

CHAPTER 13

MOTOR VEHICLES AND TRAFFIC

State law references-Authority of city to regulate traffic, G.S., §§ 20-169, 160A-300; motor vehicles and traffic generally, G.S., § 20-1 et seq.; city streets, traffic and parking generally, G. S., § 160A-296 to 160A-307.

Cross References-Operation of vehicles in cemeteries, § 5-18; use of cemeteries as public thoroughfare, § 5-19; riding on fire trucks generally, § 7-2; driving over fire hoses, § 7-3; right-of-way of fire trucks, § 7-4; transportation of explosives, §§ 7-34--7-37; gasoline storage, §§ 7-44, 7-45, 7-51; mobile home parks generally, Ch. 12; noise generally, §§ 14-11., 14 - -12; private use of city equipment for vehicles, § 14-17; railroads generally, §§ 14-18, 14-19; wreckers towing vehicles without prior consent, § 14-20; police generally, Ch. 15; streets and sidewalks generally, Ch. 16; obstruction of streets and sidewalks generally, § 16-2; taxicabs generally, Ch. 18.

Article I. In General

- § 13-1. Use of coasters, roller skates and similar devices restricted.
- § 13-2. Official traffic maps.
- § 13-3. Park areas.
- § 13-4. Exemptions to authorized emergency vehicles.
- § 13-4.1. Certain vehicles for hire; operation with temporary permit.

Article II. Traffic Control Devices

- § 13-5. Obedience generally.
- § 13-6. When signs required for enforcement purposes.
- § 13-7. Signal legend.
- § 13-8. Flashing signals.

Article III. Operation of Vehicles

- § 13-9. Moving cars from parked positions.
- § 13-10. Driving through funeral processions.
- § 13-11. Driving on roadways laned for traffic.
- § 13-12. Limitations on backing.
- § 13-13. Vehicle shall not be driven on a sidewalk.
- § 13-14. Boarding or alighting from vehicles.
- § 13-15. Riding on vehicles not designated for passengers.
- § 13-16. Protruding from vehicle.
- § 13-17. Clinging, etc., to moving vehicles.
- § 13-18. Entering, jumping on or riding vehicles without permission.
- § 13-19. Bicycles and skateboards restricted.
- § 13-20. Play streets.

MOUNT HOLLY CITY CODE

- § 13-21. Quiet zones.
- § 13-22. One-way streets.
- § 13-23. Reserved.
- § 13-24. Stop intersections.
- § 13-25. Truck routes.
- § 13-26. Obstructing intersections or crosswalks.
- § 13-27. Speed limits.
- § 13-28. Turns--Obedience to signs, etc.
- § 13-29. Same--Prohibited at specified locations.
- § 13-30. Same--Limitations on turning around.
- § 13-30.1. Off highway vehicles.

Article IV. Stopping, Standing, and Parking

Division 1. Generally

- § 13-31. Application of article.
- § 13-32. Prohibited in certain places.
- § 13-33. Obedience to no parking zone and safety zone markers.
- § 13-34. When vehicles not to stop in streets.
- § 13-35. Hazardous or congested places.
- § 13-36. Vehicles backed up to curb.
- § 13-37. Left side of vehicle to curb in business district.
- § 13-38. Bus zones.
- § 13-39. Curb loading zones.

Division 2. Parking

- § 13-40. Signs required.
- § 13-41. Obstruction of traffic.
- § 13-42. Parking in alleys.
- § 13-43. Parking for certain purposes; 72-hour limit; handicap parking.
- § 13-44. Methods.
- § 13-45. Adjacent to schools.
- § 13-46. Prohibited zones at all times.
- § 13-47. Prohibited zones between 1:00 a.m. and 6:00 a.m.
- § 13-48. Two-hour zones.
- § 13-49. One hour zones.
- § 13-50. Fifteen-minute zones.
- § 13-51. Special parking times and events.

Article V. Registration of Vehicles

- § 13-52. Required; term; fees.

- § 13-53. Tax collector authorized to designate deputy registrars
- § 13-54. Numberplates--Issuance; duplicates.
- § 13-55. Same--Transfer.
- § 13-56. Same--Display.

