

TITLE VII: TRAFFIC CODE

Chapter

70. TRAFFIC REGULATIONS

71. PARKING REGULATIONS

CHAPTER 70: TRAFFIC REGULATIONS

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GENERAL PROVISIONS

' 70.01 TRAFFIC AND PARKING REGULATIONS; ESTABLISHMENT.

(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.
(1989 Code, ' 70.01)

' 70.02 AUTHORITY OF POLICE 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 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.

(1989 Code, ' 70.08)

' 70.03 OBEDIENCE TO POLICE OFFICERS.

No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer.

(1989 Code, ' 70.09) Penalty, see ' 70.99

' 70.04 AUTHORIZED EMERGENCY VEHICLES.

The provisions of this chapter regulating the operation, parking, and standing of vehicles shall not apply to any police or fire department vehicle, public or private ambulance or emergency rescue squad vehicle, except as provided under state law.

(1989 Code, ' 70.10) Penalty, see ' 70.99

Statutory reference:

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

' 70.05 SPEED LIMIT.

(A) *General.* Except as otherwise provided in this section, it shall be unlawful to operate a motor vehicle in excess of 35 miles per hour.

(B) *Exceptions.* When proper signs have been erected giving notice of speeds other than the generally applicable 35 miles per hour, it shall be unlawful to operate a motor vehicle in excess of such speeds upon these streets or portions of streets.

' 70.06 APPLICABLE AREA.

The regulations in this chapter shall only be applicable in the corporate limits of the Town of Rolesville.

TRAFFIC-CONTROL SIGNS, SIGNALS, MARKERS, AND DEVICES

' 70.10 TURNS AT INTERSECTIONS; UNLAWFUL PROCEDURE.

(A) It shall be unlawful for the operator of a vehicle traveling upon a street that is intersected by another street to turn from such street for the purposes of entering the intersecting street except at and through the intersection of streets. Turns at the intersection shall be made in accordance with applicable traffic rules and regulations. The purpose and intent of this section is to make it unlawful for the operator of any vehicle to turn from one street onto properties which abut one or more of the intersecting streets in order to enter the intersecting street by avoiding the intersection. This section shall not apply to the operator of a vehicle who turns from one street onto properties abutting such street for purposes of stopping at a residence, business, or other establishment located thereon.

(B) Operation of a vehicle in a manner described in subsections (A) of this section, without stopping at a residence, business, or other establishment, shall be deemed prima facie evidence of the driver's intent to violate this section.

(C) All applicable intersections shall be posted or otherwise marked to indicate the movement described above as prohibited.

Statutory reference:

Authority to regulate turns at intersections, see G.S. ' 20-153.

' 70.15 OBEDIENCE TO SIGNS, MARKERS, AND DEVICES.

Any person failing or refusing to comply with the directions indicated on any sign, marker, or device for the control or 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 a misdemeanor. 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 ' 70.04 of this code.

(1989 Code, ' 70.02) Penalty, see ' 70.99

' 70.16 SIGNS REQUIRED FOR ENFORCEMENT.

No provision 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.

(1989 Code, ' 70.03)

' 70.17 TRAFFIC-CONTROL SIGNAL LEGEND.

(A) Whenever traffic is controlled by traffic-control signals exhibiting the words, *go*, *caution*, or *stop*, or exhibiting different colored lights successively 1 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.

(1) *Green alone or go.*

(a) 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.

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

(2) *Yellow alone or caution when shown following the green or go signal.*

(a) Vehicular traffic facing the signal is thereby warned that the red or stop signal will be exhibited immediately thereafter, and the vehicular traffic shall not enter or be crossing the intersection when the red or stop signal is exhibited.

(b) No pedestrian facing the signal shall enter the roadway until the green or go is shown.

(3) *Red alone or stop.*

(a) 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 the green or go 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.

(b) No pedestrian facing the signal shall enter the roadway unless the green or go is shown alone or unless authorized to do so by a pedestrian walk signal.

