

**TITLE VII: TRAFFIC CODE**

Chapter

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**CHAPTER 70: GENERAL PROVISIONS**

Section

**GENERAL PROVISIONS**

**General Provisions**

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**§ 70.01 DEFINITIONS.**

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

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

**Traffic-Control Devices**

- 70.20 No-turn signs; turning markers
- 70.21 No-parking zones; safety zone markers
- 70.22 Vehicle load restrictions on certain streets

**BLOCK.** This term indicates the length of that portion of any street which is located between two street intersections.

**BUSINESS DISTRICT.** The territory contiguous to a highway when 50% or more of frontage thereon, for a distance of 300 feet or more, is occupied by buildings which are in use for business purposes.

**Automobile Registration**

- 70.40 Automobile registration required; period of registration
- 70.41 Registrar to issue number plates; duplication of lost or destroyed plates
- 70.42 Transferring license plates; rules and restrictions
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**CROSSWALK.** That portion of a roadway which lies between the prolongation of the lateral sidewalk or boundary lines over an intersection. 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 control of a vehicle.

**Truck Route**

- 70.50 Definitions
- 70.51 Routes
- 70.52 Enforcement and Penalty
  
- 70.99 Penalty

**INTERSECTION.** The area embraced within the prolongations of the lateral curb or boundary lines of two or more roadways or highways which join or join and cross one another at an angle.

**MOTOR VEHICLE.** Every vehicle which is self-propelled, including those propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

**OFFICIAL TIME STANDARD.** Whenever certain hours are named herein they shall mean

standard time or daylight-savings time as may be in current use in this town.

regulations and conditions.  
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***OFFICIAL TRAFFIC-CONTROL DEVICES.***

Any signs, signals, markings and devices not inconsistent with this chapter, placed or erected by authority of the governing body, or an official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

***OFFICIAL TRAFFIC SIGNALS.*** Any device, whether manually or automatically operated, by which traffic is alternately directed to stop and to proceed.

***PARKED.*** The standing of a vehicle, whether occupied or not, other than temporarily for the purpose of loading or unloading.

***PEDESTRIAN.*** Any person afoot.

***POLICE OFFICER.*** Every officer of the Town Police Department, or any officer authorized to direct 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 for purposes of vehicular travel.

***PUBLIC CONVEYANCE.*** Any vehicle which is engaged in the business of transporting persons for fare.

***RAILROAD.*** A carrier of persons or property, other than street cars, with cars operated on stationary rails.

***RAILROAD TRAIN.*** A steam engine, electric or other locomotive, with or without cars coupled thereto operated upon rails, not including street cars.

***RESIDENCE DISTRICT.*** The territory contiguous to a highway not comprising a business district when the frontage of such highway, for a distance of 300 feet or more, is mainly occupied by residential dwellings.

***RIGHT-OF-WAY.*** The privilege of the immediate use of the roadway not inconsistent with

**ROADWAY.** That portion of a street which has been improved and designed for vehicular traffic, or which is ordinarily used for vehicular travel.

**SAFETY ZONE.** The area officially set apart within a roadway for the exclusive use of pedestrians, which area is either protected or plainly marked at all times while so set apart as a safety zone.

**SIDEWALK.** That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines exclusively intended for the use of pedestrians.

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

**SIGNS.** See **TRAFFIC SIGNS.**

**STOP.** When required, means complete cessation of movement.

**STOP** or **STOPPING.** When prohibited, means any stopping of a vehicle, except when conflict with other traffic is imminent, or when otherwise directed by a police officer.

**STREET** or **HIGHWAY.** The entire area between lateral property lines which is open to the use of the public, as a matter of right, for purposes of vehicular traffic.

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

**TRAFFIC SIGNS.** Authorized signs or markers which are assumed to be permanently or temporarily placed, erected or installed at certain places, and which purport to give notice of direction or to convey a prohibition or warning; the presence of such signs, though not compulsory, is generally dictated by necessary or common sense with a view to furtherance of public safety.

