

ARTICLE III. - SPECIFIC STREET REGULATIONS

DIVISION 1. - GENERALLY

Secs. 24-40—24-53. - Reserved.

DIVISION 2. - SPEED LIMITS, STOP STREETS, YIELD STREETS<sup>3</sup>

Footnotes:

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**State Law reference**— Authority of municipality to establish speed limits, G.S. 20-141(B), 20-141(G); speed restrictions, G.S. 20-141; stop signs, G.S. 20-158; yield right-of-way signs, G.S. 20-158.1.

Sec. 24-54. - Speed limits.

The speed limit within the town shall be 35 miles per hour unless otherwise posted.

**State Law reference**— Speed restrictions, G.S. 20-141.

Sec. 24-55. - Stop streets.

It shall be unlawful for any person to operate a motor vehicle and fail to stop at a stop sign as required by G.S. 20-158(a), when the stop sign has been erected by authority of the Board of Commissioners.

(Code 1986, ch. 72, sch. II)

**State Law reference**— Stop signs, G.S. 20-158.

Sec. 24-56. - Yield streets.

It shall be unlawful for any person to operate a motor vehicle and fail to yield the right-of-way at a yield right-of-way sign when signs have been erected by authority of the Board of Commissioners.

(Code 1986, ch. 72, sch. III)

**State Law reference**— State requirement to yield right-of-way, G.S. 20-158.1.

Secs. 24-57—24-85. - Reserved.

DIVISION 3. - STOPPING, STANDING, PARKING<sup>4</sup>

Footnotes:

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**State Law reference**— Town's authority to regulate parking, G.S. 160A-301, 160A-302.

Sec. 24-86. - Parking prohibited at all times.

It shall be unlawful to park or leave standing any motor vehicle in any parking space located in the town for longer than the time authorized by signs or markings placed on or in front of an individual parking space.

(Code 1986, ch. 73, sch. I; Ord. No. 0-4-86, 3-10-1986; Ord. of 5-12-2003)

Sec. 24-87. - Stopping on street or bridge prohibited; removal of vehicles from public street or bridge.

When any vehicle is parked or left standing upon the shoulder or right-of-way of any street or bridge within the town corporate limits for a period of 24 hours or more, the owner shall be deemed to have appointed any investigating law enforcement officer his agent for the purpose of arranging for the transportation and safe storage of the vehicle and the investigating law-enforcement officer shall be deemed a legal possessor of the motor vehicle within the meaning of that term as it appears in G.S. 44A-2(d).

(Code 1986, ch. 73, sch. II; Ord. No. 0-4-87, 7-8-1987)

**State Law reference**— Abandoned and derelict motor vehicles, G.S. 29-137.6 et seq.; removal and disposal of motor vehicles constituting hazards, G.S. 160A-303.

Sec. 24-88. - Civil enforcement of parking provisions.

- (a) *Parking violations department established.* In order to promote and protect the public health, safety and welfare pursuant to the police powers of the town, and in order to regulate more efficiently the parking of vehicles upon the public streets of the town, there is hereby established a parking violations department with the person in charge thereof to be designated or appointed by the town manager.
- (b) *Procedure for notification of violator.* When any person charged with the duty of enforcement of the law regulating or prohibiting the parking of vehicles upon any street or public way or place within the town as provided by law shall find any vehicle parked upon such street, public way or place contrary to and in violation of any statute or town ordinance, when such violation was not committed in his presence or under such circumstances as would indicate sufficient evidence to support a conviction of the person who violated such statute or ordinance, the person so charged with such enforcement may notify the owner of such vehicle of the violation so found by conspicuously attaching to such vehicle a notice or ticket which shall require the owner or operator of such vehicle to pay to the town, within five days after the date of such notice, a fee or penalty in the amount hereinafter prescribed.
- (c) *Content of notice of violation.* Such parking violation notice or ticket shall, among other things:
  - (1) Contain a description of the vehicle and the time and place of the violation;
  - (2) State upon its face the nature of the parking violation and the amount of the fee or penalty due to the town.
- (d) *Parking violations enumerated.*
  - (1) The parking violations referred to in this subsection may be described on the notice or ticket referred to in subsection (b) of this section as follows: In violation of the law or ordinance this vehicle (describe vehicle) was parked at the stated date and time (violation checked).
  - (2) The fines for parking violations are as follows:
    - a. In a no parking zone, \$25.00.
    - b. Too close to intersection, \$25.00.

