 OPERATION OF METER.**

When any vehicle shall be parked in any space adjacent to which a parking meter is located in accordance with the provisions of this division, the operator of such vehicle shall, upon entering such parking space, immediately deposit or cause to be deposited a one-cent, five-cent, ten-cent, or twenty-five-cent coin of the United States in such parking meter and put such meter in operation. Failure to deposit such coin and put the meter in operation shall constitute a violation of this division

and shall subject such person to the penalty prescribed in § 9-115.  
(‘89 Code, § 9-131) Penalty, see §§ 9-2, 9-18, 9-115

### **§ 9-132 DEPOSIT OF SLUGS.**

It shall be unlawful to deposit or cause to be deposited in any parking meter any slug, device or metallic substitute or any other substitute for a one-cent, five-cent, ten-cent or twenty-five-cent coin of the United States.

(‘89 Code, § 9-132) Penalty, see §§ 9-2, 9-18

### **§ 9-133 METER REVENUE - COLLECTION AND ACCOUNTING.**

The City Council shall designate such collectors and methods as are necessary to properly collect all coins deposited in the meter boxes. Such collectors shall be only such employees as are duly bonded in a sum not less than \$1,000 for the faithful performance of their duties. All money so collected shall be deposited with the Collector of the city; provided, however, that a separate fund or accounting shall be maintained at all times of such money so deposited. All penalty fees of \$2 collected by the Police Department shall be deposited with the Collector and credited to the parking meter fund.

(‘89 Code, § 9-133)

### **§ 9-134 SAME - DISPOSITION.**

The coins required to be deposited in parking meters as provided in this division are hereby levied and assessed as fees to provide for:

- (A) The proper regulation and control of traffic upon the public streets;
- (B) The cost of supervision and regulation of the parking of vehicles in parking meter zones; and
- (C) The cost of maintenance, supervision, regulation and control of parking meters.

(‘89 Code, § 9-134)

### **§ 9-135 DESTRUCTION, IMPAIRMENT, TAMPERING WITH PARKING METERS UNLAWFUL.**

It shall be unlawful for any person to deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this division.

(‘89 Code, § 9-135)



***DIVISION 3 TWO-HOUR PARKING ZONES***

**§ 9-151 CREATION.**

Two-hour parking zones are hereby created in those areas designated on the official traffic map which is on file in the City Clerk's office.

('89 Code, § 9-151)

**§ 9-152 DESIGNATION OF PARKING SPACES; MANNER OF PARKING WITHIN SPACES.**

The city shall have markings painted or placed upon the curb or upon the street in two-hour parking zones for the purpose of designating the parking space for a vehicle, and vehicles shall be parked within the lines or markings so established. It shall be unlawful and a violation of this division to park any vehicle across any such line or marking or to park such vehicle in such position that it shall not be entirely within the area so designated by such lines or markings.

('89 Code, § 9-152) Penalty, see §§ 9-2, 9-18

**§ 9-153 SIGNS.**

In two-hour parking zones, signs shall be installed in such number and at such places as may be necessary for the regulation, control and inspection of the parking of vehicles therein, including the reservation of loading zones for commercial vehicles. The signs shall indicate the time limitations for legal parking in such zones and the hours during the day when the time limitation shall be effective, in compliance with the provisions of this division.

('89 Code, § 9-153)

**§ 9-154 PARKING TIME LIMITS.**

It shall be an infraction for any person at any time to park any vehicle in any two-hour parking zone for more than 120 consecutive minutes, except from 5:00 p.m. each day until 9:00 a.m. of the following day and except on Sundays and legal holidays.

('89 Code, § 9-154) Penalty, see §§ 9-2, 9-18, 9-115

**§ 9-155 PATROL BY POLICE; ISSUANCE OF CITATION; PENALTY; REMOVAL OF MARKING FROM TIRES.**

(A) It shall be the duty of the police officers of the city, acting in accordance with instructions issued by the City Council, to patrol two-hour parking zones during the hours in which parking time is limited to determine if any vehicles are parking in such zones in violation of this division and to issue parking violation citations for operators parking in violation of this division.

(B) The parking violation citation shall state the make and model of the vehicle so parked, the state license number of such vehicle, the date and time such vehicle was parked in violation of any of the provisions of this division and any other facts or knowledge which is necessary to a thorough understanding of the circumstances attending such violation.

