

Parking Ordinance Town of Rural Hall

WHEREAS, improper parking contributes to traffic problems; and,

WHEREAS, improper parking is a health and safety hazard; and,

WHEREAS, the North Carolina General Statute 160A-301 authorizes municipalities to control parking by ordinance);

NOW, THEREFORE, BE IT ORDAINED BY THE RURAL HALL BOARD OF COUNCILMEN

Section 1 – Purpose

The provisions of this Ordinance prohibiting the stopping, standing or parking of a vehicle shall apply at all times, at those times herein specified, or as indicated on official signs, except when it is necessary to stop a vehicle to avoid conflict with other traffic in compliance with the directions of law enforcement personnel, emergency personnel or official traffic control device.

Section 2 – Parameters

- (a) It shall be prohibited for any person to stop, stand or park a vehicle in a designated parallel parking space other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the right-hand wheels of the vehicle within twelve (12) inches of the curb or edge of the roadway.
- (b) Where parking is designated as head-in or diagonal, it shall be prohibited for a vehicle to park in more than one (1) designated space and a vehicle must be no more than twelve (12) inches from the curb or edge of the roadway.

Section 3 – Prohibitions in Certain Places

- (a) It shall be prohibited for any person to stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic, in compliance with law, or the directions of law enforcement personnel, emergency personnel or other traffic-control device, in any of the following places:
 - (1) On a sidewalk;
 - (2) Within the circular portion of any cul-de-sac;
 - (3) At a public or private driveway that is not their own or an alley in such manner as to obstruct the same (*NCGS 20-162*);
 - (4) Within an intersection;
 - (5) Within fifteen (15) feet of a fire hydrant (*NCGS 20-162*);
 - (6) Within a designated fire lane (*NCGS 120-162*);
 - (7) Within twenty-five (25) feet of intersecting curb lines (*NCGS 20-162*);
 - (8) Within twelve (12) feet of a crosswalk;

- (9) Within twenty-five (25) feet upon the approach to any flashing beacon, stop sign or traffic-control signal located at the side of a street or roadway;
- (10) Within fifteen (15) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of the entrance when properly posted (*NCGS 20-162*);
- (11) Alongside or opposite any street excavation or obstruction when stopping, standing or parking will obstruct traffic;
- (12) On the roadway side of any vehicle stopped or parked at the edge or curb of a street (double parking);
- (13) Upon any bridge or other elevated structure upon a street or within an underpass;
- (14) At any place where official signs or markings prohibit stopping, standing or parking;
- (15) Within a lane designated for moving traffic in such a way as to obstruct the movement of traffic in that particular lane creating a safety hazard to pedestrians or vehicular traffic or impeding the delivery of mail or passage of emergency vehicles, school buses and/or sanitation vehicles;
- (16) In the opposing direction of traffic;
- (17) Within a public or private alley or driveway in such a manner as to obstruct the free passage of emergency and sanitation vehicles where properly posted. For purposes of this paragraph, appropriate signs shall be posted at the discretion of the Town Manager;
- (18) Within a passenger zone permitting standing of attended vehicles when such vehicle is unattended.

Section 4 – Prohibitions for Certain Purposes

It shall be prohibited for any person to stop, stand or park a vehicle upon any street or alley of the Town for the principal purpose of:

- (a) Displaying for sale;
- (b) Greasing or repairing such vehicle, except for repairs necessitated by an emergency;
- (c) 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 vehicle;
- (d) 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;

Unless otherwise regulated, parking of any tractor-trailer, commercial vehicle or recreation-type vehicle including motor homes, boats, etc., for more than one hour any given day.

Section 5 – Parking Not to Obstruct Traffic

Any area within the corporate limits of the Town where parking spaces are not marked on the pavement are not designated as “no parking” zones; furthermore, they are not otherwise restricted by this Ordinance from the parking of a vehicle. All vehicles shall be stopped, parked or standing parallel to the curb or edge of the pavement and as far right of the centerline as possible, leaving at least 12 feet of clear

unobstructed roadway for the safe passage of other vehicles. At no time may a vehicle be directly across the street from another vehicle unless there will be 12 feet of roadway open between the two vehicles.

Section 6 – No Parking for Purpose of Advertising

It shall be prohibited for any person to stop, stand or park any vehicle on any street for the primary purpose of advertising unless such owner or driver thereof shall have obtained written permission from the Town Council.

Section 7 – Towing

- (a) In the event a vehicle is parked in a manner that presents a clear and present danger to public safety, any properly designated Town official is authorized to have the vehicle towed at the owner's expense.
- (b) Any fees associated with towing or storage are the responsibility of the owner(s).

Section 8 – Vehicles for Hire

- (a) It shall be prohibited for any person to leave unattended any vehicle for hire for any period of time upon any of the streets of the Town.
- (b) It shall be prohibited for any person to park any such vehicle for hire on any street, except for loading or unloading.
- (c) Nothing contained in this Section shall prevent any such vehicle from parking as may be necessary to make such temporary repairs necessary to remove it from the streets.

Section 9 – Posted Restrictions

- (a) The provisions of this schedule prohibiting the stopping, standing or parking of a vehicle shall apply at all times or as indicated on official signs, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a duly authorized law enforcement officer or official traffic-control device. When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets described in the schedule below. Whenever by this or any other section or schedule any parking time limit is imposed or parking is prohibited in designated streets, there shall be appropriate signs giving notice thereof and no regulations shall be effective unless the signs are erected and in place at the time of any alleged offense.

