

Chapter 65. Motor Vehicles and Traffic

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ARTICLE I – IN GENERAL

Section 65.1. Definitions.

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

- A. **Designated handicapped parking space** means a parking space, which has been designated for parking for handicapped as defined in this subsection. These spaces shall be designated in accordance with N.C.G.S. 20-37.6(d) and shall have an appropriate sign erected.
- B. **Distinguished License Plate** means any license plate issued by the State of North Carolina or any other state within the United States that displays the international symbol of access as defined in N.C.G.S. 20-37.5(1).
- C. **Handicapped** means a person with mobility impairment who is determined by a licensed physician to have any of the conditions stated in N.C.G.S. 20-37.5(2).
- D. **Intersection** means the area embraced within the prolongation of the lateral curblines or, if none, then the lateral edge of roadway lines of two (2) or more highways which join one another at any angle, whether or not one (1) such highway crosses the other.
- E. **Motor Vehicle** means every vehicle which is self-propelled and every vehicle designed to run upon the highways which is pulled by a self-propelled vehicle.
- F. **Official Traffic-control devices** means all signs, signals, markings and devices not inconsistent with this chapter placed or erected by authority of the city council or an official having jurisdiction for the purpose of regulating, warning or guiding traffic.
- G. **Official Traffic Signals** means any device, whether manually or automatically operated, by which traffic is alternately directed to stop and to proceed.
- H. **Park** means the standing of a vehicle, whether occupied or not, other than temporarily for the purpose of loading or unloading.
- I. **Pedestrian** means any person afoot.
- J. **Removable Windshield Placard** means a two-sided, hooked placard, which includes on one side:
 - (1) The international symbol of access, which is at least three inches in height, centered on the placard, and is white and blue in color.
 - (2) An identification number
 - (3) An expiration date and
 - (4) The seal or other identification of the issuing authority.

- K. **Right of Way** means the privilege of the immediate use of the roadway.
- L. **Roadway** means that portion of a street improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder. If a street includes two (2) or more separate roadways, the term "roadway" shall refer to any such roadway separately, but not to all such roadways collectively.
- M. **Sidewalk** means that portion of a street between the curblines or the lateral lines of a roadway and the adjacent property lines exclusively intended for the use of pedestrians.
- N. **Standing** means any stopping of a vehicle, whether occupied or not.
- O. **Stop** when required, means complete cessation of movement.
- P. **Street or Highway** means 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.
- Q. **Traffic** means pedestrians, ridden or herded animals, vehicles and other conveyances, either singly or together, while using any street for purposes of travel.
- R. **Traffic Signs** means 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 necessity or common sense, with a view to furtherance of public safety.
- S. **Truck** means any vehicle having three or more axles.
- T. **Vehicle** means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon fixed rails or tracks. For the purposes of this Chapter, bicycles shall be deemed vehicles and every rider of a bicycle upon a highway shall be subject to the provisions of this Chapter applicable to the driver of a vehicle.

Section 65.2. Emerging from Driveway or Building.

The driver of a vehicle emerging from a driveway or building shall stop such vehicle immediately prior to driving onto the sidewalk area extending across any driveway and shall yield the right-of-way to any pedestrian, as may be necessary to avoid collision, and, upon entering the roadway, shall yield the right-of-way to all vehicles approaching on such roadway.

Section 65.3. Obedience to Stop Signs.

- A. When stop signs are erected at or near the entrance of any intersection, every driver of a vehicle shall stop such vehicle at such sign or at a clearly marked stop line before entering the intersection, except when directed to proceed by a police officer.

- B. After the driver of a vehicle has stopped in obedience to a stop sign at an intersection, he shall yield the right-of-way to all vehicles which are within the intersection or which are approaching so clearly as to constitute an immediate hazard.

Section 65.4. Yielding to Emergency Vehicle.

- A. Upon the approach of any police or fire department vehicle or other authorized emergency vehicle giving audible signal by bell, siren or exhaust whistle, the driver of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge of the curb, clear of any intersection or highway, and shall stop and remain in such position unless otherwise directed by a police or traffic officer, until the police or fire department vehicle or other emergency vehicle shall have passed.
- B. It is unlawful for the driver of any vehicle other than one on official business to follow any fire apparatus traveling in response to a fire alarm closer than one (1) block or to drive into and park such vehicle within one (1) block where fire apparatus has stopped in answer to a fire alarm.

Sections 65.5 – 65.8. Reserved.

Section 65.9. Bicycles on Sidewalks.

No person shall ride a bicycle on any sidewalk of the Town.

Section 65.10. Obstructing Streets or Sidewalks.

No person shall obstruct the streets or sidewalks of the Town without permission from the Chief of Police.

(Ord. of 10-3-05 §E-3)

Section 65.11. Rollerskates, Rollerblades, Coasters, Skateboards Prohibited.

No person shall ride or otherwise use as a means of travel any roller skates, roller blades, coasters, skateboards, or other similar devices upon Main Street and its appurtenant sidewalks or upon any sidewalk, roadway, or public vehicular area owned and maintained by the Town of Vanceboro in a manner that would interfere with the vehicular travel or otherwise be likely to endanger persons or property.