(C) Each such police officer shall attach to such vehicle a copy of the parking violation citation which shall be notice to the owner or operator thereof that such vehicle has been parked in violation of a provision of this division and instructing such owner or operator to report to the police station of the city in regard to such violation. Each such owner or operator may, within 48 hours of the time when such notice was attached to such vehicle, pay to the desk officer at the police station, as a penalty for and in full satisfaction of such violation, the sum of \$2. It shall be an infraction for such owner or operator to fail to make such payment within such 48-hour period.

(D) Any owner or operator parking a vehicle in a two-hour parking zone shall be deemed to have consented to the marking of the tires of such vehicle by any police officer patrolling such zone, and it shall be an infraction for any person to remove such marking from a tire of a parked vehicle prior to the time of its removal from such regulated parking space.

('89 Code, § 9-155) (Ord. passed 2-24-87) Penalty, see §§ 9-2, 9-18

#### **§ 9-156 LOCATION OF TWO-HOUR PARKING ZONES.**

The following areas are hereby designated as two-hour parking zones:

(A) Washington Street, from the intersection of Bridge Street to the intersection of Hamilton Street;

(B) Bridge Street, from the intersection of Jay Street to a point 200 feet south of the intersection of Washington Street;

(C) Henry Street, from the intersection of Harris Street to a point 200 feet north of the intersection of Washington Street;

(D) Monroe Street, from the intersection of Washington Street to the intersection of Jay Street.  
(‘89 Code, § 9-156)

#### ***DIVISION 4 FOUR-HOUR PARKING ZONES***

#### **§ 9-157 CREATION OF FOUR-HOUR PARKING ZONES.**

Four-hour parking zones are hereby created in those areas designated as four-hour zones on the official traffic map.

(Ord. passed 10-11-94)

**§ 9-158 DESIGNATION OF PARKING SPACES; MANNER OF PARKING WITHIN SPACES.**

The city shall have markings painted or placed upon the curb or upon the street in four-hour parking zones for the purpose of designating the parking space for a vehicle, and vehicles shall be parked within the lines or markings so established. It shall be unlawful and a violation of this division to park any vehicle across any such line or marking or to park such vehicle in such position that it shall not be entirely within the area so designated by such lines or markings.

(Ord. passed 10-11-94) Penalty, see §§ 9-2, 9-18

**§ 9-159 SIGNS.**

In four-hour parking zones, signs shall be installed in such number and at such places as may be necessary for the regulation, control and inspection of the parking of vehicles therein, including the reservation of loading zones for commercial vehicles. The signs shall indicate the time limitations for legal parking in such zones and the hours during the day when the time limitation shall be effective, in compliance with the provisions of this division.

(Ord. passed 10-11-94)

**§ 9-160 PARKING TIME LIMITS.**

It shall be an infraction for any person at any time to park any vehicle in any four-hour parking zone for more than 240 consecutive minutes, except from 10:00 p.m. each day until 9:00 a.m. of the following day and except on Sundays and legal holidays.

(Ord. passed 10-11-94) Penalty, see §§ 9-2, 9-18, 9-115

**§ 9-161 PATROL BY POLICE; ISSUANCE OF CITATION; PENALTY; REMOVAL OF MARKING FROM TIRES.**

(A) It shall be the duty of the police officers of the city, acting in accordance with instructions issued by the City Council, to patrol four-hour parking zones during the hours in which parking is limited to determine if any vehicles are parking in such zones in violation of this division and to issue parking violation citations for operators parking in violation of this division.

(B) The parking violation citation shall state the make and model of the vehicle so parked, the state license number of such vehicle, the date and time such vehicle was parked in violation of any of the provisions of this division and any other facts or knowledge which is necessary to a thorough understanding of the circumstances attending such violation.

(C) Each such police officer shall attach to such vehicle a copy of the parking violation citation which shall be notice to the owner or operator thereof that such vehicle has been parked in violation of a provision of this division and instructing such owner or operator to report to the police station of the city in regard to such violation. Each such owner or operator may, within 48 hours of the time

when such notice was attached to such vehicle, pay to the desk officer at the police station, as a penalty for and in full satisfaction of such violation, the sum of \$2. It shall be an infraction for such owner or operator to fail to make such payment with such 48-hour period.

(D) Any owner or operator parking a vehicle in a four-hour parking zone shall be deemed to have consented to the marking of the tires of such vehicle by any police officer patrolling such zone, and it shall be an infraction for any person to remove such marking from a tire of a parked vehicle prior to the time of its removal from such regulated parking space.

(Ord. passed 10-11-94)

### **§ 9-162 LOCATION OF FOUR-HOUR PARKING ZONES.**

The following areas are hereby designated as four-hour parking zones and shall be so designated on the official traffic map.