Article VI. Abandoned, Nuisance and Junked Motor Vehicles

- § 13-57. Administration.
- § 13-58. Definitions.
- § 13-59. Abandoned vehicle unlawful; removal authorized.
- § 13-60. Nuisance vehicle unlawful; removal authorized.
- § 13-61. Junked motor vehicle unlawful; removal authorized.
- § 13-62. Permitted concealment or enclosure.
- § 13-63. Removal of abandoned, nuisance or junked motor vehicles; Pretowing notice required.
- § 13-64. Removal of vehicles; post-towing notice.
- § 13-65. Probable cause hearing prior to disposition.
- § 13-66. Right to redeem.
- § 13-67. Disposal of removed vehicles.
- § 13-68. Conditions on removal of vehicles from private property.
- § 13-69. Immunity from criminal and civil actions
- § 13-70. Exceptions.
- § 13-71. Unlawful removal of impounded vehicle.

Article VII. Operation of Golf Carts on Public Streets and Roads

- § 13-72. Authority to regulate.
- § 13-73. Purpose.
- § 13-74. Definitions.
- § 13-75. Operation on public streets and roads.
- § 13-76. Registration, Inspection, and Fee.
- § 13-77. Certified golf cart roads.
- § 13-78. Enforcement.

Article I. In General

Sec. 13-1. Use of coasters, roller skates and similar devices restricted.

No person on roller skates or riding any coaster, toy vehicle or similar device shall go upon any roadway, other than a street set aside as a play street, unless it be while crossing at a crosswalk or intersection. (Code 1961, § 16-16)

Sec. 13-2. Official traffic maps.

- (a) Pursuant to Section 160A-77 of the General Statutes of North Carolina, the ordinances of the city relative to the following uses of

the streets of the city are codified upon the official traffic map of the city:

- (1) Location of traffic-control devices and designation of restrictions on right turns on red at such locations.
 - (2) Establishment of speed limits for certain streets or portions of streets.
 - (3) Designation of locations where restrictions upon vehicle turns are in effect.
 - (4) Designation of stop intersections.
 - (5) Designation of yield intersections.
 - (6) Designation of one-way streets.
 - (7) Designation of truck routes.
 - (8) Designation of streets with gross weight limitations.
 - (9) Designation of locations where parking is limited, restricted or prohibited.
- (b) Such traffic maps shall be maintained so as to reflect the current status of such ordinances and shall be available for public inspection at city hall.

State law reference--Codification of in ordinances by use of official maps, G.S., § 160A-77.

Sec. 13-3. Park Areas.

No power vehicles shall be allowed in than those designated by the city manager. The for trail bikes shall be used as such. (4-23-73)

Sec. 13-4. Exemptions to authorized emergency vehicles.

- (a) The provisions of this chapter regulating the operation, parking and standing of vehicles shall also apply to authorized emergency vehicles, as defined in this chapter, except as follows:

Unless otherwise directed by a police officer, a driver when operating such vehicle in an emergency, may:

- (1) Park or stand, notwithstanding the provisions of this chapter.
 - (2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
 - (3) Exceed the prima facie speed limit so long as he does not endanger life or property.
 - (4) Disregard regulations governing direction of movement, or turning in specified directions so long as he does not endanger life or property.
- (b) The foregoing exemptions shall not, however, protect the driver of any vehicle from the consequences of his reckless disregard for the safety of others. (Code 1961, § 16-17)

State law references--Exemption from speed limits, G.S., § 20-145; exemption from right of way rules, G.S., § 20-156; operation of vehicle on approach of emergency vehicle, G.S., § 20-157.

Cross-reference--Right-of-way of fire trucks, § 7-4.

Sec. 13-4.1. Certain vehicles for hire; operation with temporary permit.

For the purpose of transporting school children, drivers of vehicles for hire within the city may operate under the privilege of a temporary, thirty-day permit. The fee for such permit shall be one dollar and twenty-five cents (\$1.25). (Mo. of 10-13-75)

Editor's note--Motion of Oct. 13, 1975, did not specifically amend the Code. Codification herein as §13-4.1 was, therefore, at the discretion of the editor.

Article II. Traffic Control Devices.

For state law as to authority of city to use traffic control devices, see G.S., §§ 20-158, 20- 1 69 .

Sec. 13-5. Obedience generally.

The driver of any vehicle shall obey the directions of any official traffic control device placed in accordance with the traffic regulations of the city, subject to certain exemptions which are granted the driver of an authorized emergency vehicle in section 13-4. (Code 1961, § 16-23.)

