

TITLE VII: VEHICLES & TRAFFIC

Chapter

70. Motor Vehicle and Traffic Regulations

**Title VII Chapter 70
Motor Vehicle and Traffic Regulations**

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§70.01 Traffic and Parking

- (A) Town traffic and parking regulations will be established by ordinance and the Board. When a new traffic or parking ordinance is adopted, the Town Administrator 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 and/or posted on the town's official web site. The current list of regulations is incorporated by reference into this chapter.
[Am. Ord. Passed 4/10/01]

§70.02 Traffic Code

- (A) All North Carolina traffic laws are enforced in Calabash (NC GS chapter 20, Motor Vehicles).
- (B) Traffic code is enforced by state, county and/or local law enforcement officers.
- (C) "No parking" and other town specific traffic signs are enforced by Calabash code enforcement officials.

§70.03 Signs, Markers or Devices

- (A) No provisions 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.
- (B) Any person failing or refusing to comply with the directions indicated on any sign, marker, or device for the control of 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 an infraction.
- (C) 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 § 70.08.
- (D) Penalty: \$25.00
Reference {§10.99 (A)(2)}

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§70.04 Unauthorized Signs

- (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.
- (C) Penalty: \$50.00
Reference [§10.99 (A)(2)]

§70.05 Interference With Official Traffic Control Signs or Devices

- (A) 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.
- (B) Penalty:
 - (1) Town: \$50.00;
 - (2) State/County: GS Chapter 20 or applicable code or motor vehicle law.
Reference [§10.99 (A)(2)]

§70.06 Authority of Officials

- (A) It shall be the duty of the officers of the State Highway Patrol and Brunswick County Sheriffs Department to enforce all street traffic laws and all of the state vehicle laws applicable to street traffic.
- (B) Law enforcement officers are authorized to direct 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, law enforcement officers may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.
- (C) Officers of the Fire Department, EMS or Calabash Code Enforcement, when at the scene of a fire or accident, may direct or assist the police in directing traffic thereat or in the immediate vicinity.
- (D) Officers of the State Highway Patrol and the County Sheriffs Department are authorized to enforce all street traffic laws and all state vehicle laws within the town.
[Am. Ord. passed 4/10/2001]

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§70.07 Obedience to Officials

- (A) No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer or Fire Department official.
- (B) Penalty: \$50.00
Reference {§10.99 (A)(2)}

§70.08 Authorized Emergency Vehicles

- (A) The provisions of this chapter regulating the operation, parking, and standing of vehicles shall apply to authorized emergency vehicles, as defined in this chapter, except as provided under state law.
- (B) Statutory reference: Emergency vehicles, exceptions to right-of-way rules, see NC G.S. 20-156.

§70.09 Illegal Parking, Overtime Parking

- (A) Illegally parked vehicles may constitute a traffic hazard and/or interfere with public safety. Illegally parked vehicles may be towed at the owners expense.
- (B) If any vehicle shall be found illegally parked or parked overtime or in violation of any of the provisions of this chapter, it shall be the duty of the Code Enforcement Officer of the town to attach to the vehicle a notice to the owner or operator thereof, if the owner or operator is absent, or to deliver to the owner or operator, if he is present, a notice to the effect that the vehicle has been illegally parked or parked overtime or in violation of a provision of this chapter.
- (C) The person actually operating or in control of the operation of the vehicle at the time that such vehicle is parked shall be charged with the duty of complying 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.
- (D) A single warning citation may be issued by the Code Enforcement Official but not more frequently than once per 12 month period.
- (E) Penalty
 - (1) An owner or operator of a vehicle, shall, within five days from the time the notices referred to in division (B) above was attached to the vehicle or delivered to the owner or operator, pay to the town, as a penalty for the offense indicated in the notice, the sum of \$25.
 - (2) If the owner of operator fails to appear within the prescribed period, he/she shall be assessed an additional penalty of \$5.00 per business day for each day the payment was late. This late fee shall not exceed \$50.00 per citation.
[Am. Ord. passed 4/10/2001, Am. Ord. Passed 1/8/2008, Am. Ord. passed 11/10/2009]
[GS14-4 (b)]

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§70.10 Speed Limits

- (A) Central Business: 35 miles per hour or as otherwise posted.
 - (B) Highway Commercial: 45 miles per hour or as otherwise posted.
 - (C) Residential: 25 miles per hour or as otherwise posted.
 - (D) Highway/major thoroughfare: 55 miles per hour or as otherwise posted.
- [Ord. Passed 9/17/1997, Am. Ord. passed 11/10/2009]

§70.11 Town Decals and Tax

- (A) A tax is levied on every motor vehicle in the town and is a component of the Brunswick Co. tax notice.
 - (B) Town decals are issued free of charge to any resident or property owner in the town.
 - (1) This decal shall be displayed in the lower right corner of the windshield, so that the edges of the decal will not be more than one inch from the bottom and right of the windshield.
 - (2) This decal permits the property owner and/or resident to use certain services provided by the town free of charge and permits access to homes and properties following emergency situations.
- [Am. Ord. passed 4/10/2001, Am. Ord passed 11/10/2009]