(A) The east side of Boone Road between the north end of the no parking zone established by ordinance adopted the 16th day of August, 1994, on the south and Utility Pole No. XL36 on the north, said utility pole being located in a northerly direction and with the east right-of-way line of Boone Road, 365 feet from the north end of the aforesaid no parking zone.

(B) The west side of Boone Road between the intersection of Boone Road by the south right of way line of Reeves Street on the north and a point located in a southerly direction and with the west right of way line of Boone Road, 141 feet from the southwest intersection of Boone Road and Reeves Street.

(Ord. passed 10-11-94)

### ***DIVISION 5 CITY OWNED OR LEASED PROPERTY***

#### **§ 9-171 ENFORCEMENT AUTHORIZED.**

It shall be an infraction for any person to stop, leave standing, or park a motor vehicle on any City owned or leased lot, garage or other facility that is designated for use by the public for parking in violation of posted signs, when signs are placed, erected or installed giving notice that stopping, standing or parking vehicles is regulated or prohibited. (Ord. passed 6-15-10; Am. Ord. passed 2-15-11)

***Statutory reference:***

*Authority to regulate parking on city owned or leased parking facilities, see G.S. § 160A-301(b)*

### ***DIVISION 6 PRIVATE PROPERTY***

#### **§ 9-172 ENFORCEMENT AUTHORIZED.**

Upon the written request of the owner or person in general charge of the operation and control of any

parking area or driveway of a privately owned hospital, shopping center, apartment house, condominium complex, commercial office complex or other privately owned public vehicular area as defined in G.S. § 20-4.01(32), the city may regulate or prohibit during specified hours the stopping, standing, or parking of motor vehicles.

('89 Code, § 9-171) (Ord. passed 4-19-83;)

***Statutory reference:***

*Authority to regulate parking on certain private property, see G.S. § 160A-301(d)*

**§ 9-173 APPLICATION FOR REGULATION.**

The owner or person in general charge of the operation and control of the property described in § 9-171 must submit the request for regulation in writing, on application forms available from the City Clerk.

('89 Code, § 9-172) (Ord. passed 4-19-83)

**§ 9-174 SIGNS.**

(A) The cost of erecting, placing or installing signs regulating parking, stopping and standing on private property and the cost of all necessary signs as determined by the Chief of Police, shall be paid by the person requesting regulations.

(B) All signs erected must be approved prior to placement, or the applicant may request that the city place such signs upon payment by the applicant of all costs.

('89 Code, § 9-173) (Ord. passed 4-19-83)

**§ 9-175 FIRE LANES.**

Any public vehicular area designated as a fire lane shall be identified as follows: the area shall be nine feet in width from the outside edge of the curb or sidewalk adjacent to the building; signs shall be placed, erected or installed in such area giving notice of no parking in the fire lane; and the area shall be outlined in yellow paint giving notice of no parking.

(Ord. passed 2-19-02)

**§ 9-176 SHOPPING CENTER PARKING REGULATED.**

It shall be an infraction for any person to stop, leave standing or park a motor vehicle in Meadow Greens Shopping Center in violation of posted signs, when signs are placed, erected or installed giving notice that stopping, standing or parking vehicles is regulated and prohibited between 12:00 a.m. and 5:00 a.m. in those areas outlined in red on the plat submitted with the application provided for in this article.

(Ord. passed 2-16-99)

**§ 9-177 PENALTY FOR VIOLATION.**

The provisions of this section shall be enforceable in the same manner as is used to enforce other parking regulations and ordinances, and penalties shall be the same as for the corresponding violation on publicly owned or controlled streets or property.  
('89 Code, § 9-176) (Ord. passed 4-19-83)

***DIVISION 7 PARKING FOR PERSONS WITH DISABILITIES*****§ 9-181 PARKING SPACES DESIGNATED.**

Parking spaces on the following streets and locations are hereby designated as parking spaces for persons with disabilities and the visually impaired:

**(A) *Washington Street.***

- (1) The first parking space on the north side of Washington Street and west side of the intersection of Washington Street by Monroe Street;
- (2) The parking space on the south side of Washington Street in front of 636 Washington Street;
- (3) The parking space on the south side of Washington Street in front of 712 Washington Street.
- (4) The parking space on the north side of Washington Street in front of 609 Washington Street.

**(B) *Monroe Street.*** The parking space on the east side of Monroe Street closest to Washington Street.**(C) *North Fieldcrest Road.***

- (1) The parking space on the west side of North Fieldcrest Road in front of 151 North Fieldcrest Road.
- (2) The parking space on the east side of North Fieldcrest Road in between 130 and 124 North Fieldcrest Road identified as PIN #709900767284200.

