

**TITLE VII: TRAFFIC CODE**

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## CHAPTER 70: GENERAL PROVISIONS

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## **GENERAL PROVISIONS**

### **§ 70.01 DEFINITIONS.**

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

**ADMINISTRATOR.** The Public Works Director or any other person designated by the Manager to perform the functions assigned by this title to the Administrator. Whenever this title authorizes or requires the **ADMINISTRATOR** to install a traffic-control device controlling parking or regulating the movement of traffic on, to, or from a state highway system street and the installation of such a device is in practice a function of the State Department of Transportation, the Administrator may discharge his or her responsibility by requesting the State Department of Transportation to install such device.

**DRIVER.** The operator of a vehicle as defined in this section. The terms **DRIVER** and **OPERATOR** and their cognates are synonymous.

**HIGHWAY or STREET.** 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.

**INTERSECTION.** 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. 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**. If 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**.

**LOCAL STREET.** A street within the town that is not part of the state highway system.

**MOTOR VEHICLE.** Every vehicle that is self-propelled and every vehicle designed to run upon the highways that is pulled by a self-propelled vehicle. This shall not include mopeds as defined in G.S. § 20-4.01(27)d1.

**OPERATOR.** A person in actual physical control of a vehicle that is in motion or that has the engine running. The terms **OPERATOR** and **DRIVER** and their cognates are synonymous.

**PARKING or STANDING.** A vehicle is parked or is permitted to stand when it is stopped and allowed to remain in a fixed location for any duration of time, whether attended or unattended. Except where the context clearly indicates otherwise, the limitations on parking and standing in this chapter apply only to locations within a street right-of-way. In no case do these limitations apply when a vehicle is stopped to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic-control device or as the result of an emergency or because the vehicle is disabled.

**ROADWAY.** That 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** shall refer to any such roadway separately but not to all such roadways collectively.

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

**STATE HIGHWAY SYSTEM.** A street within the town that is part of the state highway system. Whenever this title regulates parking or the movement of traffic on, to, or from a state highway system street, then to the extent that concurrence by the State Department of Transportation is necessary by passage of a concurring ordinance or otherwise, such regulation shall not become effective until such concurrence is obtained. Streets listed in this title that are part of the state highway system are designated by an asterisk (\*).

**STREET.** See **HIGHWAY.**

**TRAFFIC-CONTROL DEVICE.** Any sign, signal, marking, or other device placed or erected pursuant to a lawfully adopted ordinance and designed to regulate, warn, guide, or control traffic.

**TRAFFIC-CONTROL SIGNAL.** Any device designed to regulate, guide, or control traffic through the use of alternating or flashing lights or by some other mechanical means.

**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 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 title 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 mph when the device is being operated by a person with a mobility impairment. (1999 Code, § 70.01)

**Statutory reference:**

*Definitions relating to motor vehicles, see G.S. § 20-4.01*

*Department of Transportation, see G.S. §§ 136-4 et seq.*

**§ 70.02 FUNERAL PROCESSIONS.**

(A) A funeral procession shall be identified as such in a manner determined by the town to be adequate to give notice to the other drivers of the existence of such a procession.

(B) Each driver in a funeral procession shall drive as near to the right-hand edge of the road as practicable and shall follow the vehicle ahead as closely as possible consistent with obedience to traffic-control signals and safe driving practices.

(C) No person may drive a vehicle between the vehicles constituting a funeral procession when such vehicles are in motion and are conspicuously designated as provided in division (A) of this section. (1999 Code, § 70.02) Penalty, see § 70.99

**Statutory reference:**

*Driving on right side of highway, see G.S. § 20-146*

**§ 70.03 BICYCLES, TOY VEHICLES, AND THE LIKE.**

(A) No person upon roller skates or riding in or by means of any coaster, toy vehicle, or similar device may go upon any roadway except while crossing a street at a crosswalk unless the street has been designated as a play street in accordance with § 71.03.

(B) No person upon roller skates or riding a bicycle, coaster, toy vehicle, or similar device may attach himself or herself or such a vehicle or device to any moving motor vehicle.

(C) No person may ride or drive a bicycle upon any sidewalk.

(D) The driver of a motorcycle or bicycle when upon the street shall not carry any other person upon the handlebars, frame, or tank of any such vehicle, nor shall any person so ride upon any such vehicle.