**VEHICLE.** Every device in or upon which any person or property may be transported; provided that for the purpose of this chapter, a bicycle or a ridden

animal shall also be deemed a vehicle.  
(’82 Code, Ch. 17, Art. I, § 1)

**§ 70.02 OBEDIENCE TO TRAFFIC REGULATIONS; COMPLIANCE WITH CHAPTER.**

It is an infraction for any person to do any act forbidden or to fail to perform any act required in this title.  
(’82 Code, Ch. 17, Art. I, § 6) Penalty, see § 70.99

**§ 70.03 OBEDIENCE TO POLICE.**

No person shall refuse to comply with any lawful order or direction of a police officer.  
(’82 Code, Ch. 17, Art. I, § 7) Penalty, see § 70.99

**§ 70.04 AUTHORITY OF POLICE IN SPECIAL CASES.**

In the event of a fire or other emergency, or when is necessary to expedite traffic or to safeguard pedestrians, police officers may direct traffic as conditions may require, notwithstanding the provisions of this title.  
(’82 Code, Ch. 17, Art. I, § 8)

**§ 70.05 PUBLIC EMPLOYEES TO OBEY TRAFFIC REGULATIONS.**

The provisions of this title shall apply to the driver of any vehicle owned by or used in the service of the United States government, this state, county or town, and it shall be unlawful for any such driver to violate any of the provisions of this title.  
(’82 Code, Ch. 17, Art. I, § 9) Penalty, see § 70.99

**§ 70.06 APPLICATION TO PUSH CARTS, BICYCLES OR ANIMALS.**

Every person propelling any push cart or riding a bicycle or an animal upon a roadway, or driving any animal-drawn vehicle shall be subject to the provisions of this title, which are applicable to any driver

of any vehicle, except for those provisions of this title which by their very nature can have no application.  
(’82 Code, Ch. 17, Art. I, § 11)

***TRAFFIC-CONTROL DEVICES***

**§ 70.20 NO-TURN SIGNS; TURNING MARKERS.**

Whenever authorized signs are placed which indicate that no right or left or U-turn is permitted, the driver of a vehicle shall obey the directions of any such sign, and when authorized markers, buttons or other indications are placed within an intersection which indicate the course to be traveled by vehicles traversing or turning, the driver of a vehicle shall obey the directions of such indications.  
(’82 Code, Ch. 17, Art. I, § 13) Penalty, see § 70.99

**§ 70.21 NO-PARKING ZONES; SAFETY ZONE MARKERS.**

Whenever authorized signs or markings are placed, erected or installed indicating no-parking zones or safety zones, the driver of a vehicle shall obey such regulatory indications.  
(’82 Code, Ch. 17, Art. I, § 14) Penalty, see § 70.99

**§ 70.22 VEHICLE LOAD RESTRICTIONS ON CERTAIN STREETS.**

(A) When signs are erected giving notice thereof, it shall be unlawful for any person to operate any vehicle with a gross weight in excess of 19,000 pounds on those specified town-maintained residential streets identified on the town's current Powell Bill map, with the exemption of King Street and Cypress Street.

(B) The following types of vehicles shall be exempt from this section:

(1) Governmental services vehicles, specifically fire trucks, garbage trucks and street maintenance equipment.

(2) School buses scheduled to pick up or discharge passengers.

(3) Delivery-type trucks, such as a moving vans or service trucks when no other alternate route is available.  
(’82 Code, Ch. 17, Art. I, § 23) (Ord. passed 6-4-84)  
Penalty, see § 70.99

### ***AUTOMOBILE REGISTRATION***

#### **§ 70.40 AUTOMOBILE REGISTRATION REQUIRED; PERIOD OF REGISTRATION.**

(A) Every resident owner of a motor vehicle operated in the town, except motor vehicles temporarily operated for a period of time not exceeding a total of 30 days, or except motor vehicles operated for car display or car exhibition purpose by car manufacturers or dealers displaying dealers' license plates issued by the state shall register such vehicle with the Town Registrar of motor vehicles. The period of registration shall include the 12 months between January 1 and December 31. The fee for registration shall be \$5, not prorated.

(B) An owner found in a violation of the provisions of this section may avoid the issuance of a warrant returnable in the district court of Bladen County by doing the following:

(1) By purchasing (if he has not already purchased) the applicable license plate, and by displaying the same not later than the seventh day after the issuance of a “warning citation” as hereinafter provided.

