

Chapter 12

MOTOR VEHICLES AND TRAFFIC*

Art. I. In General, §§ 12-1—12-25

Art. II. Stopping, Standing and Parking, §§ 12-26—12-28

*Cross reference—Streets and sidewalks, Ch. 19.

State law references—Authority to regulate traffic generally, G.S. § 7-148(c)(7)(B)(i); authority to regulate speed of vehicles, G.S. § 7-148(c)(7)(B)(ii); authority restricted, G.S. § 14-162.



ARTICLE I. IN GENERAL

Sec. 12-1. Riding bicycles on sidewalks.

(a) The riding of bicycles is prohibited on the public sidewalks of the downtown business area of the town. Such area is defined as follows:

- (1) The northerly side of the Boston Post Road from its intersection with Scotland Avenue to its intersection with Durham Road (Route # 79);
- (2) The southerly side of Boston Post Road from its intersection with Sampson Rock Drive, westerly to its intersection with Meigs Avenue.

(b) The penalty for violation of the provisions of this section shall be a fine not to exceed the sum of five dollars (\$5.00) for each offense.
(Ord. of 3-20-78, §§ 1, 2)

Secs. 12-2—12-25. Reserved.

ARTICLE II. STOPPING, STANDING AND PARKING*

Sec. 12-26. Parking violations; schedule of fines.

(a) Any vehicle found parked in any parking space on a public street or highway beyond the period of legal parking time established for such place by the board of police commissioners or any vehicle found parked in violation of any provisions of any resolution, rule or regulation of the traffic authority under this or any other regulation, rule or ordinance adopted by the town shall be subject to the provisions of this section.

(b) For the purpose of this section any vehicle left on a public highway or right-of-way or left standing in any such location or within any approved area designed for the public parking of motor vehicles, and such motor vehicle is not occupied at the operator's position by a person legally entitled to operate a motor vehicle within the state, whether the engine of such motor vehicle is operating or not, shall be deemed parked,

*State law references—Parking vehicles, G.S. § 14-251; parking to obstruct driveways, G.S. § 14-252.

and such vehicle and the operator or owner of such vehicle shall be subject to the provisions of this section.

(c) Each police officer or other person empowered by the chief of police to act upon observance or notification of a parking violation, found to be in violation of the provisions of this section or any other ordinance, rule or regulation issued under authority of the town, or in violation of the General Statutes pertaining to the parking of motor vehicles, shall take appropriate action consistent with the needs and rights of the community and the motoring public.

(d) Each police officer or other person empowered by the chief of police to act on complaints of observance of parking offenses in violation of ordinances, rules or regulations adopted by the town, may issue or cause to be issued to the operator, or affix to the offending vehicle or issue or cause to be issued to the legal registered owner of such vehicle, a town parking violation complaint directing such operator or such registered owner to pay a fine which shall be paid to the department of police services within fourteen (14) days from the date of issue.

(e) Schedule of fines for parking violations.

- (1) There shall be a fine of fifteen dollars (\$15.00) for each of the following violations:
 - a. Reserved;
 - b. Parking on sidewalk;
 - c. Parking on wrong side of street;
 - d. Blocking driveway;
 - e. Parking too close to corner (within twenty-five (25) feet);
 - f. Parking too close to stop sign or intersection (within twenty-five (25) feet);
 - g. Occupying more than one (1) parking space;
 - h. Parking within a crosswalk;
 - i. Backing into a diagonal parking stall;
 - j. Parking more than twelve (12) inches from a curb;

- k. Parking on or within a curve;
 - l. Other.
- (2) There shall be a fine of twenty-five dollars (\$25.00) for each of the following violations:
- a. Parking in a bus stop;
 - b. Obstructing traffic;
 - c. Parking in a loading zone;
 - d. Parking in a no parking zone;
 - e. Abandoning a motor vehicle;
 - f. Obstructing a fire hydrant;
 - g. Reserved;
 - h. Violation of section 12-27;
 - i. Violation of town ordinance.
- (3) There shall be a fine of twenty dollars (\$20.00) for the following violation: Over-time parking, two-hour limit.
- (4) There shall be a fine of thirty-five dollars (\$35.00) for the following violation: Parking in a fire zone.
- (5) There shall be a fine of eighty-five [dollars] (\$85.00) for the following violation: Parking in a handicap zone.

(f) If payment is not received within fourteen (14) days of the date of issue of the citation, the fine shall automatically double. Printed on all citations shall be the words, "Fine Doubled After Fourteen (14) Days."

(g) If payment is not received in full within thirty (30) days of the date of issue of the citation, an infraction ticket shall be issued to the last registered owner of the motor vehicle by first class mail. The owner of record shall be that individual, firm or corporation according to the department of motor vehicles. The town infraction will charge the registered owner with violation of a town ordinance subject to a fine of not less than fifty dollars (\$50.00) and not more than one hundred dollars (\$100.00). This shall be deemed an additional violation of this section. A letter explaining the fines, penalties, costs and fees due shall accompany the infraction ticket.
(Ord. of 6-5-78, §§ 1, 2; Ord. of 4-2-90; Ord. of 4-28-03)

Sec. 12-27. Overnight parking during winter months.

(a) During the period from November 1 through April 1 of each year there shall be no on-street parking of any vehicle on any roadway, street or highway within the town between the hours of 12:00 midnight and 7:00 a.m.

(b) In addition to the restrictions contained in subsection (a) above, there shall be no on-street parking on any roadway, street or highway when snow removal or plowing operations are being conducted on that roadway, street or highway by or under the auspices of the town.

(c) Any vehicles which are parked in violation of this section shall be issued a parking violation tag and the vehicle shall be towed at the expense of the registered owner of the vehicle parked in violation of this section. The registered owner of the vehicle shall be deemed liable for all monetary and legal charges levied in connection with the violation, towing and storage of the vehicle.

(d) Any person found in violation of this section shall be deemed to have committed an infraction under this section and fined in accordance with section 1-11.

(Ord. of 10-16-89(1), §§ 1—4)

Sec. 12-28. Hearing procedure for parking violations.

The town, acting by its board of selectmen pursuant to Article II, Section 2.2.1A of the Town Charter, hereby adopts the provisions of section 7-152b of the General Statutes, which section establishes a hearing procedure for parking violations as set forth in said statute.

(Ord. of 5-22-95)