Sec. 13-6. When signs required for enforcement purposes.

No provision of this chapter which provides for signs shall be enforced against an alleged violator if, at the time and place of the alleged violation, such official sign is not in proper position or is insufficiently legible to an ordinarily observant person. Whenever a particular chapter section does not provide for signs, such section shall be effective without signs being placed to give notice thereof. (Code 1961, § 16-24.)

Sec. 13-7. Signal legend.

Whenever traffic is controlled by traffic control signals exhibiting the words “Go”, “Caution”, or “Stop”, or exhibiting differently colored lights, successively, one at a time, the following colors only shall be used and said terms and lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

- (a) Green alone, or “Go”.
 - (1) Vehicular traffic facing the signal may proceed straight through, or turn right or left unless a sign prohibits either such turn. But vehicular traffic shall yield the right-of-way to other vehicles and pedestrians who happen to be lawfully within the intersection. Pedestrians facing the signal may proceed across the roadway within the crosswalk area, whether marked or not.
- (b) Steady yellow alone, or “Caution”, when shown following the green or “Go” signal.
 - (1) Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at the intersection, but if such stop cannot be made in safety, a vehicle may be driven cautiously through the intersection.
 - (2) Pedestrians facing such signal are thereby warned that there will not be sufficient time to safely cross a roadway, and any pedestrian then starting to cross shall yield the right-of-way to all vehicles.
- (c) Steady red alone, or “Stop”.
 - (1) Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection, or at such other point as may be indicated by a clearly visible line, and shall remain standing until green or “Go” is shown alone; provided, that any vehicle after coming to a complete stop for a red light facing the vehicle, may make a right turn after yielding to

pedestrians and other vehicles, as provided by Section 20-158 of the General Statutes, unless such right turn is prohibited as indicated on the official traffic maps.

(2) No pedestrian facing such signal shall enter the roadway unless he can do so without interfering with any vehicular traffic

(d) Steady red with green arrow.

(1) Vehicular traffic facing such signal may cautiously enter the intersection and continue the movement in the direction indicated by such arrow, but shall not interfere with other traffic.

(2) No pedestrian facing such signal shall enter the roadway unless he can do so without interfering with any vehicular traffic. (Code 1961, § 16-25.)

For state law as to signal legend, see G.S., § 20-158.

Sec. 13-8. Flashing signal.

Whenever flashing red or yellow signals are used they shall require obedience by vehicular traffic as follows:

(a) Flashing red (stop signal). When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection, or at a limit line when marked, and the right to proceed shall be subject to the rules of safety and noninterference with other traffic.

(b) Flashing yellow (caution signal). When a yellow lens is illuminated by rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution. (Code 1961, § 16-26.)

For state law as to signal legend, see G.S., § 20-158.

Article III. Operation of Vehicles.

For state law as to rules of the road, see G.S., §§ 20-130 to 20-175.

Sec. 13-9. Moving cars from parked positions.

Parked cars shall move out in the direction headed or, if they are parked at an angle with the curb, they shall back out at that angle until they have cleared the other cars

and shall then proceed in the direction in which they are most nearly headed. (Code 1961, § 16-32.)

Sec. 13-10. Driving through funeral processions.

No vehicle may be driven through a funeral procession, except fire department vehicles, police patrols and ambulances and only if the same are responding to calls. (Code 1961, § 16-35.)

Sec. 13-11. Driving on roadways laned for traffic.

All vehicles operated on any roadway which has been clearly marked with traffic lanes shall be driven, as nearly as practical, entirely within a single lane and shall not be moved out of such lane until the driver has first ascertained that such movement can be made with safety. (Code.1961, § 16-36.)

Sec. 13-12. Limitations on backing.

The driver of a vehicle shall not back it into any intersection or over a crosswalk, nor shall he back it otherwise unless such movement can be made in safety and unless ample warning has been given by hand or horn or other signal. (Code 1961, § 16-37.)

Sec. 13-13. Vehicle shall not be driven on a sidewalk.

The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway. (Code 1961, § 16-40.)

For state law as to driving on sidewalks, see G. S., § 20-160.

Sec. 13-14. Boarding or alighting from vehicles.

No person shall board or alight from any public conveyance or other vehicle while such conveyance is in motion. (Code 1961, § 16-41.)

Sec. 13-15. Riding on vehicles not designated for passengers.