<u>STREET</u>	<u>PORTION</u>	<u>SIDE</u>	<u>ORD. DATE</u>	<u>ORD. #</u>
Washington & College Streets	25' from Intersection	All	Aug. 12, 1985	231
Forum Parkway	From North Star Drive to the Entrance Gate of Carolina International Cold Storage	All	Jan. 12, 1998	459
Washington Street	From College Street to Broad Street Between the hours of 7:00 - 9:00 AM and 2:00 - 4:00 PM, Monday	North	Nov. 8, 1999 Aug. 9, 2004 (Amended)	486

			- Friday When School is in Session	
Depot Street	From Second Street north 550' to Anderson Road	West	May 12, 2003	545
	From Second Street to Anderson Road	East		
College Street	From NC 65 southward 200' (in front of Fire Department bays)	East	March 14, 2011	682
Norvasa Street	From NC 65 southward 150' - 1-Hour Parking	All	October 9, 2017	764
	From 150 feet to end of Maintenance (272.4')	All		

Section 10 – Violations

- (a) Any law enforcement personnel charged with the duty of enforcing ordinances of the Town or any such persons as may be designated by the Town Manager, shall attach to any vehicle, violating any of the ordinances of the Town relating to parking, notice to the owner or operator thereof that such vehicle has been parked in violation of the provisions of the ordinances of the Town, and instructing such owner or operator that such violation subjects the offender to a civil penalty as hereinafter prescribed.
- (b) Each recipient of the notice referred to herein above may, within forty-five (45) days following the date of issuance of the ticket, pay to the Town the civil penalty hereinafter prescribed for and in full satisfaction of such violation.
- (c) A \$25.00 civil penalty for each violation of the ordinance will be imposed.
- (d) When the owner of a vehicle, or his agent, makes proper payment of a parking ticket within forty-five (45) days following the date of issuance of the ticket, the obligation shall be discharged. If such charge has not been paid within the forty-five (45) day period, the parking violation ticket shall be delinquent and subject to the additional civil penalties below. The parking violation ticket shall have stated thereon that payment is due within forty-five (45) days following the date of issuance to avoid an additional fifty-dollar (\$50.00) civil penalty and court costs.
- (e) Town officials are authorized to accept payments in full and final settlement of the claim or claims or rights of action, which the Town may have to enforce such civil penalties by civil action in the nature of debt. Failure to pay the civil penalty shall subject the owner of the vehicle to a civil action in the nature of debt for the penalties stated, plus an additional civil penalty in the amount of fifty dollars (\$50.00) and collection of the delinquent payment through the North Carolina Debt Setoff Program. The acceptance of the aforesaid civil penalty or penalties shall be deemed a full and final release of any and all claims or rights of action arising out of the contended violation.
- (f) Violations of the provisions of this ordinance for which a civil penalty is listed in subsection (c) of this section shall not constitute a misdemeanor or infraction punishable under NCGS 160A-175

and NCGS 14-4. Any properly designated Town official is authorized to take legal action in the nature of a civil suit for the collection of a debt when the civil penalty, including any additional civil penalty due to delinquency, has not been paid.

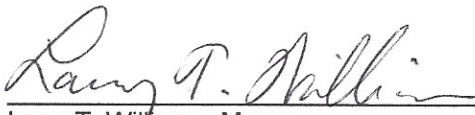
- (g) It shall be prima facie evidence in any court in the state that any vehicle which is parked in violation of the provisions of this ordinance was parked by the person, firm or corporation whose name such vehicle is then registered with the Division of Motor Vehicles of this state, except that the prima facie rule of evidence shall not apply to the registered owner of a leased or rented vehicle parked in violation of the provisions of this chapter when said owner (1) can furnish sworn evidence in the form of a lease or rental agreement, or (2) has reported to the Division of Motor Vehicles of this state that the vehicle was, at the time of the parking violation, leased or rented to another person; in such instances the owner of the vehicle shall, within a reasonable time after being so requested, furnish the Town with the name and address of the person, firm or corporation who was leasing or renting the vehicle at the time of the parking violation. In such event, it shall be prima facie evidence in any court in this state that such vehicle was parked in violation of the provisions of this chapter by the person, firm or corporation who leased or rented the vehicle at the time of the parking violation as reported to the Town or Division of Motor Vehicles of this state by the registered owner of said vehicle.
- (h) The civil penalties imposed herein and the proceeds there from, as collected by payment, civil action, or otherwise, shall belong to the Town and shall be paid into the general fund of the Town under such conditions, if any, as prescribed in the Town of Rural Hall's annual budget.
- (i) Every three (3) hours that a vehicle is parked in the same space following the issuance of a parking ticket shall constitute a separate violation subject to issuance of a new parking ticket and additional civil penalties to be applied to such vehicle.

SECTION 11 - Effective

This Ordinance shall become effective upon adoption and supersedes all previously adopted Parking Ordinances.

Adopted this the 12th day of March, 2018.

ATTEST:


Larry T. Williams, Mayor


Dora K. Moore, Town Clerk