(4) *Red with green arrow.*

(a) 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 crosswalk and to other traffic lawfully using the intersection.

(b) No pedestrian facing the signal shall enter the roadway until the green or go is shown.

(B) 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.

(1989 Code, ' 70.04) Penalty, see ' 70.99

' 70.18 FLASHING SIGNALS.

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

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

(1989 Code, ' 70.05) Penalty, see ' 70.99

' 70.19 DISPLAY OF UNAUTHORIZED SIGNS AND DEVICES.

(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 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.

(1989 Code, ' 70.06) Penalty, see ' 70.99

' 70.20 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.

(1989 Code, ' 70.07) Penalty, see ' 70.99

MOTOR VEHICLE LICENSE TAX

' 70.35 LICENSE TAGS AND DECALS; TAX.

A tax is levied on every motor vehicle in the town, this tax to be the amount of \$5 per year. If a license tag is issued, it shall be displayed on the front or rear bumper of the motor vehicle so licensed and registered in a manner so as to be clearly visible; if a decal is

issued, it shall be displayed in the lower right hand corner of the windshield, so that the edges of the decal will not be more than 1 inch from the bottom and right edges of the windshield. A license tag or decal shall be provided for each vehicle within 30 days of the vehicle's owner or user becoming a resident of the municipality.

(1989 Code, ' 72.01) Penalty, see ' 70.99

Statutory reference:

*Town license tax on motor vehicles, see G.S.
" 20-97 and 160A-213*

' 70.99 PENALTY.

- A. If any person shall violate an ordinance regulating the operation 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)].
- B. Violations of Title VII, Chapter 71: Parking Regulations, shall subject the offender to the civil penalties as enumerated in the Town of Rolesville Code of Ordinances. Pursuant to G.S. § 160A-175, all criminal penalties for these violations as set out in G.S. § 14-4 are hereby removed, except for 71.12: Parking in Fire Lane, and 71.18: Handicapped parking spaces, which will remain infractions subject to civil or criminal violations. Civil penalties may be recovered by the Town in a civil action in the nature of debt or may be collected in such other amounts as prescribed herein within the prescribed time following the issuance of a citation for the violation.
- C. Whenever a member of the Police Department charged by ordinance or charter with the enforcement of the provisions of this chapter regulating the parking of vehicles shall find that any of those provisions are being, or have been, violated by the owner or operator of any vehicle, such officer shall notify the owner or operator of the vehicle of the violation by conspicuously attaching to the vehicle a civil citation.
- D. Civil citations, among other things, (i) state upon its face the amount of the penalty for the specific violation if the penalty is paid within ten (10) business days from the violation; (ii) notify the offender that a failure to pay the penalty may

result in a civil action in the nature of debt, (iii) further provide that the offender may answer the citation by mailing the citation and the stated penalty to the Town of Rolesville, PO Box 250, Rolesville, NC 27571, or may pay the amount at the Town Hall, located at 502 Southtown Circle, Rolesville, NC 27571, and that upon payment, the case or claim and right of action by the Town will be deemed compromised and settled; (iv) further provide that request for appeal forms can be obtained at the Rolesville Police Department, at 204 Southtown Circle, Rolesville, NC 27571, or from the Town website at www.RolesvilleNC.gov.

E. The Chief of Police, or his designee, is authorized to accept payments in full and final settlement of the claim or claims, right or rights of action which the Town may have to enforce such penalty by civil action in the nature of debt. Acceptance of a penalty shall be deemed a full and final release of any and all claims, or right of

action arising out of contended violations.

- F. A delinquent penalty of \$5.00, in addition to the one imposed for payment within ten (10) business days, shall apply in those cases in which the penalties imposed by citation have not been paid within thirty (30) days from the date of violation. This delinquent penalty will be imposed each thirty (30) day period until the penalty is paid in full.
- G. All penalties paid to the Town or as may be recovered in a civil action in the nature of debt as herein provided shall be paid into the general fund of the Town at such time and under such regulations as may be prescribed by the Town Manager.