No person shall ride on any public conveyance or vehicle not designated or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of duty, nor to persons riding within truck bodies in spaces intended for merchandise. (Code 1961, § 1642.)

As to riding on fire trucks, see § 7-2 of this Code.

Sec. 13-16. Protruding from vehicle.

No person shall allow any part of his body to protrude beyond the limits of the

vehicle in which he is riding, except to give such signals as are by law required. (Code 1961, § 1643.)

Sec. 13-17. Clinging, etc., to moving vehicles.

Any person riding upon any bicycle, motorcycle, coaster, sled, roller skates or any toy vehicle shall not attach the same or himself to any public conveyance or moving vehicle upon any roadway. (Code 1961, § 16-48.)

Sec. 13-18. Entering, jumping on or riding vehicles without permission.

No person shall enter, jump on or ride any automobile or other vehicle without the consent of the owner or driver. (Code 1961, § 16-49.)

Sec. 13-19. Bicycles and skateboards restricted.

- (a) The use of bicycles, skateboards, scooters, roller skates, and similar devices are prohibited at all times upon sidewalks within the central business district of the City of Mount Holly and within the premises, parking lots, and sidewalks adjacent to the Mount Holly Citizens' Center. (Amended 12-08-08.)
- (b) The use of bicycles, skateboards, scooters, roller skates, and similar devices are prohibited within the central business district of the City of Mount Holly and within the premises, parking lots, and sidewalks adjacent to the Mount Holly Citizens' Center during parades, festivals and similar activities while any streets within the district are closed for such activities, except as may be permitted while participating in any such activity. (Amended 12-08-08.)
- (c) Any police officer, code enforcement officer, or any other person or persons designated by the City Manager may issue a citation to any person in violation of this ordinance. These citations shall specify the penalty of Twenty-five Dollars (\$25), which shall be payable within fifteen (15) days at the Mount Holly City Hall. A delinquent charge of Ten Dollars (\$10) shall be added to any citation not paid within fifteen (15) days from its date of issuance. Failure to pay the citation and delinquent charge may result in the filing of a criminal complaint charging the violator with a misdemeanor. (adopted 5-10-2004)
- (d) Any device used in violation of this ordinance may be confiscated as evidence pending the disposition of the case and payment of the citation and delinquent charges. (adopted 5-10-2004)

Sec. 13-20. Play streets.

Whenever authorized signs are placed which prescribe any street, or part thereof, as a play street, no person shall drive a vehicle upon any such prescribed street, except persons who have business, or who reside within the prescribed area. All persons shall exercise the greatest care when driving upon any play street. (Code 1961, § 16-50.)

Sec. 13-21. Quiet zones.

Whenever authorized signs are placed which indicate a zone of quiet, the person operating a motor vehicle within any such zone shall not sound the horn or any warning device of such vehicle, except in an emergency. (Code 1961, § 16-51.)

Sec. 13-22. -One-way streets.

Upon those streets described on the official traffic maps of the city as one-way streets, vehicular traffic shall move only in the direction indicated by traffic signs. (Code 1961, § 16-39.)

For state law as to one-way traffic, see G. S., § 20-165.1.

Sec. 13-23. Reserved for future legislation.Sec. 13-24. Stop intersections.

When stop signs are placed at intersections described on the official traffic maps of the city as stop intersections, every driver of a vehicle shall stop before entering the intersection, and he shall not proceed into or across the through street until he has first determined that no conflict with traffic will ensue. (Code 1961, § 16-59.)

For state law as to right-of-way, see G. S. §§ 20-155, 20-156. As to duty of drivers at stop signs, see G. S. § 20-158.

Sec. 13-25. Truck routes.

- (a) When signs have been erected, it shall be unlawful for any person to drive a motor truck over any street of the city described on the official traffic maps of the city as locations where such motor trucks are prohibited; provided, that such motor trucks may be driven upon such streets for the purpose of making pickups or deliveries along such streets.
- (b) When signs have been erected, it shall be unlawful for any person to drive a motor truck except upon those streets described on the official traffic maps of the city as truck routes; provided, that such motor trucks may be driven upon other streets for the purpose of making

pickups or deliveries along such streets. (8-14-61)

Sec. 13-26. Obstructing intersections or crosswalks.

