

TITLE VII: TRAFFIC CODE

Chapter

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CHAPTER 70: TRAFFIC REGULATIONS

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70.99 Penalty

Statutory reference:

Regulation of traffic on streets and public ways, see G.S. ' 160A-300

' 70.01 REGULATIONS GENERALLY.

(A) Town traffic and parking regulations will be established by ordinance and the Board. When a new traffic or parking ordinance is adopted, the Chief of Police shall make certain that the appropriate sign, traffic-control signal or other markings are made to give proper notice of the regulation.

(B) A list of all town traffic and parking regulations shall be maintained in the office of the Clerk. The current list of regulations is incorporated by reference into this chapter.

(1993 Code, ' 70.01)

' 70.02 OBEDIENCE TO SIGNS, MARKERS

AND DEVICES.

(A) Any person failing or refusing to comply with the directions indicated on any sign, marker or device for the control of direction of traffic or regulation of parking erected or placed in accordance with the provisions of this chapter, when so placed or erected, shall be guilty of an infraction or misdemeanor.

(B) This section shall not be construed to apply when the driver of a vehicle is otherwise directed by a police officer, or when an exception is granted to the driver of an authorized emergency vehicle under ' 70.10 below.

(1993 Code, ' 70.02) Penalty, see ' 70.99

' 70.03 SIGNS AS PREREQUISITE TO ENFORCEMENT.

No provisions of this chapter for which signs are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official sign is not in proper position and sufficiently legible to an ordinarily observant person.

(1993 Code, ' 70.03)

' 70.04 TRAFFIC-CONTROL SIGNALS.

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

(A) *Green alone or AGo@.*

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

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

(B) *Yellow alone or ACaution@ when shown following the green or AGo@ signal.*

(1) Vehicular traffic facing the signal is thereby warned that the red or AStop@ signal will be exhibited immediately there-after and the vehicular traffic shall not enter or be crossing the intersection when the red or AStop@ signal is exhibited.

(2) No pedestrian facing the signal shall enter the roadway until the green or AGo@ is shown.

(C) *Red alone or AStop@.*

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

(2) No pedestrian facing the signal shall enter the roadway unless the green or AGo@ is shown alone or unless authorized to do so by a pedestrian AWalk@ signal.

(D) *Red with green arrow.*

(1) Vehicular traffic facing the signal may cautiously enter the intersection only to make the movement indicated by the arrow but shall yield the right-of-way to pedestrians lawfully within a

(A) No person shall place, maintain or display on or in view of any street or highway any unauthorized sign, signal, marking or device which

crosswalk and to other traffic lawfully using the intersection.

(2) No pedestrian facing the signal shall enter the roadway until the green or AGo@ is shown.

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

(1993 Code, ' 70.04)

' 70.05 FLASHING SIGNALS.

Whenever flashing red or yellow signals are used, they shall require obedience by vehicular traffic as follows.

(A) *Flashing red (stop signal).*

(1) When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall come to a complete stop before entering the nearest crosswalk at an intersection or at a limit line when marked, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

(2) In no event shall the vehicle be driven into the crosswalk unless and until the entry can be made with safety to other persons and property at the place.

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

(1993 Code, ' 70.05) Penalty, see ' 70.99

' 70.06 DISPLAY OF UNAUTHORIZED SIGNS.

purports to be or is imitation of or resembles an official traffic-control device, sign or signal, or which attempts to direct the movement of traffic, or which

hides from view or interferes with the effectiveness of any official traffic-control device, sign or signal.

(B) No person shall place or maintain nor shall any public authority permit on any street or highway any traffic sign or signal bearing thereon any commercial advertising.
(1993 Code, ' 70.06) Penalty, see ' 70.99

' 70.07 INTERFERENCE WITH OFFICIAL TRAFFIC-CONTROL DEVICES.

No person shall without lawful authority attempt to or in fact alter, deface, injure, knock down or remove any official traffic-control device, sign or signal or any inscription, shield or insignia thereon, or any other part thereof.
(1993 Code, ' 70.07) Penalty, see ' 70.99

' 70.08 AUTHORITY OF POLICE AND FIRE DEPARTMENT OFFICIALS.

(A) It shall be the duty of the officers of the Police Department to enforce all street traffic laws and all of the state vehicle laws applicable to street traffic.

(B) Officers of the Police Department are authorized to direct all traffic by voice, hand or signal in conformance with traffic laws, provided that, in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the Police Department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.

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

(D) Officers of the State Highway Patrol and the County Sheriff=s Department are authorized to enforce all street traffic laws and all state vehicle laws within the town.
(1993 Code, ' 70.08)

' 70.09 OBEDIENCE TO POLICE AND FIRE DEPARTMENT OFFICIALS.

No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer or Fire Department official.
(1993 Code, ' 70.09) Penalty, see ' 70.99

' 70.10 AUTHORIZED EMERGENCY VEHICLES.

The provisions of this chapter regulating the operation, parking and standing of vehicles shall not apply to authorized emergency vehicles, as defined in this chapter, except as provided under state law.
(1993 Code, ' 70.10)

Statutory reference:

Emergency vehicles, exceptions to right-of-way rules, see G.S. ' 20-156

' 70.11 SPEED LIMIT.