(Ord. of 10-3-05 §I-1)

Sections 65.12-20. Reserved.

ARTICLE II. TRAFFIC SIGNS AND SIGNALS.

Section 65.21. Erection; Observance.

The Police Department shall erect such traffic signs, signals or other markings for the purpose of governing traffic in the Town as the Town Council shall direct. Any person operating a vehicle in the Town or any pedestrian in the Town shall observe such traffic signs, signals or other markings as erected.

Section 65.22. Parking Signs and Zones.

The Police Department shall erect such parking signs and properly designate such parking zones as the Town Council directs. The Police Department shall have the authority and power to erect such temporary parking signs or to mark all such temporary parking zones for the purpose of funerals, weddings or other such temporary purposes as necessary to prevent traffic hazards or congestion. Any person operating or parking any vehicle shall observe such signs or zones erected or designated under this section.

Section 65.23. Tampering with Signs Prohibited.

It is unlawful for any person to willfully deface, injure, move, obstruct or interfere with any official traffic sign or signal.

Sections 65.24-30. Reserved.

ARTICLE III. DRIVING REGULATIONS.

Section 65.31. Reckless Driving.

1. Any person who drives any vehicle upon a street or highway carelessly and heedlessly in willful or wanton disregard of the rights or safety of others or without due caution and circumspection or at a speed or in a manner so as to endanger or be likely to endanger any person or property shall be guilty of reckless driving.
2. Reckless driving is a misdemeanor.

Section 65.32. Overtaking and Passing at Intersections.

It is unlawful for any person to overtake and pass another vehicle proceeding in the same direction at any intersection.

Section 65.33. Passing on the Right Hand Side, Prohibited.

It is unlawful for any person to pass another vehicle proceeding in the same direction on the right hand side.

(Ord. of 10-3-05 §F-4)

Section 65.34. Parade, Picket Line or Procession.

It is unlawful for any person to drive a vehicle into any parade, picket line, or procession which is duly permitted by the Chief of Police to be held in the Town or which is being escorted by the police so as to interrupt or interfere with said parade, picket line or procession.

(Ord. of 10-3-05 §F-5)

Section 65.35. Spinning of Wheels, Prohibited.

It is unlawful to operate a motor vehicle within the Town in such a manner as to cause the wheels thereof to lose traction with the surface on which they are driven or so as to cause the tires to squeal.

(Ord. of 10-3-05 §F-3)

Section 65.36. Operation.

It is unlawful for any person to operate any vehicle in the Town while in violation of any traffic, vehicle equipment, or vehicle safety laws as set forth by the State of North Carolina.

(Ord. of 10-3-05 §F-6)

Sections 65.37-40. Reserved.

ARTICLE IV. SPEED LIMITS.

Section 65.41. Speed Limits.

All streets within the corporate limits of the Town shall have a speed limit of twenty-five miles per hour, except the following streets, which shall carry the following speed limits:

Main Street	as posted (25MPH and 35MPH)
NC HWY 43	as posted (35MPH)

1. It shall be unlawful for any person to operate a motor vehicle in the Town in excess of the above referenced speeds.
2. No vehicle shall be operated within the Town at a speed greater than is reasonable and prudent under the conditions then existing.

(Ord. of 10-3-05 §F-1)

Sections 65.42-45. Reserved.

ARTICLE V. PARKING.

Section 65.46. Method.

Except when necessary in obedience to traffic regulations or traffic signs or signals, the operator of a vehicle shall not stop, stand or park such vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of traffic, and with the curb-side wheels of the vehicle within fourteen (14) inches of the edge of the roadway.

Section 65.47. Prohibited.

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

1. It shall be unlawful to park any vehicle within thirty (30) feet of the intersection of Farm Life Avenue and Main Street, including each street of the intersection.
2. It shall be unlawful to park any vehicle on Main Street from its intersection with Farm Life Avenue, to north one block to College Street and south one block to White Street for a period exceeding four (4) hours.
3. It shall be unlawful for any person to park any vehicle on the streets of Vanceboro in violation of any sign directing "No Parking" erected at the direction of the Town Council.
4. It shall be unlawful to park or leave standing on the paved or main travel portion of any street any vehicle unless such vehicle is disabled to such extent it cannot be moved from said portion of the street except by alternate mechanical means.
 - A. *Abandonment prohibited.* It shall be unlawful for any person to abandon any motor vehicle defined in the Town of Vanceboro Ordinance Chapter 21.46 as an abandoned motor vehicle, a junked motor vehicle, or a health or safety hazard vehicle.
 - B. *Removal required.* It shall be unlawful for any person to leave or allow to remain on property under his control or management any motor vehicle defined in the Town of Vanceboro Ordinance Chapter 21.46 as an abandoned motor vehicle, a junked motor vehicle, or a health or safety hazard vehicle.
 - C. *Notice of towing.* The procedure for removal and disposition of junked or abandoned motor vehicles shall be those prescribed by G.S. 160A-303. When an abandoned or junked motor vehicle is removed, the Town shall give notice to the owner as required by G.S. 20-219.11(a) and (b).
5. It shall be unlawful to park any vehicle on the shoulder portion of any street unless such vehicle does not obstruct the normal flow of traffic and can be seen from a distance of at least 200 feet in each direction.
6. It shall be unlawful for any person to park or leave standing and tandem or semi trailer truck on the paved portion of Farm Life Avenue.

