

ORDINANCE TO AMEND CITY ORDINANCES IN CHAPTER 16 FOR MOTOR VEHICLES AND TRAFFIC

Chapter 16 Motor Vehicles and Traffic

Article 1. In General

Sec. 16-1.-Definitions

Vehicle owner is ~~the person~~ a registered owner identified by the North Carolina Division of Motor Vehicles. ~~as the registered owner of a vehicle.~~

Sec. 16-8 Obstructions to cross-visibility at intersections

(i) ~~Any~~ person who shall maintain or permit any such public nuisance and who shall fail, refuse or neglect to remove, destroy or otherwise eliminate such condition constituting such public nuisance as hereinbefore defined within the period prescribed by the director of public works (or his/her/their designee) or, in the event of an appeal, within the period prescribed by the city manager (or his/her/their designee) shall be guilty of a Class 3 misdemeanor pursuant to N. C. Gen. Stat. § 14-4 with a maximum fine of \$ 50.00.

Sec. 16-10. - Putting injurious object or substance on street.

It shall be unlawful to put any object or substance on a street which is likely to cause injury to a person, animal, or vehicle. Any person who accidentally drops any such substance on a street must immediately remove it, or cause it to be removed. Any person removing a wrecked or damaged vehicle from a street must remove any injurious substance or hazard left on the street as a result of the damage to the vehicle. Pursuant to N. C. Gen. Stat. 14-4(a) a violation of this ordinance shall be a misdemeanor with a maximum fine of \$50.00.

Sec. 16-11. - Riding on part of vehicle not intended for passengers.

(a) It shall be unlawful to ride on a vehicle or any part of a vehicle not designed for the use of passengers.

(b) The provisions of subsection (a) do not apply to an employee engaged in the necessary discharge of a duty or to persons riding within truck bodies in spaces designed for merchandise.

(c) Pursuant to N. C. Gen. Stat. 14-4(b) a violation of this ordinance shall be an infraction with a penalty of not more than \$25.00.

ARTICLE II.-ADMINISTRATION AND ENFORCEMENT

Division 1. - Generally

Sec. 16-37.-Accountability for traffic citation.

The chief of police or his/her/their designated official shall be accountable for the receiving and issuing to officers of the police department, uniform traffic citations printed and distributed by the state or issuing a citation electronically. Such accountability shall include recording by citation numbers those citation books received from the state, the issuance of

citation books to officers and those citations given the public. Such records shall be maintained and made available until audited by state auditors.

Division 2.-Traffic-Control Signs, Signals, Devices and Markings

Sec. 16-55. - Unauthorized devices.

It shall be unlawful to display any unauthorized traffic-control device on public streets which directs or purports to direct vehicular or pedestrian traffic. No sign shall be erected which simulates an official traffic-control or warning sign in such a manner as to, or would in any way, confuse or mislead the traffic. Pursuant to N. C. Gen. Stat. 14-4(b) a violation of this ordinance shall be an infraction with a penalty of not more than \$25.00.

Sec. 16-56. - Tampering.

It shall be unlawful to alter, remove, or tamper with an official traffic-control device. Pursuant to N. C. Gen. Stat. 14-4(b) a violation of this ordinance shall be an infraction with a penalty of not more than \$25.00.

Sec. 16-57. - Avoidance.

It shall be unlawful to drive across a sidewalk or through other property for the purpose of avoiding an official traffic-control device. Pursuant to N. C. Gen. Stat. 14-4(b) a violation of this ordinance shall be an infraction with a penalty of not more than \$25.00.

Sec. 16-58. -- Traffic control photographic systems.

~~(a) Administration. The City of Greensboro shall implement a system for capturing traffic control violations, as defined under G.S. § 20-158, with a traffic control photographic system that will use the photographic images as prima facie evidence of the traffic violations and will authorize the Greensboro Department of Transportation or an agent of the department to issue civil citations.~~

~~The City of Greensboro Department of Transportation shall administer the traffic control photographic program and shall maintain a list of system locations where traffic control photographic systems are installed.~~

~~Any citation for a violation of G.S. § 20-158 or other traffic violation, issued by a duly authorized law enforcement officer at a system location shall be treated, pursuant to G.S. § 20-156, as an infraction so long as the system photographic images are not used as prima facie evidence of the violation.~~

~~The citation shall clearly state the manner in which the violation may be reviewed. The citation shall be processed by officials or agents of the City of Greensboro and shall be forwarded by personal service or first-class mail to the owner's address as given on the motor vehicle registration.~~

~~(b) Offense.~~

~~(1) It shall be unlawful for a vehicle to cross the stop line at a system location when the traffic signal for that vehicle's direction of travel is emitting a steady red light, or for a vehicle to violate any other traffic regulation specified in G.S. § 20-158.~~

~~(2) The owner of a vehicle shall be responsible for a violation under this section, unless the owner can furnish evidence that the vehicle was in the care, custody,~~

or control of another person at the time of the violation, as described in subsection (3).