*Amendments: 12/7/09 to 70.99 through TA09-14;
3/17/15 to 70.10 through TA15-02.*

CHAPTER 71: PARKING REGULATIONS

Section

- 71.01 Illegal parking; overtime parking; notice
- 71.02 Responsibility; ownership; prima facie evidence

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.
(1989 Code, ' 71.02) Penalty, see ' 70.99

' 71.01 ILLEGAL PARKING; OVERTIME PARKING; NOTICE.

If any vehicle shall be found illegally parked or parked overtime or in violation of any provisions of this chapter, it shall be the duty of the Chief of Police or other peace officer of the town to confer with the Zoning Officer immediately, make a determination whether the violation should be handled pursuant to ' 70.99 or pursuant to ' 91.06 of this code, and proceed accordingly. If the peace officer and Zoning Officer determine to proceed under ' 70.99 of this code, then the peace officer shall attach to the vehicle a notice to the owner or operator thereof if the owner is absent, or deliver to the owner if the owner is present, a notice to the effect that the vehicle has been parked illegally or parked overtime or in violation of a provision of this chapter, and that the violation shall be treated as a civil penalty pursuant to ' 70.99 of this code.
(1989 Code, ' 71.01)

' 71.02 RESPONSIBILITY; OWNERSHIP; PRIMA FACIE EVIDENCE.

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

71.03 Vehicles not to obstruct traffic.

No vehicle shall so stand on any street as to interrupt, or interfere with, the passage of public conveyances or other vehicles.

71.04 Service vehicles to be equipped with warning devices.

No person shall permit or cause to permit any construction, service, or maintenance vehicles to stand or be parked within the right-of-way of public roads and streets of the town in such a manner as to obstruct, impede, or interfere with the normal traffic use on the streets; provided, that such vehicles may be temporarily used outside of the right-of-way or on a necessary portion thereof; facing in the same direction as the flow of traffic; provided further, that warning signs indicating "Men Working," together with red flags thereon shall be placed not less than 200 feet in the front and rear of such vehicle or equipment. Such red flags shall be displayed on the signs from sunup to sundown, and after sundown red flares or lanterns shall be displayed adjacent to the warning signs. These warning signs and signals shall be displayed as long as such vehicle is being so used.

71.05 Parallel parking.

Where not otherwise indicated by this chapter, and where the street is not marked to show how vehicles shall park, all vehicles shall park parallel to the curb and not more than 12 inches there from.

71.06 Vehicles backed up to curb.

No vehicle shall remain backed up to the curb, except when actually loading or unloading. If the vehicle is horse-drawn, the horse shall stand parallel to the curb and face the direction of the traffic.

71.07 Stopping on left side to curb prohibited.

No vehicle shall stop with its left side to the curb in

the business district, except that on one-way streets vehicles shall stop headed in the direction of traffic.

71.08 Parking within lines.

On any place which is marked off with lines indicating the parking spaces, cars shall be parked between the lines.

71.09 Illegal parking.

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

- (1) Displaying it for sale.
- (2) Washing, greasing, or repairing such vehicle except repairs necessitated by an emergency.
- (3) Storage thereof by garages, dealers or other persons when such storage is not incident to the bona fide use and operation of such automobile or other vehicles.
- (4) Storage of any detached trailer, or van when the towing unit has been disconnected, or for the purpose of transferring merchandise, or freight, from one vehicle to another.

71.10 Standing or parking for advertising prohibited.

No person shall stand or park on any street any vehicle for the primary purpose of advertising.

71.11 Reserved parking spaces.

Those streets, or portions of streets, where signs are placed, or marked off in any way to designate a specific purpose shall be reserved and no automobile or other vehicle except those for which the space has been designated shall park therein.