- c. On a sidewalk, \$25.00.
  - d. Too far from curb or street edge, \$25.00.
  - e. On roadway side of standing vehicle (double-parked), \$25.00.
  - f. In loading zone, \$25.00.
  - g. Obstructing traffic, \$25.00.
  - h. In fire lane, \$50.00.
  - i. In parking zone for handicapped, \$50.00.
  - j. In restricted time zone, \$25.00.
  - k. Wrong side of street facing traffic, \$25.00.
  - l. Parking in front of a fire hydrant, \$50.00.
  - m. Other violations, \$25.00.
- (e) *Penalty fee.* The fee or penalty to be paid to the town for any one violation of a parking law or ordinance as set out in subsection (d) of this section is hereby fixed as noted. Any parking penalty or fee not paid within 30 days from the date of issuance will subject the violator to a \$25.00 late penalty. An additional \$25.00 late penalty will accrue each and every 30 days beyond the late payment period. Any such fees or penalties received by the town shall be applied toward the cost of enforcing and administering traffic and parking laws and ordinances within the town.
- (f) *Misdemeanor status of parking violations; towing of illegally parked vehicles.* Nothing herein is intended to provide that the violation of any law or ordinance regulating traffic or the parking of vehicles upon the public streets shall not constitute a misdemeanor as provided in G.S. 14-4, and nothing herein is intended to provide that vehicles parked in violation of a law or ordinance may not be towed away as provided by law. Failure to pay parking fines as indicated in subsection (e) of this section may be cause for vehicle immobilization or towing.
- (g) *Authority of town police to carry out or assist enforcement.* In addition to such person as may be designated or appointed by the town manager with the enforcement of the provisions of this section, police officers and nonsworn police personnel, as designated by the chief of police, are hereby authorized to carry out or to assist in such enforcement.
- (h) *Appeals.* Appeal of parking tickets must be made within five business days of receipt by contacting the town manager.

(Ord. of 6-11-2007)

Sec. 24-89. - Manner of parking.

- (a) No person shall stand or park in a roadway other than parallel with the edge of the roadway, and with the curbside wheels of the vehicle within 12 inches of the edge of the roadway, except upon those streets which have been marked or signed for angle parking, vehicles shall be parked at the angle to the curb indicated by such marks or signs with the front tire within 12 inches of the curb.
- (b) It shall be unlawful for any driver operating a motor vehicle on a two-way street to drive the vehicle across the centerline of the street, whether the centerline is or is not marked by paint, and park the vehicle or leave it standing, parallel to the curb or street edge, facing oncoming traffic.

(Ord. of 6-11-2007)

Sec. 24-90. - Parking in specific places prohibited.

No person shall 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 a sidewalk;
- (2) On a crosswalk;
- (3) Within ~~45~~ **25** feet of an intersection ***of curb lines or, if none, then within 15 feet of the intersection of property lines at an intersection of streets;***
- (4) Alongside or opposite any street excavation or obstruction when such stopping or standing or parking would obstruct traffic;
- (5) Upon any bridge or other elevated structure or within any underpass structure;
- (6) On the roadway side of any vehicle stopped, standing or parked at the edge or curb of a street;
- (7) Within 15 feet in either direction of a fire hydrant or the entrance to a fire station;
- (8) Blocking any driveway;
- (9) At any location along Wendell Boulevard;
- (10) On the east side of North Pine Street, from Wendell Boulevard to Mattox Street;
- (11) On the south and north sides of Wall Street, 100 feet from Wendell Boulevard;
- (12) On the east side of Hollybrook Road, from Third Street to the railroad track;
- (13) On the east side of Buffalo Street, 100 feet south from Wendell Boulevard;
- (14) Both sides of North Cypress Street, from Wendell Boulevard to Fifth Street;
- (15) Across any parking lines;
- (16) At any no parking zone as designated by signs or markings;
- (17) Blocking any residential or commercial mailbox thereby preventing delivery or collection of the U.S. mail.
- (18) *Blocking any trailhead or upon a public greenway.***
- (19) *In the Wendell Falls Subdivision on any public or private streets within the community except where otherwise designated. Parking during community-wide resident events is permitted with prior approval from the Town Manager of their designee. The Board of Commissioners may allow on-street parking during holiday periods.***

(Ord. of 6-11-2007)

Sec. 24-91. - No parking and fire lanes.