(2) By paying to the office of the Finance Officer a penalty of \$5, not later than the seventh day following the issuance of the “warning citation”;

(C) The Police Department is hereby authorized to issue a written warning, which shall be known as

a “warning citation,” to any vehicle found in violation of the provisions of this section, which citation shall notify the owner of said vehicle:

(1) Of the provisions of division (B) above.

(2) That if the provisions of division (B) are not complied with, a warrant for the arrest of the owner of said vehicle will be issued, which warrant will be returnable in the district court of Bladen County for trial of the offender for an infraction.  
(’82 Code, Ch. 17, Art. I, § 2) (Ord. passed 6-10-71; Am. Ord. 00-7, passed 8-7-00) Penalty, see § 70.99

#### **§ 70.41 REGISTRAR TO ISSUE NUMBER PLATES; DUPLICATION OF LOST OR DESTROYED PLATES.**

For every registered motor vehicle, the Registrar shall issue to the person registering the vehicle an appropriate number plate or sticker. Upon satisfactory evidence that any such registration number plate has been lost or destroyed, the Registrar shall issue a duplicate to the owner of such vehicle.

(’82 Code, Ch. 17, Art. I, § 3)

#### **§ 70.42 TRANSFERRING LICENSE PLATES; RULES AND RESTRICTIONS.**

A number plate or sticker shall not be transferred from one vehicle to another, and shall not be used by any motor vehicle except upon the one for which it was issued, provided that the owner of such registered vehicle may, upon the sale or exchange thereof transfer the number plate or sticker assigned to such vehicle to the new owner of such vehicle by registering such transfer with the Registrar of motor vehicles, and by the payment of a fee of \$5. The owner of a motor vehicle registered hereunder who exchanges the registered vehicle for another may transfer the number plate or sticker assigned to such registered vehicle for which he has made an exchange by the payment of a fee of \$5.

(’82 Code, Ch. 17, Art. I, § 4)

**§ 70.43 DISPLAY OF NUMBER PLATES OR STICKERS.**

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Every motor vehicle operated on the streets of the town and for which registration is required shall be registered and shall display the current year's plate or sticker not later than 12:01 a.m. on February 16 of each year; failure to register such vehicle prior to said date, or having registered one's vehicle, failure to display the current year's registration plate or sticker after 12:01 a.m. on February 16 of each year, and for the entire year thereafter, shall subject the owner of said vehicle to punishment as provided in this chapter. The registration plate or sticker shall be displayed in such a manner as to be clearly visible at all times from the front of the vehicle, and failure to display the registration plate or sticker shall constitute a separate offense for each vehicle. ('82 Code, Ch. 17, Art. I, § 5) (Ord. passed 12-7-70) Penalty, see § 70.99

**§ 70.44 VEHICLE TAG.**

Whenever the number of the vehicles used is the basis of a license fee, the Finance Officer shall furnish each licensee with a tag or sticker for each vehicle covered by the license, and such tag or sticker shall be posted in a conspicuous place on each vehicle while such vehicle is in use. ('82 Code, Ch. 11, Art. I, § 22) (Am. Ord. 00-7, passed 8-7-00) Penalty, see § 70.99

***Cross-reference:***

*For provisions concerning license and license fees, see Ch. 110*

***TRUCK ROUTE*****§ 70.50 DEFINITIONS.**

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

**CARGO.** Any property transported by truck.



**DIRECTION SIGN.** The term “directional sign” shall mean the customary highway designating the highway route number or that a certain direction shall be followed to reach a given destination.

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

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

**PASSENGER.** Any person transported by truck.

**THROUGH TRUCK ROUTE.** Those routes or streets established herein and designated by signs a “Truck Route.”

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

collecting or discharging passengers.

**TRUCK OR TRUCKS.** Any motor vehicle used or designed to be used for the transportation of cargo or passengers, including, but not limited to, the following: trucks; truck-drawn trailers when the truck is designed primarily for use in towing a trailer. The following motor vehicles are excluded from this meaning: passenger automobiles; pick-up trucks; vehicle-drawn trailers when the vehicle drawing the trailer is not designed primarily for drawing a trailer; motorcycles; motor scooters; school buses; charter buses; and other non-scheduled buses. (Ord. 99-01, passed 2-1-99)

#### **§ 70.51 ROUTES.**

(A) N.C. Highway 87 Bypass and U.S. Highway 701 are hereby designated as through truck routes.