(3) Notwithstanding subsection (2), the owner of the vehicle shall not be responsible for the violation if, within twenty one (21) days after notification of the violation, the owner furnishes the officials or agents of the city:

a. The name and address of the person or entity who leased, rented, or otherwise had the care, custody, and control of the vehicle at the time of the violation; or

b. An affidavit by the owner stating that, at the time of the violation, the vehicle involved was stolen or was in the care, custody, or control of some person who did not have permission to use the vehicle.

(c) *Penalty.* Any violation of this section shall be deemed a noncriminal violation for which a civil penalty of fifty dollars (\$50.00) shall be assessed, and for which no points authorized by G.S. § 20-16(c) shall be assigned to the owner or driver of the vehicle, nor insurance points as authorized by G.S. § 58-36.65. Failure to pay the civil penalty or to respond to the citation within twenty one (21) days shall constitute a waiver of the right to contest responsibility for the violation and shall subject the owner to an additional civil penalty of fifty dollars (\$50.00). The city shall establish procedures for the collection of the civil penalties and shall enforce the penalties by a civil action in the nature of a debt.

(d) *Nonjudicial administrative hearing.* The City of Greensboro Department of Transportation shall establish an administration process to review objections to citations or penalties issued or assessed. A notice requesting a hearing to review objections shall be filed within twenty one (21) days after notification of the violation. The determination of the hearing officer will be final. The decision of the hearing officer shall be hand delivered or mailed to the owner or driver of the vehicle. Whenever the decision of the hearing officer upholds the civil penalty violation, the owner or driver of the vehicle shall pay the civil penalty of fifty dollars (\$50.00) within thirty (30) days after the final determination as indicated by the date on the determination.

DIVISION 3.- PARKING VIOLATIONS

Sec. 16-76. - Removal of parking ticket.

It shall be unlawful to remove a parking ticket from a vehicle or permit it to be removed, except for the purpose of answering the charge for which it was issued. Pursuant to N. C. Gen. Stat. 14-4(b) a violation of this ordinance shall be an infraction with a penalty of not more than \$25.00.

Sec. 16-77. - Alteration of parking ticket.

It shall be unlawful to alter a parking ticket, and no person may have in his/her/their possession an unlawfully altered ticket. Pursuant to N. C. Gen. Stat. 14-4(b) a violation of this ordinance shall be an infraction with a penalty of not more than \$25.00.

Sec. 16-78 Immobilization or impoundment of vehicles having unpaid parking tickets.

(h) *Removal of wheel lock.* It shall be unlawful for any person to remove from a vehicle a wheel lock placed thereon pursuant to this section or to remove from impoundment any vehicle placed therein pursuant to this section without all civil penalties and applicable charges having first been paid. Pursuant to N. C. Gen. Stat. 14-4(b) a violation of this ordinance shall be an infraction with a penalty of not more than \$25.00.

ARTICLE III.- Vehicle Operation

Sec. 16-96.— Speed limits.

~~(a) No person may exceed the speed limits designated in traffic schedule no. 2 on the designated streets or parts of streets.~~

~~(b) The city council finds, on the basis of engineering and traffic investigations, that it is unsafe and therefore it shall be unlawful to exceed the speed limits designated in traffic schedule no. 2 on the designated streets or parts of streets, which are located in school zones.~~

~~(c) It shall be unlawful to exceed the speed limits designated in traffic schedule no. 2 on the designated streets or parts of streets, which are located in public municipal parks.~~

Sec. 16-97.— Stop intersections.

~~When official traffic control devices are in place indicating stop intersections, it shall be unlawful to drive a vehicle into the intersections designated in traffic schedule no. 1 from the street indicated stop without first bringing it to a complete stop and yielding the right of way to all traffic approaching on the intersecting street.~~

Sec. 16-98.— Yield intersections.

~~When official traffic control devices are in place indicating yield right of way intersections, it shall be unlawful to drive a vehicle into the intersections designated in traffic schedule no. 1 without first slowing down and yielding the right of way to any vehicle in movement on the main traveled or through street which is approaching so as to arrive at the intersection at approximately the same time as the vehicle entering the main traveled or through street.~~

Sec. 16-99.— Driving in restricted lanes.

~~When official traffic control devices are in place indicating that a roadway lane is restricted to a certain vehicular movement, it shall be unlawful to refuse to obey the indication of the official control devices as designated in traffic schedule no. 3.~~

Sec. 16-100.— Left turns as indicated.