- (a) No person shall park a vehicle or permit it to stand, whether attended or unattended, upon any public vehicular, 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 actively 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.
- (b) The following is a recommended method for marking fire lanes. However, nothing in this section precludes variances to this recommended procedure. Fire lanes may be marked as follows:
  - (1) Signs should be a minimum of 12 inches by 18 inches with red letters and border on a white background;

- (2) Signs should be placed at each end of the fire lane, at every exterior angle in curb and gutter with a maximum of 100 feet between signs;
  - (3) Fire lanes should be marked with a continuous single six-inch-wide yellow stripe from beginning to end;
  - (4) Lanes should be four to five feet wide from curb to yellow line; and
  - (5) The words "No Parking—Fire Lane" with the words "Towing Enforced" directly beside or below it, shall be stenciled, parallel to the face of the curb, no farther than 100 feet apart, using yellow paint with a minimum 12-inch-high letters, or for each wall-mounted or column-mounted sign which gives notice of a fire lane, there shall be additional language, whether added to the existing sign or on a supplemental sign placed under or beside the existing sign, in the same general size and type of lettering, with the words "Towing Enforced."
- (c) The following locations are designated as "No Parking—Fire Lane" zones when appropriately marked: The Town of Wendell.

(Ord. of 6-11-2007)

Sec. 24-92. - Owner, lessee to install, maintain no parking areas and fire lanes in private parking areas and driveways.

It is and shall remain the duty of the owner or lessee of the private parking lot or driveway area to install and maintain and replace any signs established pursuant to this Code and to replace said signs and maintain and repaint said markings when such replacement or repainting shall become necessary, in order adequately to give notice to the public of such restricted parking designation.

(Ord. of 6-11-2007)

Sec. 24-93. - Parking zones for the handicapped.

- (a) Parking spaces for any vehicle driven by or transporting a person who is handicapped, as defined by G.S. 20-37.5, or transporting a person who is visually impaired, as defined by G.S. 111-11, shall be designated as provided by G.S. 20-37.6(d) in public places within the town located as follows:
  - (1) On the west side of North Pine Street, 40 feet north from the north curb of East Fourth Street.
  - (2) On the south side of East Fourth Street, 38 feet west from the west curb of North Pine Street.
  - (3) On the south side of East Depot Street, 21 feet east from the east curb of North Main Street.
  - (4) On the north side of West Depot Street, 17 feet west of the west curb of North Main Street.
  - (5) On the north side of East Third Street, 20 feet east from the east curb of North Main Street.
- (b) It shall be the duty of the director of public works to mark parking spaces as set out in subsection (a) of this section by marking spaces and by use of sign R7-8, Manual on Uniform Traffic Control Devices, or by such means of designation as may be provided by G.S. 20-37.6(d), as amended.
- (c) Parking spaces for any vehicle driven by or transporting a person who is handicapped, as defined by G.S. 20-37.5, or transporting a person who is visually impaired, as defined by G.S. 111-11, shall be designated as provided by G.S. 20-37.6(d) in parking areas or driveways of hospitals, shopping areas, apartment complexes, condominium complexes, commercial office complexes, or other privately owned public vehicular areas in the town by such means of designation as may be provided by G.S. 20-37.6(d), as amended.
- (d) The installation and maintenance of signs or markings designated for any vehicle driven by or transporting a person who is handicapped or visually impaired as set forth in subsection (c) of this section is and shall remain the duty of the owner or lessee of the privately owned parking lot or

driveway or other privately owned public vehicular area, and it shall be and remain the duty of said owner or lessee to maintain and replace such signs and maintain and repaint said markings when such replacement or repainting shall become necessary, adequately to give notice to the public of such restricted parking designation.

(Ord. of 6-11-2007)

Sec. 24-94. - Restricted parking.

- (a) Parking shall be restricted to no more than 15 minutes in the following designated areas: two parking spaces on East Fourth Street in front of Wendell Town Hall located at 15 E. Fourth Street from 6:00 a.m. until 6:00 p.m. daily.
- (b) Parking shall be restricted to no more than two hours per space in the designated areas of either side of Main Street between Second Street and Fourth Street and either side of Third Street from Cypress Street to Pine Street from 8:00 a.m. until 6:00 p.m.

(Ord. of 6-11-2007)

Sec. 24-95. - Parking in or near residential areas.