(B) All through trucks shall travel exclusively on N.C. 87 Bypass and U.S. 701 which are designated truck routes, and shall not operate on SR numbered

routes or local streets except to travel to a point off a through route for the purpose of collecting or discharging cargo or passengers.

(C) The operator of a through truck entering the town by way of a route not a through truck route shall, upon entering the town, proceed to the designated truck route, N.C. Highway 87 Bypass or U.S. Highway 701, and proceed exclusively upon a through truck route until leaving the Town.

(D) Through truck travel on Business N.C. Highway 87 and N.C. Highway 41 will be strictly prohibited except for collecting or discharging cargo. (Ord. 99-01, passed 2-1-99)

#### **§ 70.52 ENFORCEMENT AND PENALTY.**

(A) Law enforcement officers may require truck operators to show a bill of lading or other proof of destination.

(B) If any person shall violate any provision of this Traffic Code, he shall be responsible for an infraction and shall be required to pay a penalty of not more than \$60.00. (Ord. 99-01, passed 2-1-99)

#### **§ 70.99 PENALTY.**

If any person shall violate any provision of this Traffic Code for which another penalty is not already provided, he 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: STOPPING, STANDING AND PARKING**

Section

***METHOD OF PARKING***

***Method of Parking***

- 71.01 Parallel parking
- 71.02 Vehicles backed up to curb
- 71.03 Parking on left side to curb not permitted in business district
- 71.04 Parking within lines
- 71.05 Moving cars from parked position
- 71.06 Lights on parked vehicles

**§ 71.01 PARALLEL PARKING.**

Where not otherwise indicated by this chapter or other ordinance, all vehicles shall park parallel to the curb and not more than 12 inches therefrom. ('82 Code, Ch. 17, Art. III, § 52) Penalty, see § 70.99

**§ 71.02 VEHICLE BACKED UP TO CURB.**

In no case shall a vehicle remain backed up to the curb, except when actually loading or unloading. ('82 Code, Ch. 17, Art. III, § 54) Penalty, see § 70.99

***Parking Prohibited for Specified Purposes***

- 71.15 Prohibited purposes

**§ 71.03 PARKING ON LEFT SIDE TO CURB NOT PERMITTED IN BUSINESS DISTRICT.**

No vehicle shall stop, stand or park with its left side to the curb in the business district. ('82 Code, Ch. 17, Art. III, § 55) Penalty, see § 70.99

***Stopping, Standing or Parking Prohibited or Restricted in Specified Places***

- 71.30 Vehicles not to stop in streets; exceptions
- 71.31 Vehicles not to obstruct traffic
- 71.32 Places where parking is prohibited
- 71.33 Moving vehicles of other operators to prohibited areas
- 71.34 Parking time limit; early payment of fine
- 71.35 No-parking and restricted parking areas
- 71.36 Stands for vehicles for hire and law enforcement vehicles
- 71.37 Parking of taxicabs within the same block
- 71.38 Parking in Cape Fear Farmer's Market parking lot

**§ 71.04 PARKING WITHIN LINES.**

On any street marked off with lines indicating the parking spaces for vehicles, the same shall be parked between said lines. ('82 Code, Ch. 17, Art. III, § 56) Penalty, see § 70.99

**§ 71.05 MOVING CARS FROM PARKED POSITION.**

Parked cars shall move out in the direction headed, or if they are parked at an angle with the curb, they shall back out at that angle until they have cleared the other cars, and shall then proceed in the direction in which they are most nearly headed. ('82 Code, Ch. 17, Art. II, § 34) Penalty, see § 70.99

**§ 71.06 LIGHTS ON PARKED VEHICLES.**

Parking lights upon a vehicle, when such is lawfully parked at night on a street in accordance with this chapter, shall not be required except where specifically required by the town. ('82 Code, Ch. 17, Art. III, § 59)

***PARKING PROHIBITED FOR SPECIFIED PURPOSES***

**§ 71.15 PROHIBITED PURPOSES.**

No person shall stand or park a vehicle upon any street for the principal purposes of:

- (A) Displaying it for sale.
  - (B) Washing, greasing or repairing such vehicle, except repairs necessitated by an emergency.
  - (C) Storage thereof by garages, dealers or other persons.
  - (D) Storage of any detached trailer or van when the towing unit has been disconnected.
  - (E) Transferring merchandise or freight from one vehicle to another.
- ('82 Code, Ch. 17, Art. III, § 57) Penalty, see § 70.99

***STOPPING, STANDING OR PARKING PROHIBITED OR RESTRICTED IN SPECIFIED PLACES***

**§ 71.30 VEHICLES NOT TO STOP IN STREETS; EXCEPTIONS.**

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 right-of-way, by the stopping of public conveyance, by the lowering of railway gates, by being given countermanning traffic signals, by the passing of some other vehicle or a pedestrian, or by some emergency. In all cases covered by these exceptions, said vehicles shall stop so as not to obstruct any footway, pedestrian aisle, safety zone, crossing or street intersection if it can be avoided. In unusual circumstances and in cases of emergency, any police officer may authorize vehicles to stop in a street for the purpose of loading and unloading for a certain period of time, which in no event shall exceed 15 minutes.

('82 Code, Ch. 17, Art. III, § 50) Penalty, see § 70.99

**§ 71.31 VEHICLES NOT TO OBSTRUCT TRAFFIC.**

No vehicle shall so stand on any street so as to interrupt or interfere with the passage of public conveyances or other vehicles. ('82 Code, Ch. 17, Art. III, § 51) Penalty, see § 70.99

**§ 71.32 PLACES WHERE PARKING IS PROHIBITED.**

No person shall stop, stand or park a vehicle, except when conflict with other traffic is imminent or when so directed by a police officer or traffic-control device, in any of the following places:

- (A) On a sidewalk.
- (B) Within an intersection.
- (C) On a crosswalk.
- (D) Within 30 feet of any flashing beacon, stop sign or traffic-control signal located at the side of a street or roadway.

(E) On any underpass approaches; no vehicle shall park on either side of any street leading to a railroad underpass or an overhead bridge within 50 feet in any direction of the outer edge of such underpass or overhead bridge.

(F) On grade-crossing approaches; no vehicle shall park on either side of any street leading to a grade crossing within 50 feet of the closest rail; provided that, where existing permanent structures are located closer than 50 feet, parking may be permitted in front of such structures, unless otherwise prohibited, and if such parking does not block the view in either direction of the approach of a locomotive or train.

(G) Alongside or opposite any street excavation or obstruction, if such stopping, standing or parking would obstruct traffic.

(H) Upon any bridge or other elevated structure or within any underpass structure.

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

(J) On the roadway side of any vehicle stopping, standing or parking at the edge or curb of a street.

(K) Within ten feet of any fire plug or hydrant. ('82 Code, Ch. 17, Art. III, § 58) Penalty, see § 70.99

**§ 71.33 MOVING VEHICLES OF OTHER OPERATORS TO PROHIBITED AREA.**

No person shall move a vehicle not owned by such person into any prohibited area, or sufficiently away from a curb to make such distance unlawful. ('82 Code, Ch. 17, Art. III, § 60) Penalty, see § 70.99

**§ 71.34 PARKING TIME LIMIT; EARLY PAYMENT OF FINE.**

Parking on the public streets and highways within the town limits is hereby regulated as follows: All vehicles using said parking spaces are hereby limited to two consecutive hours parking in a single space on any one occasion. Any vehicle parking for longer than two consecutive hours in a single space on any one occasion shall be subject, upon citation under this section, which citation shall be placed in a prominent place upon said vehicle, to a fine of \$10 for each individual offense. The fine shall be due and payable within 48 hours after the time of the dating of said citation, and shall be paid by depositing said fine in an envelope provided by the town (which may be a part of the citation itself) and placing said envelope and fine in boxes provided and designated therefor in the town. A penalty fee of \$25 plus fine will be imposed if the parking fine is not paid within 30 days from date of citation. Thereafter, the penalty for violation of this section shall be set out as provided in this chapter, and thereupon a warrant may issue. ('82 Code, Ch. 17, Art. III, § 63) (Ord. passed 6-3-75; Am. Ord. 09-01, passed 8-3-09) Penalty, see § 70.99

**§ 71.35 NO-PARKING AND RESTRICTED PARKING AREAS.**

It shall be unlawful for any person to park or leave standing unattended any motor vehicle on the various streets or parts of streets in the town, except in compliance with ordinances, resolutions or motions of the Town Council, on file in the Town

Clerk/Finance Officer's office, and in compliance with signs or markings erected or placed pursuant thereto.