It shall be unlawful for any person to operate an automobile or other vehicle at a greater rate of speed than 20 mph in the business section of the town, or 35 mph in the residential section of the town, unless otherwise provided.
(1993 Code, ' 70.11) (Ord. 2, passed - -; Ord. 215, passed 10-11-2012) Penalty, see ' 70.99

' 70.12 DRIVING VEHICLES ON SIDEWALKS.

It shall be unlawful for any person or persons to drive or park a car, wagon or any vehicle of like manner on sidewalks in the town.
(1993 Code, ' 70.12) (Ord. 31, passed - -) Penalty, see ' 70.99

' 70.13 STARTING FROM STOPPED POSITION.

There shall be no improper starting of vehicles from stopped position within the town.
(1993 Code, ' 70.13) (Ord. 107, passed - -) Penalty, see ' 70.99

' 70.14 BICYCLE RIDING.

There shall be no bicycle riding on the sidewalks between the hours of 8:00 a.m. and 12:00 midnight. (1993 Code, ' 70.14) (Ord. 95, passed - -) Penalty, see ' 70.99

' 70.99 PENALTY.

If any person shall violate an ordinance regulating the operation or parking of vehicles, he or she shall be responsible for an infraction and shall be required to pay a penalty of not more than \$50. (G.S. ' 14-4(b))

CHAPTER 71: PARKING REGULATIONS

Section

- 71.01 Illegal parking; over time
- 71.02 Compliance; proof of ownership
- 71.03 Parking near fire hydrant

- 71.99 Penalty

Cross-reference:

*Parking restricted in certain locations,
see Chapter 73, Sch. II*

' 71.01 ILLEGAL PARKING; OVER TIME.

(A) If any vehicle shall be found illegally parked or parked overtime or in violation of any of the provisions of this chapter, it shall be the duty of the Chief of Police or other peace officers of the town to attach to the vehicle a notice to the owner or operator thereof, if the owner or operator is absent, or to deliver to the owner or operator, if he or she is present, a notice to the effect that the vehicle has been illegally parked or parked overtime or in violation of a provision of this chapter.

(B) An owner or operator of a vehicle may, within 48 hours from the time the notice referred to in division (A) above was attached to the vehicle or delivered to the owner or operator, pay to the town, as a penalty for the offense indicated in the notice, the sum of \$20. No owner or operator of the vehicle shall fail to appear and pay the penalty within the prescribed period.

(1993 Code, ' 71.01) (Ord. 218, passed 12-13-2012)

' 71.02 COMPLIANCE; PROOF OF OWNERSHIP.

The person actually operating or in control of the operation of the vehicle at the time that the vehicle is parked shall be charged with the duty of complying with the provisions of this chapter, provided, that proof of ownership of any vehicle found parked in violation of this chapter shall be prima facie evidence that the owner parked the vehicle.

(1993 Code, ' 71.02)

' 71.03 PARKING NEAR FIRE HYDRANT.

There shall be no parking within ten feet of any fire hydrant. Parking laws shall be in accordance with state laws.

(1993 Code, ' 71.03) (Ord. 35, passed - -) Penalty, see ' 71.99

' 71.99 PENALTY.

Except as otherwise provided, the violation of any of the provisions of this chapter shall constitute a misdemeanor.

(1993 Code, ' 71.99)

CHAPTER 72: TRAFFIC SCHEDULES

Schedule

I. U-turns

SCHEDULE I. U-TURNS.

Signs indicating ANo U-Turn@ shall be placed in the following locations:

<i>Intersection</i>	<i>Ordinance Number</i>
Middleton and Broad Street	67
Middleton and Salisbury street	67

(1993 Code, Ch. 73, Sch. I) Penalty, see ' 70.99

CHAPTER 73: PARKING SCHEDULES

Schedule

- I. Parking spaces
- II. Parking time limited

SCHEDULE I. PARKING SPACES.

All persons parking on Middleton Street from the Norfolk Southern Railroad to Salisbury Street shall park within white lines indicating parking space.

(1993 Code, ' 71.04) (Ord. 43, passed - -) Penalty, see ' 70.99

SCHEDULE II. PARKING TIME LIMITED.

Parking shall be limited as indicated in the following locations

<i>Street</i>	<i>Side</i>	<i>Location</i>	<i>Time Limit</i>	<i>Ord. No.</i>
Middleton Street	Both	Between Salisbury Street and Elm Street	2 hours between 9:00 a.m. and 5:00 p.m.	137 216
Middleton Street	East	The space in front of the municipal building between South Broad Street and Horner Street	15 minutes between 9:00 a.m. and 5:00 p.m.	137 216
Salisbury Street	Both	Between Middleton Street and Rockingham Street	2 hours between 9:00 a.m. and 5:00 p.m.	137 216

(1993 Code, Ch. 74, Sch. I) (Ord. 216, passed 11-8-2012) (Ord. Revised, passed 12-8-2016)