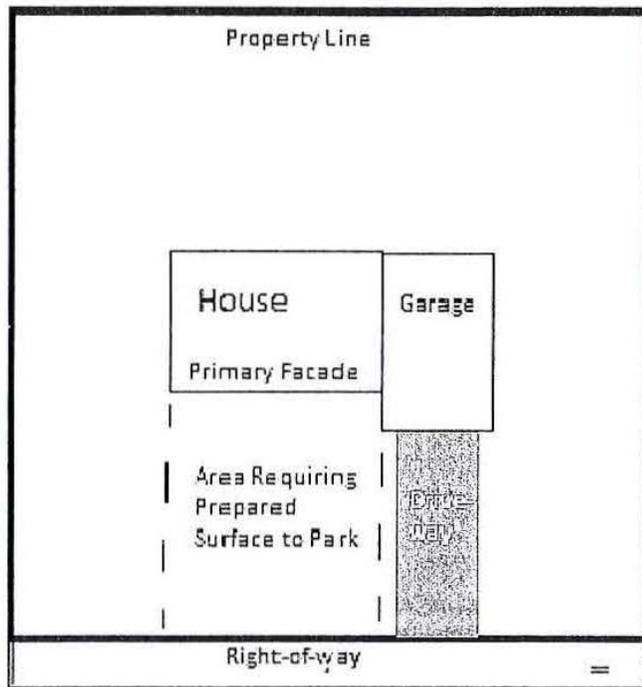
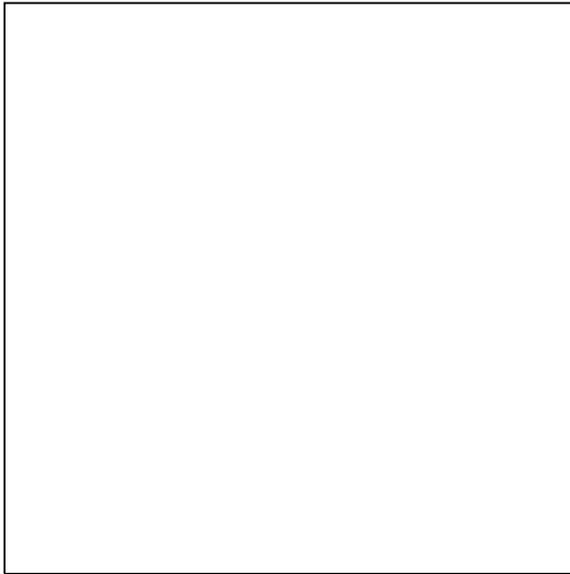
- (a) *Definitions* . The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning.

*Commercial, industrial or construction truck or vehicle* means any motor vehicle having a gross weight of greater than 12,000 pound 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. Residential utility trailers are not considered a commercial, industrial or construction truck or vehicle for the purpose of this section.

- (b) *Prohibited acts*. It shall be unlawful:

- (1) To operate, park, store, maintain or repair a commercial, industrial or construction truck or vehicle within a residential area or on the public rights-of-way therein, except for:
  - a. The sole purpose of, and for the time period reasonable required for, loading or unloading commodities; or
  - b. An owner/driver of a tractor/trailer to park the tractor portion of the rig on property where he resides.
- (2) To park a commercial, industrial or construction truck or vehicle in a commercial or industrial zone unless it is at least 25 feet away from any residential area.
- (3) For any vehicle used, manufactured, or designed for transporting toxic or explosive materials or flammable liquids to park in any residential area or on the public rights-of-way therein.
- (4) To park any recreational vehicles, including, but not limited to, campers, motorhomes, utility trailers, and boats, within the front yard of a residential area or on the public rights-of-way therein.
- (5) Unless on a prepared surface, to park directly between the primary front facade of a dwelling and the road right-of-way. The primary facade of a dwelling does not include attached front-loading garages or carports. Prepared surfaces include concrete, asphalt, brick, gravel, or other similar materials, but shall not include landscaped areas or dirt. For gravel to be used as a

prepared surface, it must be at least two inches deep and bordered by landscape timbers or a similar material.



- (6) On corner lots, to park within seven feet of the edge of street pavement in the side yard, with the exception of those vehicles parked on an approved driveway.

(Ord. of 12-11-2006(2); [Ord. No. O-3-2014](#), § 2, 4-14-2014; [Ord. No. O-15-2014](#), § 1, 8-25-2014)

Sec. 24-96. - Parking in loading zones.

When signs are erected or painted on the streets giving notice thereof, no person shall, at any time between the hours of 8:00 a.m. and 6:00 p.m., Monday through Saturday, park any vehicle within the areas designated as loading zones, except for purposes of loading and unloading such vehicle. In no case shall the stop for loading or unloading of materials exceed 60 minutes or the loading or unloading of passengers exceed 10 minutes.

Sec. 24-97. - Leave standing or parking a vehicle for certain purposes prohibited.

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

- (1) Displaying it for sale;
- (2) Greasing or repairing or performing work of any kind on such vehicle except repairs necessitated by emergency or parking it in such locations before or after or otherwise incidental to performing work or repairs.

Secs. 24-98—24-122. - Reserved.