

Sec. 42-153. - Stopping, standing or parking prohibited in specified 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 or in compliance with law or the directions of a police officer or traffic control device, in any of the following places:
- (1) On a sidewalk.
 - (2) At a public or private driveway or alley in such a manner as to obstruct the driveway or alley.
 - (3) Within an intersection.
 - (4) Within 15 feet of a fire hydrant.
 - (5) Within 25 feet of intersecting curblines.
 - (6) Within 12 feet of a crosswalk.
 - (7) Within 25 feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway.
 - (8) Within 50 feet of the nearest rail of a railroad crossing.
 - (9) Within 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 75 feet of the entrance, when properly signposted.
 - (10) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.
 - (11) On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
 - (12) Upon any bridge or other elevated structure upon a street or within a tunnel or underpass.
 - (13) At any place where official signs prohibit stopping.
 - (14) Within a lane designated for moving traffic in such a way as to obstruct the movement of traffic in that particular lane.
 - (15) Within a public or private alley or driveway in such a manner as to obstruct the free passage of city fire and sanitation vehicles, where properly signposted. For purposes of this subsection, appropriate signs shall be posted at the discretion of the fire chief or assistant city manager/public works.
 - (16) Within a passenger zone permitting standing of attended vehicles when such vehicle is unattended.
- (b) It shall be prohibited for any person to move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.

(Code 1975, § 13-78)

Sec. 42-175. - Civil penalties for violations of parking ordinances.

- (a) A civil penalty as prescribed in this section is hereby imposed against the owner or operator of any vehicle found parked in violation of any ordinance regulating parking. Each such civil penalty shall be due and payable to the city revenue collector within 60 days of issuance of the parking violation ticket. If such civil penalty is not paid within such 60-day period, it shall be delinquent and in such event additional civil penalties of \$25.00 and court costs, if any, are hereby imposed upon the owner or operator of such vehicle and shall be due and payable immediately.
- (b) A parking violation ticket shall be issued and attached to the vehicle to notify the owner or operator thereof of the nature of the violation and the amount of the applicable civil penalty. The parking violation ticket shall also state that the civil penalty is due within 60 days, and if not so paid, shall be delinquent and additional civil penalties of \$25.00 and court costs, if any, imposed.
- (c) The civil penalty for violations of the following section numbers, where a notice has been attached to a vehicle as provided in subsection (b) of this section, shall be as follows:
 - (1) Violations of section 42-152 (too far from curb) \$15.00
 - (2) Violations of section 42-162 (parking at wrong angle) 15.00
 - (3) Violations of section 42-163 (violating angle unloading permit) 15.00
 - (4) Violations of section 42-168 (improper use of curb loading zones) 30.00
 - (5) Violations of sections 42-161 and 42-254 (overtime parking) 15.00
 - (6) Violations of sections 42-225 and 42-254 (parking meter violation) 15.00
 - (7) Violations of section 42-222 (parked over lines) 15.00
 - (8) Violations of section 42-153 (stopping, standing or parking in prohibited spaces) 15.00Except for the following:
 - a. Section 42-153(a)(2) (blocking driveway or alley) 30.00
 - b. Section 42-153(a)(4) (parking near fire hydrant) 50.00
 - c. Section 42-153(a)(13) (stopping, standing or parking where official signs prohibit stopping, standing or parking) 30.00
 - d. Section 42-153(a)(15) (obstructing fire and sanitation vehicles in alleys and driveways) 50.00
 - (9) Violations of section 42-154 (handicapped parking) 250.00
 - (10) Violations of section 42-173 (parking of certain vehicles prohibited on front lawns) (each vehicle) 25.00
- (d) Reserved.
- (e) Violations of the provisions of this chapter for which a civil penalty is listed in subsection (c) of this section shall not constitute a misdemeanor or infraction punishable under G.S. 14-4. Instead, failure to pay the civil penalties imposed for violations listed in said subsection (c) and for the additional civil penalties imposed due to delinquency of the initial civil penalty shall subject the owner or operator of the vehicle to a civil action in the nature of debt for the civil penalties due. The city revenue collector or city attorney, or their designees, are authorized to take any action necessary to collect any civil penalties which have not been paid.
- (f) 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 chapter was parked by the person in 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 the 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 city with the name and address of the person 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 who leased or rented the vehicle at the time of the parking violation as reported to the city or the division of motor vehicles of this state by the registered owner of the vehicle.

- (g) The civil penalties imposed in this section and the proceeds therefrom, as collected by payment, civil action or otherwise, shall belong to the city and shall be paid into the general fund of the city under such conditions, if any, as are prescribed in the city annual budget.
- (h) Each hour a vehicle is parked in the same space following the issuance of a parking ticket shall constitute a separate violation subject to the issuance of a new parking ticket and additional civil penalty to be applied to such vehicle.

(Code 1975, § 13-196; Ord. No. 4356, 4-17-00; Ord. No. 4422, §§ I—VII, 7-15-02; Ord. No. 4650, § 1, 4-20-09; Ord. No. 4688, § 1, 6-21-10; Ord. No. 4764, § 2, 10-15-12; Ord. No. 4794, § 1, 6-17-13)