(1999 Code, § 70.03) Penalty, see § 70.99

**Statutory reference:**

*Bicycles, see G.S. §§ 20-171.1, 20-171.2*

### ***REGISTRATION; LICENSE TAX***

#### **§ 70.15 REGISTRATION OF RESIDENT MOTOR VEHICLES; PAYMENT OF LICENSE TAX.**

All motor vehicles that display current license plates and reside within the town for more than a total of 14 days in any calendar year shall be registered with the town in accordance with this subchapter, and the owner thereof shall pay to the town a tax of \$5 for each vehicle so registered. Upon registration of a vehicle in accordance with division (A) of this section, the town shall issue to the person registering the same an appropriately numbered plate, sticker, or any other identifying device. Upon satisfactory evidence that such device has been lost or destroyed, and payment of a fee of \$0.50, the town shall issue to the person who registered the vehicle a duplicate thereof.

(1999 Code, § 70.15)

#### **§ 70.16 REGISTRATION DEADLINE; PERIOD OF REGISTRATION.**

Registration under this subchapter shall be valid for the 12-month period running from January 1 to December 31. Registration shall be completed not later than February 15 of each year, or 16 days after the motor vehicle has resided in the town for 14 days, whichever is sooner.

(1999 Code, § 70.16)

#### **§ 70.17 OPERATION OF A MOTOR VEHICLE WITHOUT REGISTRATION PLATE UNLAWFUL.**

No person may operate or maintain within the town any motor vehicle required by § 70.15 to be registered with the town unless the motor vehicle displays the registration plate, sticker, or other identifying device issued in accordance with § 70.15(B).

(1999 Code, § 70.17) Penalty, see § 70.99

**§ 70.99 GENERAL TRAFFIC PENALTY.**

(A) Any violation of the following sections shall constitute an infraction, punishable by a fine of not more than \$50: §§ 70.02, 70.03, Chapter 71, or Chapter 73, Schedule II.

(B) Any violation of the following sections shall constitute an infraction, punishable by a fine of not more than \$1: § 70.16, Chapter 72, or Chapter 74.

(C) Any violation of the following sections shall subject the offender to a civil penalty as indicated:

(1) Sections 70.16, 72.02 (except 72.02(A)(2)), and 72.04: \$5;

(2) Sections 72.01, 72.03, 72.05, or Chapter 74, Schedules I and II: \$1; and

(3) Section 72.02(A)(2): \$25.

(D) If the offender fails to pay this penalty within ten days after being cited for a violation and notified of the penalty, the town may seek to collect it in a civil action in the nature of debt. (1999 Code, § 70.99)

***Statutory reference:***

*Violations of motor vehicle laws, see G.S. §§ 20-176 et seq.*





## CHAPTER 71: TRAFFIC REGULATIONS

### Section

- 71.01 Turning
- 71.02 No passing zones
- 71.03 Play streets
- 71.04 Blocking intersections and crosswalks
- 71.05 Speed limits

### ***Cross-reference:***

*Responsibility of operator of motor vehicle or bicycle injuring animal, see § 91.17*

### **§ 71.01 TURNING.**

Whenever, pursuant to Chapter 73, Schedule II, appropriate traffic-control devices are installed that clearly indicate that right or left turns, U-turns, or all turns are prohibited or required from a particular lane of traffic, no person may drive any vehicle contrary to the directions of any traffic-control device so installed.

(1999 Code, § 71.01) Penalty, see § 70.99

### **§ 71.02 NO PASSING ZONES.**

(A) Whenever, pursuant to division (B) of this section, appropriate traffic-control devices have been installed that clearly indicate that no passing is allowed on a portion of any street, no driver of a vehicle may overtake and pass another on any portion of a street so restricted.

(B) The Administrator may install appropriate traffic-control devices to indicate that no passing is allowed whenever and wherever he or she determines that passing would be unsafe on that portion of a street because:

- (1) The street intersects with another street;
- (2) The slope or grade of the street is such or the street curves to such an extent that a driver's view is obstructed within a distance of 500 feet; or

(3) Any other conditions exist making passing hazardous.  
(1999 Code, § 71.02) Penalty, see § 70.99

**Statutory reference:**

*Overtaking and passing vehicles, signs, see G.S. § 20-150*

**§ 71.03 PLAY STREETS.**

Whenever a street or any part thereof has been designated a play street and appropriate traffic-control devices have been installed clearly giving notice of this fact, no person may drive a vehicle upon such street or part thereof unless he or she resides there or has business there, and all persons shall exercise great care at all times when driving upon any play street.

(1999 Code, § 71.03) Penalty, see § 70.99

**§ 71.04 BLOCKING INTERSECTIONS AND CROSSWALKS.**

No driver may enter an intersection or 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.