No driver shall move his vehicle across an intersection or a marked crosswalk unless he knows that there is sufficient space on the other side of the intersection or crosswalk to accommodate his vehicle without obstructing the passage of other vehicles or pedestrians, although a traffic control, signal may be indicating his right to proceed. (Code 1961, § 16-60.)

Sec. 13-27. Speed limits.

- (a) No person shall drive a vehicle on a highway or street within the city limits at a greater speed than is reasonable and prudent under the conditions then existing.
- (b) Except as otherwise provided in this chapter, it shall be unlawful to operate a vehicle in excess of the following speeds:
 - (1) Twenty miles per hour in any business district.
 - (2) Thirty-five miles per hour in any residential district.
 - (3) Fifteen miles per hour in any school zone between the hours of 7:00 A.M. and 4:00 P.M. on weekdays during the school year.
- (c) When signs have been erected, no person shall exceed the designated speed limit on any street or portion of a street designated on the official traffic maps of the city.
- (d) Appropriate signs shall be erected by the street department showing the speed limits in each zone or portion of street where a specified speed limit is in effect. (Code 1961, §§ 16-66, 16-67.)

For state law as to speed restrictions, see G.S. § 20-141.

Sec. 13-28. Turns--Obedience to signs, etc.

Whenever authorized signs are placed which indicate that no "right" or "left" or "U" turn is permitted, the driver of a vehicle shall obey the directions of any such sign and when authorized markers, buttons or other indications are placed within an intersection which indicate the course to be traveled by vehicles traversing or turning, the driver of a vehicle shall obey the directions of such indications. (Code 1961, 16-73.)

For state law as to turning, see G.S., § 20-153, 20-154.

Sec. 13-29. Same--Prohibited at specified locations.

- (a) No vehicle shall make a left turn at any street intersection described on the official traffic maps of the city as a location where such turn is prohibited.
- (b) No vehicle shall make a right turn at any street intersection described on the official traffic maps of the city as a location where such turn is prohibited. (Code 1961, § 16-75.)

Sec. 13-30. Limitations on turning around.

No driver shall turn any vehicle and proceed in the opposite direction within the business district, except at street intersections; no vehicle, however, shall make such a turn at certain street intersections as described on the official traffic maps of the city at locations where such turns are prohibited. (Code 1961, § 16-76.)

Sec. 13-30.1. Off highway vehicles.

It shall be unlawful for any person to operate “off highway vehicles” including go-carts, unlicensed motorcycles, and all-terrain vehicles as defined in Chapter 20 of the North Carolina General Statutes upon any lot containing less than one acre and located in a residential zoning district. (Effective 10-01-06.)

Article IV. Stopping, Standing and Parking.

For state law as to authority of city to regulate onstreet parking, see G.S., § 160-301. As to prima facie rule of evidence for enforcement of parking regulations, see G.S., § 20-162.1.

Division 1. Generally.Sec. 13-31. Application of article.

The provisions of this article prohibiting the stopping, standing or parking of a vehicle shall apply at all times or 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 or in compliance with the directions of a police officer or official traffic control device. (Code 1961, § 16-82.)

Sec. 13-32. Prohibited in certain places.

- (a) No person shall 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, or within

designated parking areas, and no sign shall be required in any of the following places:

- (1) On a sidewalk;
 - (2) In front of a public or private driveway;
 - (3) Within an intersection;
 - (4) Within fifteen feet of fire hydrant;
 - (5) On a crosswalk;
 - (6) Within twenty feet of a crosswalk at an intersection;
 - (7) Within thirty feet upon the approach to any flashing beacon, stop or traffic control signal;
 - (8) Within fifty feet of the nearest rail of a railroad crossing;
 - (9) Within twenty 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 feet of such 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) At any place where official signs prohibit stopping.
 - (13) On River Street from the City's parking lot at River Street Park North to Dutchman's Creek. (adopted & effective 6-8-92)
 - (14) Within one hundred feet of an intersection of any road with any NCDOT maintained road. (Adopted 2-11-2019.)
- (b) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful. (Code 1961, § 16-89.)

For state law as to parking in certain places, see G.S. §§ 20-157, 20-162.

Sec. 13-33. Obedience to no parking zone and safety zone markers.

Whenever authorized signs or markers are placed which indicate no parking zones or safety zones, the driver of a vehicle shall obey such regulatory indications. (Code 1961, § 16-84.)

Sec. 13-34. When vehicles not to stop in streets.