~~In making a left turn at any of the intersections designated in traffic schedule no. 3, the driver of a vehicle must drive to the left of the intersection as indicated by official traffic control devices within such intersection.~~

Sec. 16-101.— No left turn.

~~When official traffic control devices are in place prohibiting left turns, it shall be unlawful to make a left turn from the streets designated in traffic schedule no. 3.~~

Sec. 16-102.— No right turn.

~~When official traffic control devices are in place prohibiting right turns, it shall be unlawful to make a right turn from the streets designated in traffic schedule no. 3.~~

Sec. 16-103. - No right turn on red.

~~When official traffic-control devices are in place prohibiting right turn on red traffic signal, it shall be unlawful to make a right turn from the street approaches designated in traffic schedule~~

no. 3-A. Pursuant to N. C. Gen. Stat. 14-4(b) a violation of this ordinance shall be an infraction with a penalty of not more than \$25.00.

Sec. 16-104. - No turn intersection.

When official traffic-control devices are in place prohibiting any turn, it shall be unlawful to make a turn at the intersections designated in traffic schedule no. 3. Pursuant to N. C. Gen. Stat. 14-4(b) a violation of this ordinance shall be an infraction with a penalty of not more than \$25.00.

Sec. 16-105. - "U" turns and turning around.

It shall be unlawful to make a "U" turn or turn around, by driving or backing into any street or at any intersection unless such movement can be made in safety and provided that the intersection or street is not regulated by an official traffic-control device prohibiting such turning or backing. Pursuant to N. C. Gen. Stat. 14-4(b) a violation of this ordinance shall be an infraction with a penalty of not more than \$25.00.

~~Sec. 16-106. - Backing in street.~~

~~It shall be unlawful to back a vehicle across a sidewalk, crosswalk or into a street unless such movement can be made in safety and ample warning shall be given to those who may be behind the vehicle.~~

~~Sec. 16-107. - One way streets.~~

~~When official traffic-control devices are in place indicating one way streets at every intersection, it shall be unlawful to drive a vehicle on the streets or parts of streets designated in traffic schedule no. 7 in a direction other than the one indicated in the schedule.~~

Sec. 16-108. - Emerging from private driveway.

It shall be unlawful to drive a vehicle from a private driveway without first bringing it to a complete stop before entering the sidewalk, or before entering the roadway where there is no sidewalk. Pursuant to N. C. Gen. Stat. 14-4(b) a violation of this ordinance shall be an infraction with a penalty of not more than \$25.00.

Sec. 16-109. - Crossing traffic.

The driver of a vehicle must proceed in the same direction as the nearest lane of traffic when moving from a parked position or moving into a street from any place other than another street. Pursuant to N. C. Gen. Stat. 14-4(b) a violation of this ordinance shall be an infraction with a penalty of not more than \$25.00.

Sec. 16-110. - Obstructing vehicular or pedestrian traffic.

It shall be prohibited to operate or park a vehicle in such manner as to constitute an obstruction to vehicular or pedestrian traffic. Pursuant to N. C. Gen. Stat. 14-4(b) a violation of this ordinance shall be an infraction with a penalty of not more than \$25.00.

~~**Sec. 16-111. - Driving through funeral procession.**~~

~~(a) A funeral composed of a procession of vehicles should be identified as such by the burning of the headlights on each vehicle.~~

~~(b) Each driver in a funeral procession shall drive as near to the right-hand edge of the roadway as practical and follow the vehicle ahead as close as is practical and safe.~~

~~(c) No driver of a vehicle shall drive between the vehicles comprising a funeral procession while they are in motion and when such vehicles are conspicuously designated as required in subsection (a). This subsection specifically applies to intersections regardless of any traffic control device when such procession is being led by a police officer.~~

Sec. 16-112. - Towing or pushing another motor vehicle.

It shall be unlawful to drive a motor vehicle which is towing or pushing another motor vehicle when the space between the two (2) vehicles is greater than twelve (12) feet. It shall be unlawful to drive a motor vehicle which is towing or pushing another vehicle with all four (4) wheels on the street unless another person is in the towed or pushed motor vehicle and is controlling its movement. Pursuant to N. C. Gen. Stat. 14-4(b) a violation of this ordinance shall be an infraction with a penalty of not more than \$25.00.

Sec. 16-113.- Truck Routes

(h) It shall be a civil violation ~~unlawful~~ to operate any truck except along and over the routes set out in schedule no. 8, except when it is impracticable to do so because of street repairs or other emergency or when necessary to travel on other streets from point of origin or to a destination for the purpose of loading or unloading goods, wares, or merchandise, and then only be such deviation from the nearest truck traffic route as is absolutely necessary to reach such destination.