('82 Code, Ch. 17, Art. III, § 64) (Ord. passed 12-12-66) Penalty, see § 70.99

**§ 71.36 STANDS FOR VEHICLES FOR HIRE AND LAW ENFORCEMENT VEHICLES.**

Certain locations which shall be designated, and may from time to time be changed, shall be reserved as stands for buses, taxicabs and vehicles of law enforcement officers; no vehicle other than that for which the space is reserved shall park at such designated stands. Such stands shall be designated by a yellow paint and otherwise as ordered.

('82 Code, Ch. 17, Art. III, § 61) Penalty, see § 70.99

**§ 71.37 PARKING OF TAXICABS WITHIN THE SAME BLOCK.**

Not more than two taxicabs owned by the same company shall be parked in one block at the same time, except if parked in established taxi stands as set out in this chapter.

('82 Code, Ch. 17, Art. III, § 62) Penalty, see § 70.99

**§ 71.38 PARKING IN CAPE FEAR FARMER'S MARKET PARKING LOT.**

Parking in the town's parking lot located at the Cape Fear Farmer's Market is hereby regulated as follows: All vehicles using said parking spaces are hereby limited to two consecutive hours parking in a single space on any one occasion. Any vehicle parking for longer than two consecutive hours in a single space on any one occasion shall be subject upon citation under this section, which citation shall be placed in a prominent place upon said vehicle, to a fine of \$10 for each individual offense. The fine shall be due and payable within 48 hours after the time of the dating of said citation, and shall be paid by depositing said fine in an envelope provided by the

town (which may be a part of the citation itself) and placing said envelope and fine in boxes provided and designated therefor in the town; thereafter, the penalty for violation of this section shall be set out as provided in this chapter, and thereupon a warrant may issue. Vendors and employees of the Cape Fear Farmer's Market are hereby exempt from this two-hour limitation while parking in the Cape Fear Farmer's Market parking lot for work related duties. (Ord. 2011-03, passed 6-6-11)

## CHAPTER 72: BICYCLES, MOTORCYCLES AND COASTERS

### Section

- 72.01 Clinging to moving vehicles
- 72.02 Riding on handlebars prohibited
- 72.03 Riding bicycles or motorcycles on sidewalks; riding without using hands on handlebars
- 72.04 Use of coasters, roller skates and similar devices restricted

### **§ 72.04 USE OF COASTERS, ROLLER SKATES AND SIMILAR DEVICES RESTRICTED.**

No person on roller skates or riding in any coaster, toy vehicle or similar device shall go upon any roadway other than a street set aside as a play street, unless it be while crossing a street at a crosswalk or intersection.  
(’82 Code, Ch. 17, Art. II, § 42) Penalty, see § 70.99

### **§ 72.01 CLINGING TO MOVING VEHICLES.**

Any person riding upon any bicycle, motorcycle, coaster, sled, roller skates or any toy vehicle shall not attach the same, or himself, to any moving vehicle upon any roadway.  
(’82 Code, Ch. 17, Art. II, § 39) Penalty, see § 70.99

### **§ 72.02 RIDING ON HANDLEBARS PROHIBITED.**

The operator of a motorcycle or bicycle, when upon a street, shall not carry any person upon the handlebars, frame or tank of his vehicle, nor shall any person so ride upon any such vehicle.  
(’82 Code, Ch. 17, Art. II, § 40) Penalty, see § 70.99

### **§ 72.03 RIDING BICYCLES OR MOTORCYCLES ON SIDEWALKS; RIDING WITHOUT USING HANDS ON HANDLEBARS.**

No person shall ride a bicycle or motorcycle on any street without having his hands on the handlebars, for shall any person ride a bicycle upon any sidewalk or walkway within the town.  
(’82 Code, Ch. 17, Art. II, § 41) Penalty, see § 70.99





**CHAPTER 73: PARKING SCHEDULES**

Schedule

- I. Angle parking
- II. Restricted parking
- III. Trucks

**SCHEDULE I: ANGLE PARKING.**

Vehicles shall be parked at an angle of approximately 45 degrees with the curb on the following streets, except as modified from time to time.