- (a) No vehicle shall stop in any street, except for the purpose of parking as prescribed in this chapter, unless such stop is made necessary
 - (1) By the approach of fire apparatus;
 - (2) By the approach of a funeral or other procession which is given right-of-way;
 - (3) By the stopping of a public conveyance;
 - (4) By the lowering of railway gates;
 - (5) By being given countermanding traffic signals;
 - (6) By the passing of some other vehicle or a pedestrian;
 - (7) By some emergency.
- (b) In all cases covered by these exceptions, vehicles shall stop so as not to obstruct any footway, pedestrian aisle, safety zone, crossing or street intersection if it can be avoided. (Code 1961, § 16-85.)

Sec. 13-35. Hazardous or congested places.

- (a) The city manager is hereby authorized to determine and designate by proper signs places not exceeding two hundred feet in length in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.
- (b) When official signs are erected at hazardous or congested places as authorized herein, no person shall stop, stand or park a vehicle in any such designated place. (Code 1961, § 16-92.)

Sec. 13-36. Vehicles backed up to curb.

In no case shall a vehicle remain backed up to curb, except when actually loading or unloading. If the vehicle be horse-drawn, the horse shall stand parallel to the curb and

face the direction of traffic. (Code 1961, § 16-98.)

Sec. 13-37. Left side of vehicle to curb in business district.

No vehicle shall stop with its left side to the curb in the business district. (Code 1961, § 16-99.)

Sec. 13-38. Bus zones.

It shall be unlawful to park a bus upon any street in the business district at any place other than a bus stop. Bus stops shall be designated and marked by the city manager with appropriate signs. (Code 1961, § 16-101.)

Sec. 13-39. Curb loading zones.

The city manager shall designate and mark locations of curb loading zones for the purpose of loading and unloading of merchandise, goods, etc. (Code 1961, § 16-102.)

Division 2. Parking,

Sec. 13-40. Signs required.

Whenever any parking time limit is imposed or parking is prohibited on designated streets at designated places, it shall be the duty of the street department to erect appropriate signs giving notice thereof and no such regulations shall be effective unless the signs are erected and in place at the time of any alleged offense. (Code 1961, § 16-83.)

Sec. 13-41. Obstruction of traffic.

No person shall park any vehicle upon a street or in any alley in such a manner or under such conditions as to leave available less than ten feet of the width of the paved roadway for free movement of vehicular traffic. Cars parked in violation of this ordinance shall be subject to being towed at owner's expense. (Code 1961, § 16-86.) (amended 2-17-92)

13-41.1. Parking shall be prohibited from the East end of Cove Avenue (as extended by Council action of October 14, 1991) westward to a point at the Northwest corner of Lot Number 14 of the W. O. Pratt land as shown on plat recorded in Plat Book 4, Page 101, of the Gaston County Register of Deeds Office. Cars parked in violation of this ordinance shall be subject to being towed at owner's expense. (adopted 2-17-92)

Sec. 13-42. Parking in alleys.

No person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property. (Code 1961, § 16-87.)

Sec. 13-43. Standing or Parking for certain purposes.

(a) Storage prohibited; 72-hour limit.

- (1) It shall be unlawful to stand or park a vehicle or any portion of a vehicle within any street or highway right-of-way for the principal purpose of:
 - a. Displaying it for sale.
 - b. Washing, greasing or repairing such vehicle, except repairs necessary by emergency.
 - c. Storage of such vehicle.
- (2) For the purpose of this section, a vehicle shall be deemed to have been left on the street or highway for the principal purpose of storage when that vehicle has been standing in one place on the streets of the City for a longer continuous period than seventy-two (72) hours. The provisions of this paragraph shall apply to a vehicle which is left standing immediately in front of and adjacent to its owner's residence only when the vehicle has no license plates or expired license plates.
- (3) The effective date of this ordinance is December 12, 1985, at 12:01 A. M. (12-9-85)

(b) Handicap parking. It shall be unlawful for any person to park any motor vehicle in a parking space within the corporate limits of Mount Holly designated for parking by handicapped persons, unless the motor vehicle is displaying a license plate issued by the State of North Carolina, or any other state, designating the owner or operator as a handicapped person or disabled veteran. The designation of such parking place shall be by painting a handicapped symbol on the pavement or by the erection of a sign bearing a handicapped parking symbol. This ordinance shall apply to all parking spaces designated for the handicapped including those located along city streets, state highways, and within off-street parking lots owned or leased by this city or zoned or leased by any person, firm, or corporation and available for use by the general public or by clientele of a designated business establishment.