**(D) *Boulevard Street.***

- (1) The parking space on the east side of Boulevard Street in front of 216 Boulevard Street;
- (2) The parking space on the east side of Boulevard Street in front of 258 Boulevard Street;
- (3) The four (4) parking spaces on the north side of Boulevard Street in front of 318, 320, and 322 Boulevard Street;

(E) *Henry Street.* The fourth parking space on the west side of Henry Street south of Jay Street.

(F) *Main Street.*

(1) The three parking spaces on the east side of Main Street that are south of and next to the existing handicap access to the United Methodist Church are hereby designated to be parking spaces for persons with disabilities and for the visually impaired.

(2) The three parking spaces on the east side of Main Street, beginning with the first space north of the north end of the United Methodist Church, are hereby designated to be parking spaces for persons with disabilities and for the visually impaired.

(3) The three parking spaces on the west side of Main Street that are opposite the three spaces described in division (F)(2) above are hereby designated to be parking spaces for persons with disabilities and for the visually impaired.

(G) *Cedar Street.* The two parking spaces on the west side of Cedar Street, north of its intersection with Brame Street, in front of Bethel Baptist Church.

(H) *Brame Street.* The three (3) parking spaces on the north side of Brame Street, west of its intersection with Cedar Street, in front of Bethel Baptist Church.

(I) *Jones Street.* One parking space on the south side of Jones Street, east of its intersection with Morgan Road, beside of Mitchell Drug.

('89 Code, § 9-181) (Ord. passed 6-21-88; Ord. passed 11-15-88; Ord. passed 2-21-89; Am. Ord. passed 12-15-98; Am. Ord. passed 3-16-99; Am. Ord. passed 8-15-00; Am. Ord. passed 2-20-01; Am. Ord. passed 11-20-01; Am. Ord. passed 7-15-03; Am. Ord. passed 10-18-05; Am. Ord. passed 9-15-20)

**§ 9-182 SIGNS.**

Sign R7-8 as shown in the State Department of Transportation supplement to the manual on uniform traffic-control devices shall be erected or placed at each of the spaces designated in this division.

('89 Code, § 9-182) (Ord. passed 6-21-88; Am. Ord. passed 9-15-20)

**§ 9-183 TRAFFIC MAP AMENDED.**

The official traffic map of the city is hereby amended to conform with this division.

('89 Code, § 9-183) (Ord. passed 6-21-88)

**§ 9-184 UNLAWFUL ACTS.**

It shall be unlawful:

(A) To park or leave standing any vehicle in a space designated with a sign pursuant to division for persons with disabilities or visually impaired persons when the vehicle does not display the distinguishing license plate or placard as provided in this division or a disabled veteran registration plate issued pursuant to G.S. § 20-79.4(b)(12);

(B) For any person not qualifying for the rights and privileges extended to persons with disabilities or visually impaired persons under this division to exercise or attempt to exercise such rights or privileges by the unauthorized use of a distinguishing license plate or placard issued pursuant to the provisions of this division;

(C) To park or leave standing any vehicle so as to obstruct a curb ramp or curb cut for persons with disabilities as provided for by the state building code or as designated in G.S. § 136-44.14.  
(’89 Code, § 9-184) (Ord. passed 6-21-88) Penalty, see § 9-185

**§ 9-185 PENALTIES FOR VIOLATION.**

A violation of this division is an infraction which carries a penalty of \$25 and whenever evidence shall be presented in any court of the fact that any automobile, truck, or other vehicle was found to be parked in a properly designated persons with disabilities parking space in violation of the provisions of this division, it shall be prima facie evidence in any court in the state that the vehicle was parked and left in the space by the person in whose name the vehicle is registered and licensed according to the records of the division of motor vehicles. No evidence tendered or presented under this authorization shall be admissible or competent in any respect in any court or tribunal except in cases concerned solely with a violation of this division.