71.12 Parking in Fire Lane.

- (a) No person shall park a vehicle or permit it to stand, whether attended or unattended, upon any public vehicular area, street, highway or roadway in any area designated as a fire lane. This prohibition includes designated fire lanes

in shopping center or mall parking lots and all other public vehicular areas. Provided, however, persons loading or unloading supplies or merchandise may park temporarily in a fire lane located in a shopping center or mall parking lot as long as the vehicle is not left unattended. The prima facie rule of evidence created by G.S. 20-162.1 is applicable to prosecutions for violation of this section. The owner of a vehicle parked in violation of this subsection shall be deemed to have appointed any Rolesville Police Officer as his agent for the purpose of arranging for the transportation and safe storage of such vehicle. No Rolesville Police Officer removing such a vehicle shall be held criminally or civilly liable in any way for any acts or omissions arising out of or caused by carrying out or enforcing any provisions of this subsection, unless the conduct of the officer amounts to wanton misconduct or intentional wrongdoing.

- (b) Any person, firm or corporation violating Section 71.12 (a) shall be subject to a civil penalty in the amount of \$50.00 per violation. This penalty shall be due and payable at Town Hall within ten (10) business days after issuance of the appropriate citation. Failure to pay the civil penalty shall subject the offender to an additional late fee of \$5.00 per month until the penalty is paid in full.

71.13 Stopping, standing or parking prohibited .

- (a) No person shall stop, stand, or park a vehicle, attended or unattended, except when necessary to avoid conflict with other traffic, or in compliance with the directions of a police officer or traffic control device in any of the following places:
 - (1) On the sidewalk.
 - (2) Within an intersection or in front of a private driveway.
 - (3) On a crosswalk.
 - (4) Within 30 feet of any flashing

- beacon, stop sign, or traffic control signal located at the side of a street or roadway.
- (5) On either side of any street approaching a railroad underpass, or overhead bridge, within 50 feet in any direction of the outer edge of such underpass or overhead bridge.
 - (6) On either side of any approaching grade crossing within 50 feet of the closest rail; provided, that where existing permanent structures are located along the street and closer than 50 feet, parking may be permitted in front of such structures, unless otherwise prohibited if the parking does not interfere with the view in either direction of an approaching locomotive or train.
 - (7) Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.
 - (8) Upon any bridge or other elevated structure.
 - (9) Within 15 feet in either direction of the entrance to a hotel, theater, hospital, sanitarium, or any public building or a fire hydrant or a fire station.
 - (10) On the roadway side of any vehicle stopped, standing, or parked at the edge or curb of a street.
 - (11) Within 25 feet from the intersection of curb lines or if none, then within 15 feet of the intersection of property lines at an intersection of highways or streets.
- (b) It shall be unlawful for the owner or operator of any motor vehicle to stop, stand, or park the vehicle at any time in any of the following zones as indicated by “no parking” signs:
- (1) East Young Street (northbound lane) from Terrell Cemetery to the first driveway of the Rolesville Baptist Church (formerly known as Church Street); and East Young Street (northbound lane) from Pulley Street to South Main Street (US 401)
 - (2) Redford Place Drive (southbound lane) from the last driveway into the Redford Place Shopping Center traveling 700 feet just past Field A.
 - (3) Within the Community School Ball field Park parking lot outside of the marked parking stalls
 - (4) School Street (southbound lane) from the second entrance to Rolesville Elementary School (that goes behind the gym) to the last entrance that goes behind the school and parallels Field C.
 - (5) Within Main Street Park’s main parking lot on both sides of the entrance/exit and along both sides of the middle parking stalls.
 - (6) Granite Falls Boulevard (east bound lane) from the Main Street Park Parking lot to the entrance drive to Sanford Creek Elementary
 - (7) Vineyard Pine Lane from Jonesville Road to the end of the cul-de-sac
- (c) Any person, firm or corporation violating Section 71.13 shall be subject to a civil penalty in the amount of \$25.00 per violation. This penalty shall be due and payable at Town Hall within ten (10) business days after issuance of the appropriate citation. Failure to pay the civil penalty shall subject the offender to an additional late fee of \$5.00 per month until the penalty is paid in full.
- 71.14 Moving of vehicles into prohibited area.**
- No person shall move a vehicle into any prohibited area, or sufficiently away from the curb to make such distance unlawful.
- 71.15 Vehicles moving from parked positions.**

Vehicles moving from parked positions shall move out in the direction headed, or if they are parked at any angle with the curb they shall back out on that angle until they have cleared the other vehicles and shall then proceed in the direction they are most nearly headed.