A fine of twenty-five dollars (\$25.00) shall be imposed for each violation of this ordinance and such motor vehicle may be removed by the police of Mount Holly at the owners expense. (11-8-82)

Sec. 13-44. Methods.

(a) Parallel. Where not otherwise indicated by this chapter, all vehicles shall park parallel to the curb and not more than twelve inches therefrom.

(b) Lined areas. On any street which is marked off with lines indicating the parking spaces for cars, the same shall be parked between such lines.

Sec. 13-45. Adjacent to schools.

- (a) The street department is hereby authorized to erect signs indicating no parking upon that side of any street adjacent to any school property when such parking would, in the opinion of the city manager, interfere with traffic or create a hazardous situation.
- (b) When official signs are erected indicating no parking upon that side of a street adjacent to any school property, no person shall park a vehicle in any such designated place. (Code 1961, § 16-91.)

Sec. 13-46. Prohibited zones at all times.

When appropriate signs are erected, no person shall park a vehicle at any time upon any of the streets or parts of streets described on the official traffic maps of the city as locations where parking is prohibited at all times. (Code 1961, § 1690.)

Sec. 13-47. Prohibited zones between 1:00 A.M. and 6:00 A.M.

When appropriate signs are erected, no person shall park a vehicle between the hours of 1:00 A.M. and 6:00 A.M. upon any of the streets described on the official traffic maps of the city as locations where parking is prohibited during such period of time; provided, that this section shall not apply to automobiles or other vehicles if their owners are at work in the building or on the premises near which the vehicles are parked. (Code 1961, § 16-93.)

Sec. 13-48. Two-hour zones.

When appropriate signs are erected, no person shall park a vehicle for longer than two hours at any time between the hours of 6:00 A.M. and 6:30 P.M. on any day, except Sundays and public holidays, upon any of the streets described on the official traffic maps of the city as locations where parking is limited to two hours during such period of time. A change of position of vehicles from one point directly to another point within the same block shall be deemed one continuous parking period. (Code 1961, § 16-94.)

Sec. 13-49. One hour zones.

When appropriate signs are erected, no person shall park a vehicle for longer than one hour at any time between the hours of 6:00 A.M. and 6:30 P.M. on any day except Sundays and public holidays, upon any of the streets described on the official traffic maps of the city as locations where parking is limited to one hour during such period of time. A change of position of vehicles from one point directly to another point within the same block shall be deemed one continuous parking period. (Code 1961, § 16-95.)

Sec. 13-50. Fifteen-minute zones.

When appropriate signs are erected, no person shall park a vehicle for longer than fifteen minutes at any time upon any street described on the official traffic maps of the city as locations where parking is limited to fifteen minutes. A change of position of vehicles from one point directly to another point within the same block shall be deemed one continuous parking period. (Code 1961, § 16-96.)

Sec. 13-51. Special parking times and events.

- (a) Parking restrictions shall not be in effect on East Catawba Avenue between South Main Street and Highland Street and on East Glendale Street and West Glendale Street during the hours on Sunday when Church services are being held.
- (b) In the event of a funeral or a special event in any part of the city, special parking privileges may be granted by the police department and shall be handled under the direction of the police department. (Code 1961, § 16-103.)
- (c) Parking restrictions shall not be in effect on the east side of South Hawthorne Street between West Catawba Avenue and West Glendale Street during church activities.

Article V. Registration of Vehicles.

For state law as to authority of city to levy motor vehicle taxes, see G.S., §§ 160A-213, 20-97.

Sec. 13-52. Required; term; fees.

Every resident motor vehicle operated in the city, except motor vehicles temporarily operated for a period of time not exceeding a total of thirty days, and except motor vehicles operated for car display or car exhibition purposes by car manufacturers or dealers, displaying dealers' license plates issued by the state, shall register such vehicle with the city registrar of motor vehicles.

The period of registration shall include the twelve months between January 1, and December 31.

The fee for registration shall be one dollar, not prorated. (Code 1961, § 16-2.)

Sec. 13-53. Tax collector authorized to designate deputy registrars.

