

CHAPTER 70: GENERAL PROVISIONS

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GENERAL PROVISIONS

§ 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 VEHICLES. Vehicles of the Fire Department, police vehicles and such ambulances designated or authorized by the Chief of Police.

BLOCK. That portion of any street located between two intersections next adjacent to each other.

BUSINESS DISTRICT. The territory contiguous to a street when 75% or more of frontage thereon for a distance of 300 feet or more is occupied by buildings in use for business.

CROSSWALK. That portion of a roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks, at intersections, and 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 physical control of a vehicle.

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 city.

OFFICIAL TRAFFIC CONTROL DEVICES. All signs, signals, markings and devices not inconsistent with this chapter, placed or erected by authority of the City Council or official having jurisdiction for the purpose of regulating, warning or guiding traffic.

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

PARK. The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

PEDESTRIAN. Any person afoot.

POLICE OFFICER. Every officer of the City Police Department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

PUBLIC CONVEYANCE. Any vehicle other than a taxicab or railroad train for transporting for fare.

RAILROAD. A carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

RAILROAD TRAIN. A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars.

RESIDENCE DISTRICT. The territory contiguous to a street not comprising a business district, where 75% or more of the frontage on the street for a distance of 300 feet or more is mainly occupied by dwellings or by dwellings and buildings in use for business.

RIGHT-OF-WAY. The privilege of the immediate use of the roadway.

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

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

STOP OR STOPPING, WHEN PROHIBITED. Any stopping of a vehicle, except when necessary to avoid conflict with other traffic, or in compliance with the direction of a police officer or traffic control sign or signal.

STOP, WHEN REQUIRED. Complete cessation of movement.

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

('90 Code, § 11-1)

§ 70.02 OBEDIENCE TO POLICE.

No person shall willfully fail or refuse to comply with any lawful order or direction by a police officer. ('90 Code, § 11-3) Penalty, see § 70.99

§ 70.03 AUTHORIZED EMERGENCY VEHICLE.

(A) The provisions of this title regulating the operation, parking and standing of vehicles shall apply to authorized emergency vehicles, except that a driver, when operating the vehicle in any emergency, unless otherwise directed by a police officer, may:

(1) Park or stand notwithstanding the provisions of this chapter.

(2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.

(3) Exceed the prima facie speed limits so long as he or she does not endanger life or property.

(4) Disregard regulations governing direction of movement or turning in specified directions so long as he or she does not endanger life or property.

(B) The exemptions contained in this section shall not, however, protect the driver of any such vehicle from the consequences of his or her reckless disregard of the safety of others.
(^90 Code, § 11-35)

Statutory reference:

Exception to traffic rules for emergency vehicle,
see G.S. § 20-156(b)

REGISTRATION

§ 70.15 REQUIRED; EXCEPTIONS.

Every resident motor vehicle operated in the city, except motor vehicles temporarily operated for a period of time not exceeding a total of 14 days during any one year, and except motor vehicles operated for display or exhibition purposes by manufacturers or dealers and displaying dealers' license plates issued by the state shall be registered with the City Manager or a registrar appointed as provided in § 70.16.

(^90 Code, § 11-146) Penalty, see § 70.99

§ 70.16 REGISTRARS.

The City Manager is authorized to designate one or more registrars of motor vehicles, to provide for the establishment of an office for the registrar or registrars outside of the City Hall, and to apportion the duties connected with the registration of motor vehicles between or among the registrars.

(^90 Code, § 11-147)

§ 70.17 FEE.

The fee for the registration of a motor vehicle under this subchapter shall be set from time to time by the City Council and kept on file in the City Clerk's office. This amount shall not be prorated.

(^90 Code, § 11-148)

§ 70.18 PERIOD OF REGISTRATION.

The period of registration for motor vehicles shall include the 12 months beginning with January 1 of the year of registration; that is, from January 1 to December 31.

(^90 Code, § 11-149)

TRAFFIC CONTROL DEVICES

§ 70.30 AUTHORITY TO CONTROL AND DIRECT TRAFFIC.

The City Manager shall have the power to designate, lay out and indicate, with the approval of the City Council, by appropriate signs and markings: parking spaces and zones, no-parking zones, limited parking zones, zones in which vehicles shall be parked at an angle to the curb, loading zones, safety zones, school zones, hospital zones, quiet zones, traffic zones other than the above, through streets, stop streets and intersections, one-way streets, streets to be laned for traffic, play streets, bus stops and taxicab stands. He or she shall also have the power to designate and indicate, with the approval of the City Council, intersections at which traffic shall be controlled by traffic signals, intersections at which left turns and/or right turns and U-turns shall be prohibited, and intersections at which markers, buttons or other indications shall be placed to indicate the course to be traveled by vehicles traversing or turning at such intersections.

(^90 Code, § 11-181)

§ 70.31 USE OF SIGNS, MARKINGS, SIGNALS.

Whenever any designation is made in accordance with § 70.30, the City Manager shall erect and install such signs, markings, lines, signals and other traffic-control devices as may be necessary to clearly indicate the designation and to put drivers of vehicles on notice of the restriction, limitation or prohibition resulting from the designation.

(^90 Code, § 11-182)

§ 70.32 OBEDIENCE.

The driver of any vehicle shall obey the directions of any official traffic control device applicable thereto and placed in accordance with the provisions of this chapter and other ordinances of the city, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle.

(^90 Code, § 11-183) Penalty, see § 70.99

§ 70.33 NECESSITY OF SIGNS.

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. Whenever a particular section does not state that signs are required, the section shall be effective without signs being placed to give notice thereof.

(^90 Code, § 11-184)

§ 70.98 VIOLATION.

It shall be a misdemeanor for any person to do any act forbidden or fail to perform any act required by the provisions of this chapter.

(^90 Code, § 11-2) Penalty, see § 70.99

Statutory reference:

Similar provisions, see G.S. § 14-4

§ 70.99 PENALTY.

Whoever violates any provision of this title for which no specific penalty is provided shall be punished as set forth in § 10.99.