(’89 Code, § 9-185) (Ord. passed 6-21-88)



## ARTICLE VI: TRUCK ROUTES

### Section

- 9-191 Trucks restricted on certain streets
- 9-192 Truck routes for heavy trucks
- 9-193 Heavy trucks restricted on Washington Street

### § 9-191 TRUCKS RESTRICTED ON CERTAIN STREETS.

It shall be an infraction to operate or drive any vehicle that requires the driver to hold a commercial drivers license and has a gross weight of more than 26,000 pounds on any street in the city not identified as a truck route except as follows:

(A) Driving for the purpose of making a delivery or picking up a load;

(B) (1) Single operators of such vehicles shall be permitted to drive their vehicles to their principle residence provided that the driver and vehicle are registered with the city and the vehicle displays a valid sticker as issued by the city; and

(2) Only one such vehicle shall be permitted at any given address;

(3) The vehicle must be parked on the subject property and entirely off of any public right-of-way or sidewalk and it must not present any site visibility problems for adjoining property; and

(4) Only the truck is permitted, no tandem trailers.

('89 Code, § 9-191) (Ord. passed 2-24-87; Am. Ord. passed 8-15-00; Am. Ord. passed 9-17-02) Penalty, see §§ 9-2, 9-18

### § 9-192 TRUCK ROUTES FOR HEAVY TRUCKS.

(A) *Applicability.* The heavy trucks to which this section applies are tractor and tandem tractor type trucks when pulling semitrailers or tandem semitrailers.

(B) *Established.* The streets or portions of streets designated in a schedule called "Truck Traffic Routes Schedule" and set out in subsection (F) are hereby established as truck traffic routes. All trucks and trailers entering the city destined to any point outside the city and not taking on or discharging within the

city limits any goods, wares or merchandise, shall travel exclusively on the truck routes designated in subsection (F) and over such portions of the truck routes as shall constitute the shortest and most direct route from the point of entrance into the city and departure from the city.

(C) *Use required; exceptions.* It shall be an infraction to operate any such trucks or trailers for the transportation of property except along and over the routes set out in subsection (F), except when it is impracticable to do so because of street repairs or other emergency, or when necessary to travel on other streets to a destination for the purpose of loading or unloading goods, wares or merchandise, and then only by such deviation from the nearest truck route as is reasonably necessary.

(D) *Out-of-city destinations.* All persons operating trucks or truck trailers for the transportation of goods, wares or merchandise, whose property or cargoes are taken on or loaded within the city for transportation outside the corporate limits, shall in every instance follow such truck route out of the city.

(E) *Signs.* Signs shall be erected along the truck routes designated in subsection (F) at or near each intersection designating the direction of such truck routes.

(F) *Truck traffic routes schedule.* The following schedule delineates the routes over which trucks in the categories defined in this section are required to follow, subject to the exceptions set forth in subsection (C):

(1) *First route.* N.C. Highway No. 700 from its intersection with the city limits on the east running in a northerly direction over South Fieldcrest Road and Fieldcrest Road to the point where Fieldcrest Road turns in a westerly direction at its intersection with Main Street and there over Main Street to the intersection of Meadow Road and Main Street;

(2) *Second route.* N.C. Highway No. 770 from its intersection with the city limits on the east running thence in a westerly direction over N.C. Highway No. 770 and Meadow Road to the intersection of N.C. Highway No. 14.

(3) *Third route.* N.C. Highway No. 14 and Van Buren Road from the city limits on the south to the city limits on the north.

(4) *Fourth route.* Fieldcrest Road from its intersection with Main Street on the east to the intersection of Fieldcrest Road and Meadow Road on the west.

(G) *Violation.* It shall be an infraction for any person to operate a heavy truck and trailer to which this section applies on the streets in the city in violation of this section.

('89 Code, § 9-192) (Ord. passed 2-24-87; Am. Ord. passed 12-20-94) Penalty, see §§ 9-2, 9-18

**§ 9-193 HEAVY TRUCKS RESTRICTED ON WASHINGTON STREET.**

(A) It shall be an infraction for any person to operate tractor and tandem tractor type trucks when pulling semitrailers or tandem semitrailers on Washington Street, except when necessary to travel on Washington Street to a destination for the purpose of loading or unloading goods, wares or merchandise, and then only over such portion of Washington Street as is reasonably necessary to reach such destination.

(B) Signs shall be erected at reasonable intervals on Washington Street so as to give operators of heavy trucks notice of the provisions of subsection (A).

(C) This section shall not prohibit a truck from using Washington Street if both the point of origin and the point of destination for such truck are within the corporate limits of the city and the extraterritorial zoning area of the city.