<i>Street</i>	<i>Location</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Broad Street	From Cypress Street to Pine Street	-	--
Poplar Street	From Broad Street to King Street	-	--

('82 Code, Ch. 17, Art. III, § 53) Penalty, see § 70.99



**Parking Schedules**

**SCHEDULE II: RESTRICTED PARKING.**

It shall be unlawful for any person to park, or leave standing unattended, any motor vehicle on the following streets:

<i>Street</i>	<i>Location</i>	<i>Side</i>	<i>Ord. No.</i>	<i>Date Passed</i>
King Street	Within 25 feet of the intersections of King and Marvin and King and Morehead Streets to be enforced on the King Street side only.		97-2	3-3-97
Swan Street	From the intersection of Peanut Road and Swan Street for a distance of 175 feet	North	94-9	12-5-94
SR 1150	From Daisy Street, a point 1140 feet South of SR1358 northward to a point 970 feet South of 1358.	East	96-2	7-1-96
SR 1700	From U.S. 701 eastward for a distance of 0.36 mile	Both	95-4	4-3-95

Penalty, see § 70.99



**Parking Schedules**

**SCHEDULE III: TRUCKS.**

It shall be unlawful for any person to park, or leave standing unattended, any motor vehicle on the following streets:

<i>Street</i>	<i>Location</i>	<i>Side</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Hwy 701 North	Along the side of 100 Block West a distance of one block		95-5	6-5-95

Penalty, see § 70.99



**CHAPTER 74: TRAFFIC SCHEDULES**

Schedule

I. Speed limits

**SCHEDULE I: SPEED LIMITS.**

The speed limits on the following streets shall be as indicated.

<i>Street Name</i>	<i>Location</i>	<i>Speed Limit (m.p.h.)</i>	<i>Ord. No.</i>	<i>Date Passed</i>
East Swanzy Street	200 block	25	2013-01	8-5-13
McLeod Street	Entire street	20	2017-05	12-4-17
NC 41	Between US 701 and Pine Street	20	2015-04	6-2-15
NC 41/87 Business	From a point 1.64 miles west of SR 1155 eastward to SR 1155	45	03-09	5-5-03
NC 87 Business	Between Lower Street and Pine Street	20	2012-06	8-20-12
NC 87 Business	Between Lower Street and US 701	20	2015-03	6-2-15
NC 87 Business	Between NC 87 and Scout Lane	45	2012-09	8-20-12
SR 1704	Between 0.732 miles north of SR 1707 (Gibson Dairy Road) and 1.101 mile north of SR 1707, Emereau Charter School, in effect from 30 minutes before to 30 minutes after school begins and ends on school days only.	45	2017-04	9-6-17







## CHAPTER 75: GOLF CARTS

### Section

75.01	Purpose
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capable of exceeding speeds of 20 miles per hour.  
(G.S. § 20-4.01(12b))

**OPERATOR.** Only persons over 16 years of age and holding a valid driver's license may operate a golf cart on roads.  
(Ord. 2017-03, passed 9-5-17)

### § 75.01 PURPOSE.

The purpose of this chapter shall be to establish a golf cart ordinance within the town to promote the health, safety and welfare of persons operating cart(s) within the town limits and to protect the safety of their passengers and other users of the road.  
(Ord. 2017-03, passed 9-5-17)

### § 75.02 DEFINITIONS.

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

**DRIVER'S LICENSE.** A valid license issued to operate a motor vehicle issued by North Carolina or any other state.

**FINANCIAL RESPONSIBILITY.** Liability insurance coverage on a golf cart in an amount not less than required by North Carolina law for motor vehicles operated on public highways in the State of North Carolina.