~~Sec. 16-114. - Driving into intersections and crosswalks.~~

~~It shall be unlawful for a person to drive a vehicle into, over or across an intersection or a pedestrian crosswalk in such manner as to constitute an obstruction to other vehicular or pedestrian traffic, notwithstanding any traffic control signal to the contrary.~~

Sec. 16-115. - Prohibited use of curbs and medians.

(a) It shall be unlawful for any person to park or drive a vehicle over, upon or across any curb, central dividing section, unpaved area dividing lanes of travel or any median along or adjacent to a public street except at such driveways, alleyways, or other entrances and exits as are established by public authority. Pursuant to N. C. Gen. Stat. 14-4(b) a violation of this ordinance shall be an infraction with a fine of not more than \$25.00.

(b) The provisions of subsection (a) shall not apply to:

- (1) Temporarily disabled motor vehicles, unless such vehicles have been left unattended for at least six (6) hours.

ARTICLE V. Bicycles and Micromobility Vehicles

Division 1.-Generally

Sec. 16-222. - Use of skateboards, roller skates, and non-motorized scooters.

It shall be unlawful for any person riding on a skateboard, roller skates or non-motorized scooter to ride any of such devices on any street, on the premises of the municipal building or of any municipal parking facility, or to ride any of such devices on any sidewalk located in the central business district of the city. In addition, it shall be unlawful for any person riding on a skateboard, roller skates or a non-motorized scooter to ride any such device on the sidewalks adjacent to South Elm Street between McGee Street and West Gate City Boulevard. Pursuant

to N. C. Gen. Stat. 14-4(b) a violation of this ordinance shall be an infraction with a penalty of not more than \$25.00.

Sec. 16-223. - Use of coasters and toy vehicles.

It shall be unlawful for any person riding on skateboard or roller skates, or riding in or on a coaster, sled, toy wagon, tricycle, or toy vehicle to ride on a roadway except while crossing at a crosswalk or intersection, or while using a street set aside for play purposes from which vehicles are excluded. Pursuant to N. C. Gen. Stat. 14-4(b) a violation of this ordinance shall be an infraction with a penalty of not more than \$25.00.

~~Sec. 16-224. -- Clinging to motor vehicle.~~

~~It shall be unlawful for any person riding a bicycle, micromobility vehicle, sled, roller skates, skateboard, or nonmotorized vehicle to attach it or himself/herself/themself to a vehicle which is in motion on a street.~~

Sec. 16-227. - Use of bicycles and micromobility vehicles on sidewalks.

It shall be unlawful to drive or ride a bicycle or micromobility vehicle within a sidewalk area in the central business district unless it is at a permanent or temporary driveway. In the interest of public safety, the director shall be authorized to prohibit the operation of bicycles and micromobility vehicles on other sidewalks located in high pedestrian traffic areas. All bicycles and micromobility vehicles shall yield the right of way on sidewalks to pedestrians. Pursuant to N. C. Gen. Stat. 14-4(b) a violation of this ordinance shall be an infraction with a penalty of not more than \$25.00.

Sec. 16-228. - Bicycle-street lanes.

The street or portions of streets designated in traffic schedule no. 11 are established as bicycle street lanes for the use of bicycles and micromobility vehicles. When official traffic signs are in place designating a bicycle-street lane, it shall be unlawful for any person to ~~park~~, drive, or enter any vehicle (except a bicycle or micromobility vehicle) within a bicycle-street lane as designated by traffic schedule no. 11. Pursuant to N. C. Gen. Stat. 14-4 (b) a violation of this ordinance shall be an infraction with a penalty of not more than \$25.00.

Sec. 16-230. - Number of riders on a micromobility vehicle.

It shall be unlawful for more than one person to ride upon a micromobility vehicle at a time. Pursuant to N. C. Gen. Stat. 14-4(b) a violation of this ordinance shall be an infraction with a penalty of not more than \$25.00.

DIVISION 2. - BICYCLE REGISTRATION

Sec. 16-246. - Display of city number plate.

It shall be unlawful to operate a bicycle, which is required to be registered, on a city street unless there is displayed in a conspicuous place on the bicycle a city number plate. Pursuant to N. C. Gen. Stat. 14-4(b) a violation of this ordinance shall be an infraction with a penalty of not more than \$25.00.

Sec. 16-247. - Removal or alteration of plates.

It shall be unlawful ~~willfully or maliciously~~ to remove, destroy, mutilate, or alter the number of any bicycle frame licensed pursuant to this section. It shall be unlawful to remove, destroy, mutilate, or alter the number plate or registration card; provided, that nothing herein shall be construed to prohibit the chief of police from stamping numbers on bicycle frames for identification purposes, or from removing or destroying number plates and registration cards if necessary to comply with the provisions of this division. Pursuant to N. C. Gen. Stat. 14-4(b) a violation of this ordinance shall be an infraction with a penalty of not more than \$25.00.

This ordinance should become effective upon adoption.