('89 Code, § 9-193) (Ord. passed 2-24-87)



## ARTICLE VII: PARADES AND SPECIAL EVENTS

### Section

#### *Division 1 Generally*

- 9-211 Title
- 9-212 Exceptions
- 9-213 Definitions

#### *Division 2 Permit*

- 9-215 Required
- 9-216 Application - filing
- 9-217 Same - contents
- 9-218 Same - deadline
- 9-219 Police security fee
- 9-220 Application Fee
- 9-221 Standards for issuance; revocation
- 9-222 Notice of action on application; appeal procedure
- 9-223 Alternative permit

#### *Division 3 Conduct*

- 9-225 Parade route
- 9-226 Duty of parade or special event chairman
- 9-227 Duties of permittee
- 9-228 Conduct during the parade or special event
- 9-229 Chairman responsible for cleanup

***DIVISION 1 GENERALLY*****§ 9-211 TITLE.**

This article shall be known and cited as the parade and special events ordinance of the City of Eden. This chapter applies to all street fairs, festivals, carnivals, parades, marches, rallies, demonstrations, and other activities or public events that require the temporary closing or obstruction of all or a portion of any street or other public right-of-way or that substantially hinders or prevents the normal flow of vehicular or pedestrian traffic along any street or other public right-of-way. Any such activity covered by this chapter shall hereafter be referred to as “special event.”

('89 Code, § 9-211) (Ord. passed 12-8-87; Am. Ord. passed 02-15-11)

**§ 9-212 EXCEPTIONS.**

This article shall not apply to the following:

(A) Funeral processions supervised by a licensed mortuary;

(B) Picketing or other orderly processions on the sidewalks that do not violate any other city or state law.

(C) Any governmental agency acting within the scope of its function.

(D) Temporary closing of streets by a department of the city for activities related to maintenance, repair, construction, alteration or other official duties of such department.

('89 Code, § 9-212) (Ord. passed 12-8-87; Am. Ord. passed 02-15-11)

**§ 9-213 DEFINITIONS.**

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

***DANGEROUS WEAPON.*** Any device designed or capable or being used to inflict serious injury upon persons or property, including but not limited to firearms, knives of any kind or any type having a blade in excess of three inches in length, razors and razor blades, metallic knuckles, clubs, blackjacks and night sticks, dynamite cartridges, bombs, grenades, mines, and other powerful explosives, and loaded canes.

***PARADE.*** Any parade, march, ceremony, pageant, or procession of any kind moving upon any public street, way, highway, road or parkway of the city.

***SPECIAL EVENT.*** Any planned or organized event intended to attract and/or assemble ten (10) or more persons on city-owned property, or within state or city rights-of-way, for festivals, celebrations, concerts, shows, exhibitions, races, including runs or walks, or similar occurrences.

***WORKING DAY.*** A weekday, Monday through Friday inclusive, does not include weekends, Saturday or Sunday, and does not include any day that city hall is closed to the public for holiday, inclement weather, or the like.  
(‘89 Code, § 9-213) (Ord. passed 12-8-87; Am. Ord. passed 02-15-11)

***DIVISION 2 PERMIT***

**§ 9-215 REQUIRED.**

No person shall engage, participate in, aid, form, or start any parade or special event unless a permit shall have been obtained from the City Manager and provided, further, that no person may conduct or otherwise participate in any parade or special event between 11:00 p.m. and 6:00 a.m.  
(‘89 Code, § 9-231) (Ord. passed 12-8-87; Am. Ord. passed 02-15-11) Penalty, see §§ 9-2, 9-18

**§ 9-216 APPLICATION - FILING.**

An individual seeking the issuance of a parade or special event permit shall be submitted on a form provided by the City Clerk. The City Manager shall not approve any application for a permit when the City Manager finds that there is a conflict in both schedule and location (venue) with some other event for which a permit has been previously granted.  
(‘89 Code, § 9-232) (Ord. passed 12-8-87; Am. Ord. passed 02-15-11)

**§ 9-217 SAME - CONTENTS.**

The application shall be signed by the applicant and notarized and shall include but not be limited to the following:

(A) The name, address, and telephone number of the individual, organization or entity seeking to conduct such parade or special event.

(B) The name, address, and telephone number of the individual who will be the chairman and in charge of the parade or special event and who will accompany it and carry the permit at all times.

(C) The date when the parade or special event is to be conducted and the hours that such parade or special event will start and terminate.

(D) If the proposed event is a parade, then the proposed route to be traveled, the starting point and the termination point. If the proposed event is a special event, the proposed location and time of such special event.

(E) The approximate number of persons, animals, amusements and vehicles participating in the parade or special event and the type of animals and a description of the amusements and vehicles;

(F) A statement as to whether the parade or special event is proposed to occupy all or any portion of the width of any street within the city.