(1999 Code, § 71.04) Penalty, see § 70.99

**§ 71.05 SPEED LIMITS.**

(A) As provided in G.S. § 20-141(b)(1), no person may drive a vehicle on a street or in a public vehicular area in excess of 35 mph unless a different speed is established by this section or pursuant to state law.

(B) Whenever a speed limit has been established and appropriate traffic-control devices have been installed in accordance with Chapter 73, Schedule II, no person may operate a vehicle on any street in excess of the posted speed.

(1999 Code, § 71.05) Penalty, see § 70.99

## CHAPTER 72: PARKING REGULATIONS

### Section

- 72.01 Manner of parking
- 72.02 Parking prohibited in certain locations
- 72.03 Parking prohibited on certain streets at certain times
- 72.04 Parking prohibited for certain purposes
- 72.05 Loading and unloading zones

### § 72.01 MANNER OF PARKING.

(A) Except as otherwise provided in this chapter, no person may park a vehicle or permit it to stand in a roadway other than parallel with the edge of the roadway, heading in the direction of lawful traffic movement, and with the wheels of the vehicle within 18 inches of the curb or the edge of the roadway.

(B) The Administrator may mark any street where parking is permitted with lines that indicate the parking space for vehicles, and no person may park any vehicle outside such lines.  
(1999 Code, § 72.01) Penalty, see § 70.99

### § 72.02 PARKING PROHIBITED IN CERTAIN LOCATIONS.

(A) No person may park any vehicle or permit it to stand in any of the following locations:

- (1) As provided in G.S. § 20-162, in front of a private driveway;
- (2) As provided in G.S. § 20-162, within 15 feet in either direction of a fire hydrant (whether or not located in a public right-of-way) or the entrance to a fire station;
- (3) As provided in G.S. § 20-162, within 15 feet of the intersection of property lines at an intersection of highways;
- (4) Within an intersection or on a marked crosswalk;
- (5) Within 30 feet of any traffic-control signal installed at an intersection;

- (6) On a sidewalk or on the space between the sidewalk and the curb;
- (7) In any portion of a roadway intended to carry traffic at the time such vehicle is parked or left standing;
- (8) On the roadway side of any vehicle stopped, standing, or parked at the edge of a curb or street;
- (9) Alongside or opposite any street excavation or obstruction when such parking or standing would obstruct traffic;
- (10) Upon any bridge, overpass, or other elevated structure or within any tunnel or other underpass structure;
- (11) Within 50 feet of the nearest rail of a railroad crossing;
- (12) In any alley or private road 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 travel or to block the driveway entrance to any abutting property; and
- (13) In any parking space clearly marked as reserved for the handicapped, whether on public or private property, unless the driver of or a passenger in such vehicle is handicapped or a passenger in such vehicle is visually impaired.

(B) The Administrator may install no-parking signs, yellow curb markings, or other traffic-control devices to indicate where parking and standing is prohibited in accordance with division (A) of this section, but enforcement of the provisions of this section is not dependent on the installation of such devices.

(1999 Code, § 72.02) Penalty, see § 70.99

***Statutory reference:***

*Handicapped drivers and passengers, see G.S. § 20-37.6*

**§ 72.03 PARKING PROHIBITED ON CERTAIN STREETS AT CERTAIN TIMES.**

Whenever, pursuant to Chapter 74, Schedule I, the Administrator has installed signs, yellow pavement markings, or other traffic-control devices clearly indicating that parking or standing within a specified area is prohibited, or is allowed only at certain times or for a certain duration, no person may park any vehicle or permit it to stand contrary to the directions of those traffic-control devices.

(1999 Code, § 72.03) Penalty, see § 70.99

**§ 72.04 PARKING PROHIBITED FOR CERTAIN PURPOSES.**

No person may park any vehicle or permit it to stand upon any street for any of the following principal purposes:

(A) Displaying it for sale, except foreclosure and judicial sales;

(B) Washing, greasing, changing tires, or repairing such vehicle, except to the extent necessitated by an emergency;

(C) Storing the vehicle; or

(D) Advertising.

(1999 Code, § 72.04) Penalty, see § 70.99

**§ 72.05 LOADING AND UNLOADING ZONES.**

(A) Notwithstanding any other provision of this chapter, whenever streets or portions of streets are designated as vehicle loading and unloading zones in accordance with the provisions of this chapter, parking and standing are permitted in these locations, but only in accordance with the provisions of this chapter.