7. It shall be unlawful to stop, park or leave standing any vehicle with the left side to the curb on any portion of Main Street.
8. It shall be unlawful to stop, park or leave standing any vehicle in any area designated as a fire lane, except for emergency vehicles.
9. It shall be unlawful to stop, park or leave standing any vehicle in a designated handicapped parking space when the vehicle does not display the distinguishing license plate or windshield placard.
10. It shall be unlawful to stop, park or leave standing any vehicle so as to obstruct a curb ramp or curb cut for handicapped persons as provided for the North Carolina Building Code.

(Ord. of 10-3-05 §E)

Section 65.48. Wrecked Vehicles.

It is unlawful for any person to park any wrecked vehicle without tires or wheels on the streets of the Town.

- A. *Abandonment prohibited.* It shall be unlawful for any person to abandon any motor vehicle defined in the Town of Vanceboro Ordinance Chapter 21.46 as an abandoned motor vehicle, a junked motor vehicle, or a health or safety hazard vehicle.
- B. *Removal required.* It shall be unlawful for any person to leave or allow to remain on property under his control or management any motor vehicle defined in the Town of Vanceboro Ordinance Chapter 21.46 as an abandoned motor vehicle, a junked motor vehicle, or a health or safety hazard vehicle.
- C. *Notice of towing.* The procedure for removal and disposition of junked or abandoned motor vehicles shall be those prescribed by G.S. 160A-303. When an abandoned or junked motor vehicle is removed, the Town shall give notice to the owner as required by G.S. 20-219.11(a) and (b).

Section 65.49. Vehicles for Sale.

It is unlawful for any person to park any motor vehicle on the streets of the Town when such vehicle is parked on the street for the purpose of sale.

Sections 65.50-55. Reserved.

ARTICLE VI – TRUCKS.

Section 65.56. Designated Truck Routes.

The following streets within the Town are designated as truck routes:

Main Street (US Hwy 17)
NC Hwy 43

Truck routes shall be as otherwise established from time to time by ordinance.

Section 65.57. Prohibited Operation within Town.

1. No motor vehicle with three or more axles shall travel on any street owned or maintained by the Town, unless otherwise designated by ordinance, except for the purpose of making a scheduled or definite stop to deliver to a specific address located on a Town-owned or Town-maintained street.
2. The restrictions created in this Article shall not apply to any emergency vehicles, including, but not limited to, ambulances, vehicles of the Fire Department, school buses, solid waste and recycling collection vehicles or Public Works trucks owned by the Town.
3. The Town shall install “NO TRUCKS OVER TWO AXLES” signs as needed to adequately notify the public of the restrictions created herein.

Section 65.58. Truck Parking.

All owners of motor truck carriers operating as either common or contract carriers over regular or irregular routes, all passenger bus carriers and all other owners of motor trucks of one-ton capacity or over, or trailers of any kind at any time are operated into, out of, through, or within the corporate limits of the Town and the drivers and operators of any such vehicles shall use private property for parking and storing such vehicles within the corporate limits in a manner not to interfere with, or cause damage to the Town’s storm water system, curbs, sidewalks or any other Town appurtenants. Furthermore, they are prohibited from using the public streets in the residential section of the Town except for the purpose of loading or unloading passengers and freight.

Sections 65.59-60. Reserved.

ARTICLE VII – ADMINISTRATION AND ENFORCEMENT

Section 65.61. Obedience.

The owner, driver or person in control of any motor vehicle or other vehicle on the streets, alleys, avenues, boulevards or public places in the Town shall conform to and observe the provisions of this Chapter.

Section 65.62. Traffic Law Enforcement by Police and Firefighters.

- A. The State, County and Town Police Officers shall at all times have the duty to enforcing the traffic code of the Town and the traffic laws of this State, to direct all traffic in conformance with the provisions of this Chapter and the State Laws, and shall have the power and duty, in the event of a fire or other emergency or to expedite traffic or to ensure safety, to direct traffic as conditions may require, notwithstanding any provisions of the State Laws or the Ordinance of the Town. In the event of fire, the members of the Fire Department shall have the same powers in regard to direction of traffic as are herein given to the Police Officers.

- B. It is unlawful for any person to refuse or fail to comply with any lawful order, signal or direction of a Police Officer or of a Firefighter when authorized under the provisions of this Section to direct traffic.

Section 65.63. Violation; Penalty.

If any person shall violate a provision of this Chapter regulating the operation or parking of vehicles, shall be guilty of a misdemeanor and shall be responsible for an infraction and be required to pay a penalty as specified in the Town of Vanceboro's Fee Schedule, in accordance with the provisions of Section 14-4 of the North Carolina General Statutes.

Sections 65.64-65. Reserved.