(G) The location by streets or other public right-of-way of any assembly areas for the parade or special event and the time when units of the parade or special event will begin to assemble at any such assembly area or areas;

(H) If the parade or special event is to be sponsored by or on behalf of any person other than the applicant, the applicant for such permit shall file with the application a written authorization from the person proposing to hold the parade or special event authorizing the applicant to apply for the permit on his or her behalf.

('89 Code, § 9-233) (Ord. passed 12-8-87; Am. Ord. passed 02-15-11) Penalty, see §§ 9-2, 9-18

#### **§ 9-218 SAME - DEADLINE.**

An application for a parade or special event permit shall be filed with the City Clerk not less than ten (10) working days and not more than thirty (30) working days before the date on which the parade or special event is to be conducted; provided, however, where good cause is shown therefore, the City Manager shall have the authority to consider any application which is filed less than ten days before the date of the parade or special event.

('89 Code, § 9-234) (Ord. passed 12-8-87; Am. Ord. passed 02-15-11)

#### **§ 9-219 POLICE SECURITY FEE.**

(A) Upon application for a special event permit filed with the City Clerk, the Police Chief or his designee shall conduct an assessment of required extra police security cost. The assessment shall take into consideration the following:

- (1) The proposed location of the special event;
- (2) The time of day that the special event is to take place;
- (3) The estimated number of participants and viewers.
- (4) If the special event is a race, run or walk, the number of marked and unmarked intersections along the route, and the number and type of traffic control devices along such route.



Such cost shall be based solely on the fees for the required extra duty police officers that the Police Chief or his designee shall determine will be needed to provide adequate police protection and traffic safety for the event. This assessment shall be based upon extra duty police officer fees as set forth in the Tax and Service Rates adopted annually by the City Council.

(B) This fee assessment shall be determined and the applicant shall be notified in not more than six (6) working days from the date of application filed with the City Clerk.

(C) The police security fee shall be paid by the applicant to the City Clerk prior to and shall be a prerequisite to the issuance of the special event permit.

(D) Notwithstanding the foregoing, the City may provide the services required by this subsection at no cost, or at a reduced cost, to the applicant should the City desire to provide such support to the special event. Such decision will be made by the City Manager. Such action is not a waiver of a regulatory requirement based upon political, social or religious grounds or reasons, or based upon the content of the views expressed, but instead is an affirmative act of city association or speech.

(Ord. passed 02-15-11)

**§ 9-220 APPLICATION FEE.**

(A) A nonrefundable fee for parades and special events shall be paid by the person applying for a permit at the time of application to cover expenses incidental to processing the application. Such fees shall be set forth in the Schedule of Tax and Service Rates adopted annually by the City Council.

('89 Code, § 9-235) (Ord. passed 12-8-87; Am. Ord. passed 02-15-11)

**§ 9-221 STANDARDS FOR ISSUANCE; REVOCATION.**

(A) The City Manager shall issue a permit for the proposed parade or special event unless it finds that:

- (1) The safe conduct of the parade or special event will substantially interrupt the safe and orderly movement of other traffic contiguous to its route; or
- (2) The conduct of the parade or special event will require the diversion of so great a number of law enforcement personnel of the city to properly police the line of movement of the parade or special event and of contiguous areas that adequate police protection cannot be provided to the remainder of the city; or
- (3) The conduct of the parade or special event will require the diversion of so great a number of emergency and rescue units that adequate emergency and rescue service to portions of the city and contiguous areas not occupied by the parade or special event will be impeded; or
- (4) The concentration of persons, animals, and vehicles at assembly points of the parade or special event will substantially interfere with adequate police and fire protection of or emergency and rescue service to areas contiguous to such assembly areas; or

- (5) The parade or special event is to be held for the primary purpose of advertising a product, goods, or an event and is designed to be held primarily for private profit or gain; or
- (6) The conduct of the parade or special event will interfere with the movement of firefighting equipment to such an extent that adequate fire protection cannot be provided to the city; or
- (7) The police security fee as described in § 9-235 has not been paid;
- (8) Any requirement for application or under this Article has not been fulfilled.

(B) Upon issuance of a parade or special event permit, a copy will be sent to the Police Chief, Fire Chief and the Street Superintendent. The City Manager shall have the authority to revoke a parade or special event permit issued pursuant to this division upon violation of the standards for issuance as set forth in this section. No such shall be passed affecting streets that are part of the state street system without the approval of the State Department of Transportation.