(B) Whenever a school loading zone is designated and clearly marked by traffic-control devices in accordance with Chapter 74, Schedule II, no person may park any vehicle or permit it to stand in any such zone for any purpose other than the expeditious loading or unloading of school passengers, and then only for a period not to exceed ten minutes.

(1999 Code, § 72.05) Penalty, see § 70.99



## CHAPTER 73: TRAFFIC SCHEDULES

### Schedule

- I. Stop intersections
- II. Speed limits

#### SCHEDULE I. STOP INTERSECTIONS.

(A) The second-named street in the following list of intersections is hereby designated as a main traveled or through street, and the Administrator shall erect stop signs on the first-named street at the entrance to the main traveled or through street. The effect of such stop signs on vehicles and pedestrians shall be as provided in G.S. §§ 20-158 and 20-172.

<i>Stop Street</i>	<i>Through Street</i>
Beasley Street	Mutual Boulevard*
Church Street	Mutual Boulevard*
Dancy Street	Main Street*
Fifth Street	Mutual Boulevard*
First Street	Greenwood Boulevard*
Fourth Street	Main Street*
Mullin Street	Main Street*
Otis Avenue	Neville Street
Sixth Street	Greenwood Boulevard*
Third Street	Neville Street
Walston Street	Greenwood Boulevard*

(B) The Administrator shall erect or install devices to regulate vehicular and pedestrian traffic at the following intersections and locations. The effect of such stoplights or stop signs on vehicles and pedestrians shall be as provided in G.S. §§ 20-158 and 20-172.

<i>Street</i>	<i>Type of Device</i>
Cherry Street	Stop sign
Main Street*	Mechanical stoplight
Mutual Boulevard*	Mechanical stoplight

(1999 Code, Ch. 73, Sch. I) Penalty, see § 70.99

***Cross-reference:***

*Streets part of state highway system designated by (\*), see § 70.01*



**SCHEDULE II. SPEED LIMITS.**

The following speed limits shall be applicable to the following streets as indicated, and the Administrator shall install appropriate traffic-control devices clearly indicating the established speed limit:

<i>Street</i>	<i>Speed Limit</i>
Beasley Street	25 mph
Bell Street	25 mph
Black Street	25 mph
Cherry Street	25 mph
Church Street	25 mph
Dancy Street	25 mph
Fifth Street	25 mph
First Street	25 mph
Fourth Street	25 mph
Geddie Avenue	25 mph
Greenwood Boulevard*	35 mph
Howard Avenue	25 mph
Main Street*	35 mph
Mullin Street	25 mph
Mutual Boulevard*	35 mph
Neville Street	35 mph
Old Sparta Road	25 mph
Otis Avenue	25 mph
Rainey Street	25 mph
Second Street	25 mph
Sixth Street	25 mph
Snowden Street	25 mph
Third Street	25 mph

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<i>Street</i>	<i>Speed Limit</i>
Tyson Street	25 mph
Walston Street	25 mph
Walter Street	25 mph
Watson Street	25 mph
William Street	25 mph
U.S Bypass-U.S. 258-N.C. 44 from the Tar River, the western corporate limits, eastward to U.S. 258-N.C. 44, and U.S. 258-N.C. 44 from U.S. 64 Bypass-U.S. 258-N.C. 44 eastward for 0.20 mile	45 mph

(1999 Code, Ch. 73, Sch. IV) Penalty, see § 70.99

***Cross-reference:***

*Streets part of state highway system designated by (\*), see § 70.01*

## CHAPTER 74: PARKING SCHEDULES

### Schedule

- I. No parking at any time
- II. School loading zones

### **SCHEDULE I. NO PARKING AT ANY TIME.**

The Administrator shall install no parking signs, yellow curb markings, or traffic-control devices to indicate that parking and standing is prohibited at all times at the following locations:

(A) Main Street\*; and

(B) Mutual Boulevard\*.

(1999 Code, Ch. 74, Sch. I) Penalty, see § 70.99

***Cross-reference:***

*Streets part of state highway system designated by (\*), see § 70.01*



**SCHEDULE II. SCHOOL LOADING ZONES.**

The Board of Commissioners finds that a school loading zone is necessary in the following locations to permit children and other passengers to be loaded and unloaded from vehicles in safety, and the Administrator shall install appropriate traffic-control devices to give clear notice that parking or standing within the following locations is limited to ten minutes: Walston Street.

(1999 Code, Ch. 74, Sch. II) Penalty, see § 70.99