**GOLF CART.** A vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not

### § 75.03 RULES AND REGULATIONS.

This chapter is to establish guidance in the interest of public safety. Hereafter:

(A) Golf carts shall not be operated on or alongside a public road or street with a posted speed limit greater than 25 miles per hour. Golf carts may at no time be operated on Broad Street, Poplar Street, Martin Luther King, Jr. Drive, Swanzy Street, Cromartie or Peanut Road or within any commercially zoned areas in town unless authorization has been granted by the town or its representatives for said golf cart to be entered into a duly permitted parade.

(B) Golf carts may cross a road with a posted speed limit greater than 25 miles per hour. However, once this segment of road has been traversed, the golf cart is still required to travel only on or along a roadway with a speed limit of 25 miles per hour or less. Golf carts must cross in a manner that is the most direct route in order to decrease crossing distance, i.e. no riding along a road or crossing at an angle.

(C) Any person who operates a golf cart must be responsible for all liability associated with operation of the golf cart and must have liability insurance coverage which will cover the use of a golf cart in an amount not less than required by North Carolina law for motor vehicles operated on public highways in the State of North Carolina.



(D) Any person who operates a golf cart must be at least 16 years of age or older. No person may operate a golf cart unless that person is licensed to drive upon the public streets, roads and highways of North Carolina and then, only in accordance with such valid driver's license. Golf cart operators must carry their driver's license on their person at all times while operating a golf cart on public roads.

(E) Any person who operates a golf cart on public streets and roads must adhere to all applicable state and local laws, regulations and ordinances, including but not limited to those banning the possession and use of alcoholic beverages, and all other illegal drugs. In addition, no golf cart containing any open container of alcohol shall be operated on public roads.

(F) The operator of the golf cart shall comply with all traffic rules and regulations adopted by the State Of North Carolina and the Town of Elizabethtown which governs the operation of motor vehicles.

(G) The operator of a golf cart shall yield the right-of-way to overtaking motor vehicles attempting to pass.

(H) (1) An operator may not allow the number of people in the golf cart at any one time to exceed the maximum capacity specified by the manufacturer. While in operation, the operator shall not allow passengers to stand on or ride on any part of a golf cart not designed to carry passengers, such as the part of the golf cart designed to carry golf bags.

(2) In no instance shall a golf cart be operated at a speed greater than 20 miles per hour. No golf cart may be operated at a speed greater than reasonable and prudent for the existing conditions.

(I) Golf carts must be operated at the right edge of the roadway and must yield to all vehicular and pedestrian traffic.

(J) Golf carts must park in designated spaces in such a manner that multiple golf carts can utilize the space. All parking rules and limits apply. No parking on sidewalks is allowed.

(K) Golf carts must have basic equipment supplied by the manufacturer, including a vehicle identification or serial number. Such equipment must include brakes in proper working order and all safety devices as installed by said manufacturer, including rear view mirror and a rear triangle reflector of the same type required by North Carolina law.

(L) Golf carts without lights may be operated only during daylight hours. Golf carts meeting the requirements set forth below may operate at any time:

(1) Golf carts having two operating headlights, one on each side of the front of the golf cart and two operating tail lights, one on each side of the rear of the cart, all four lights must be visible from a distance of 500 feet; and

(2) If a mechanical turn signal indicator is not installed, then hand signals are required for turns. (Ord. 2017-03, passed 9-5-17) Penalty, see § 75.99

#### **§ 75.04 DISCLAIMER AND LIABILITY.**

(A) *Disclaimer.* Golf carts are not designed for nor manufactured to be used on public streets and the town neither advocates nor endorses the golf cart as a safe means of travel on public streets, roads and highways. The town in no way shall be liable for accidents, injuries or death involving the operation of a golf cart.

(B) *Assumption of risk.* Any person who owns, operates or rides upon a golf cart on a public street, road or highway within the incorporated town limits does so at his or her own risk and peril and assumes all liability resulting from the operation of the golf cart.

(Ord. 2017-03, passed 9-5-17)

#### **§ 75.99 PENALTY.**

Violation of the provisions of this chapter shall constitute an infraction in accordance with G.S. Ch. 20, the maximum penalty for which shall be \$50. (Ord. 2017-03, passed 9-5-17)