71.16 Lights on parked vehicles.

The displaying of lights upon a vehicle, when lawfully parked at night upon a street in accordance with this article, shall not be required when there is sufficient light to reveal any person within a distance of 200 feet upon such street.

71.17 Vehicles stopping in streets prohibited; exceptions.

No person shall stop in any street except for the purpose of parking as prescribed in this article, unless such stop is made necessary by the approach of fire apparatus, by the approach of a funeral or other procession which is given the right-of-way, by the stopping of a public conveyance, by the lowering of railway gates, by the giving of traffic signals, by the passing of some other vehicle or a pedestrian, or by some emergency; and in any case covered by these exceptions such vehicle shall stop so as not to obstruct any footway, pedestrian aisle, safety zone, crossing or street intersection if such can be avoided.

71.18 Handicapped parking spaces.

- (a) Handicapped parking spaces shall be established in the town by use of a sign as designated by D9-6 in the Manual on Uniform Traffic Control Devices.
- (b) It shall be unlawful to park or leave standing any vehicle in a space designated for physically handicapped persons when such vehicle does not display the distinguishing license plate or placard as provided in G.S. 20-37.6 where appropriate aboveground signs or symbol and words giving notice thereof are erected marking the designated handicapped parking space.
- (c) It shall be unlawful for any person not qualifying for the rights and privileges

extended to handicapped persons under G.S. 20-37.6 to exercise or attempt to exercise such rights or privileges by the unauthorized use of a distinguishing license plate or placard issued pursuant to the provisions of G.S. 20-37.6.

- (d) Any person, firm or corporation violating Section 71.18 shall be guilty of a misdemeanor. The prima facie rule of evidence set forth in G.S. 20-162.1 shall apply. Violators shall be subject to a civil penalty in the amount of \$200.00 per violation. This penalty shall be due and payable at Town Hall within ten (10) business days after issuance of the appropriate citation. Failure to pay the civil penalty shall subject the offender to an additional late fee of \$5.00 per month until the penalty is paid in full.

71.19 Parking near residential areas

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Commercial, industrial or construction truck or vehicle means any motor vehicle having a gross weight of greater than 12,000 pounds or having three or more axles or which has a length in excess of 270 inches (22 feet, six inches) overall or a width in excess of 96 inches (eight feet). For purposes of clarification, but without limitation, the term "commercial, industrial or construction truck or vehicle" includes dump trucks, tractor-trailers, tankers, tank trucks, buses, large panel vans, trailers and construction equipment or any part thereof.

- (b) *Prohibited acts.* It shall be unlawful:
 - (1) To operate, park, store, maintain or repair a commercial, industrial or construction truck or vehicle on the public rights-of-way therein, except for the sole purpose of, and for the

time period reasonably required for, loading or unloading commodities; or
(2) To park any recreational vehicles, including, but not limited to, campers, motorhomes, utility trailers, and boats on the public rights-of-way therein.

State Law References: Parking generally, G.S. 20-161 et seq.; municipal regulation of parking, G.S. 160A-301. ; fine for violation of town ordinance, G.S. 14-4 (b).; Authority to regulate parking of vehicles, G.S.160A-301.

Amendments: 12/7/09 to 71.03 through 71.18 through TA09-14; 6/2/12 to 71.13 through TA12-04; 7/1/13 to 71.13 through TA13-02; 71.10 through TA15-02 03/17/15; 71.13(b) through TA15-05 05/04/15; 71.19 through TA15-06 05/04/15.