('89 Code, § 9-236) (Ord. passed 12-8-87; Am. Ord. passed 02-15-11)

#### **§ 9-222 NOTICE OF ACTION ON APPLICATION; APPEAL PROCEDURE.**

(A) The City Manager shall act upon the application for a parade or special event permit as expeditiously as reasonably possible, and within 72 hours, notifying the applicant for a parade or special event permit in writing of his decision. The notice shall also inform the applicant of the appeal procedure available under subsection (B) and the conference available under § 9-236 for an alternative permit.

(B) Any person aggrieved shall have the right to appeal the denial of a parade or special event permit to the City Council and the City Council shall hear the appeal at its first regularly scheduled meeting after receipt of the appeal.

('89 Code, § 9-237) (Am. Ord. passed 02-15-11)

#### **§ 9-223 ALTERNATIVE PERMIT.**

If the City Manager denies an application for a parade or special event permit based upon one or more of the findings prescribed in § 9-236, the City Manager or his designee shall, upon the request of the applicant, confer with the applicant for the purpose of trying to negotiate modifications to the planned parade or special event that will eliminate the objections found under § 9-236. The City Manager is authorized to grant an alternative permit specifying a date, time or route different from that contained in the application. The alternative permit is valid only upon the filing by the applicant with the City Manager or his designee of a written acceptance of the alternative permit. An alternative permit is void if not accepted in the manner prescribed in this section within three working days after its issuance. An alternative permit shall conform to the requirements of and shall have the effect of a parade or special event permit under this division.

('89 Code, § 9-238) (Ord. passed 12-8-87; Am. Ord. passed 02-15-11)

***DIVISION 3 CONDUCT***

**§ 9-225 PARADE ROUTE.**

Every parade shall follow the route designated and approved by the City Manager and prescribed on the parade permit.

('89 Code, § 9-214) (Ord. passed 12-8-87; Am. Ord. passed 02-15-11)

**§ 9-226 DUTY OF PARADE OR SPECIAL EVENT CHAIRMAN.**

The parade or special event chairman or other person leading the parade or special event shall carry the parade or special event permit upon his person during the conduct of the parade or special event. The parade or special event chairman shall be physically present at the parade or special event and shall be responsible for compliance with all provisions of the parade or special event permit.

('89 Code, § 9-215) (Ord. passed 12-8-87; Am. Ord. passed 02-15-11)

**§ 9-227 DUTIES OF PERMITTEE.**

A parade or special event permittee shall comply with all permit directions and conditions and with applicable laws and ordinances.

('89 Code, § 9-216) (Ord. passed 12-8-87; Am. Ord. passed 02-15-11) Penalty, see §§ 9-2, 9-18

**§ 9-228 CONDUCT DURING THE PARADE OR SPECIAL EVENT.**

(A) *Interference.* No person shall unreasonably hamper, obstruct, impede or interfere with any parade or parade assembly or special event or with any person, vehicle, or animal participating or used in the parade or special event.

(B) *Driving through.* No driver of any vehicle shall drive between the vehicles or persons constituting a parade or special event when such vehicles or persons are in motion and are conspicuously designated as a parade or special event.

(C) *Parking on parade route or in special event area.* The City Manager shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street or highway or part thereof constituting a part of the route of a parade or special event. The City Manager shall cause signs to be posted to this effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof.

(D) *Dangerous weapons.* No dangerous weapons of any kind may be possessed, exposed or concealed by any participant in the parade or special event, any person affiliated with and present at the parade or special event, or any person upon any street, sidewalk or other public place within 500 feet of the parade or special event.

(E) This section shall not apply to the following persons while acting lawfully and within the scope of their duties and authority:

- (1) Law enforcement officers;
- (2) Officers and soldiers of the armed forces, militia, and National Guard;
- (3) Students of military science in an accredited program;
- (4) Park rangers and animal control officers.
- (5) Any person carrying a concealed handgun pursuant to a lawfully valid concealed handgun permit.
- (6) Any person engaged in an war reenactment that has been approved by the City Manager under § 9-233,

(F) The applicant shall file with the City Manager a waiver signed by the applicant releasing and saving the city and its employees harmless for any claims, actions, and lawsuits, arising out of the conduct of the parade or special event, excepting injuries or damages proximately caused by the city.

('89 Code, § 9-219) (Ord. passed 12-8-87; Am. Ord. passed 02-15-11) Penalty, see §§ 9-2, 9-18

#### **§9-229 CHAIRMAN RESPONSIBLE FOR CLEANUP.**

The person designated in the application as responsible for the physical conduct of the parade or special event shall be responsible for ensuring that any booths, stands, or other equipment used in the parade or special event participants are removed from the area within a reasonable amount of time.  
(Ord. passed 02-15-11)