In order to facilitate the registration of motor vehicles under the provisions of this article, the tax collector is hereby authorized to designate one or more deputy registrars of

motor vehicles, in addition to the registrar provided for by section 13-52, to provide for the establishment of an office for the registrar or deputy registrars, outside of the city hall, and to apportion the duties connected with the registration of motor vehicles among the registrars. (Code 1961, § 16-3.)

Sec. 13-54. Numberplates--Issuance; duplicates.

For every registered motor vehicle, the registrar shall issue to the person registering the vehicle an appropriate numberplate. Upon satisfactory evidence that any such registration numberplate has been lost or destroyed, the registrar shall issue a duplicate to the owner of such registered vehicle. The duplicate plate will be furnished at a fee of fifty cents. (Code 1961, § 16-4.)

Sec. 13-55. Same--Transfer.

A numberplate shall not be transferred from one vehicle to another, and shall not be used by any person upon any motor vehicle except upon the one for which it was issued. (Code 1961, § 16-5.)

Sec. 13-56. Same--Display.

Every motor vehicle operated on the streets of the city for which registration is required shall throughout the current issue year display the assigned number-plate on the front of the vehicle in such a manner as to be visible at all times.

Article VI. Abandoned, Nuisance and Junked Motor Vehicles

Sec. 13-57. Administration.

- (a) The city police and code enforcement division shall be responsible for the administration and enforcement of this article. The police department shall be responsible for administering the removal of vehicles determined to be "abandoned" on public property, including streets and highways within the city limits. The code enforcement division shall be responsible for administering the removal of abandoned, junked and nuisance vehicles located on private property in the city.
- (b) The city may contract with private towing operators to remove, store and dispose of abandoned, junked and nuisance vehicles in compliance with all state and local laws. Nothing in this article shall be construed to limit the legal authority and powers of the city police and fire department officers in enforcing other laws or in otherwise carrying out their duties. (10-10-11)

Sec. 13-58. Definitions.

For the purpose of this chapter, certain words and terms are defined as herein indicated:

- (a) ABANDONED VEHICLE. As authorized and defined in G. S. 160A-303, an abandoned motor vehicle is one that:
 - (1) If left upon a public street or highway in violation of a law or ordinance prohibiting parking; or is left on a public street or highway for longer than seven (7) days; or is left on property owned or operated by the City for longer than twenty-four (24) hours; or
 - (2) Is left on private property without the consent of the owner, occupant or lessee thereof, for longer than two (2) hours.
- (b) AUTHORIZING OFFICIAL. The supervisory employee of the police department or the City Manager or his designee respectively designated to authorize the removal of vehicles under the provisions of this chapter.
- (c) CAR COVER. A car cover shall be made of a material and type that is specifically designed to cover a vehicle or shall be a tarp of a neutral color which shall cover the vehicle entirely and shall remain in good repair and shall not be allowed to deteriorate. Covers shall be the colors of dark green, brown, grey, tan or other neutral, earth tone colors.
- (d) MOTOR VEHICLE OR VEHICLE. Any machine designed or intended to travel over land or water by self-propulsion or while attached to a self-propelled vehicle.
- (e) JUNKED MOTOR VEHICLE. As authorized and defined in G. S. 160A-303.2, a junked motor vehicle is one that does not display a current license plate lawfully and that:
 - (1) Is partially dismantled or wrecked; or
 - (2) Cannot be sold-propelled or moved in a manner in which it originally was intended to move; or
 - (3) Is more than five (5) years old and appears to be worth less than five hundred dollars (\$500.00).
- (f) NUISANCE MOTOR VEHICLE. A vehicle on public or private property that is determined and declared to be a health or safety hazard, a public nuisance, and unlawful, including a vehicle found to be:
 - (1) A breeding ground or harbor for mosquitoes, other insects, rats or other pests; or

- (2) A point of heavy growth of weeds or other noxious vegetation over eight (8) inches in height; or
- (3) A point of collection of pools or ponds of water; or
- (4) A point of concentration of quantities of gasoline, oil or other flammable or explosive materials as evidenced by odor; or
- (5) One which has areas of confinement which cannot be operated from the inside, such as trucks, hoods, etc.; or
- (6) So situated or located that there is a danger of it falling or turning over; or
- (7) One which is a point of collection of garbage, food waste, animal waste, or any other rotten or putrescible matter of any kind; or
- (8) One which has sharp parts which are jagged or contain sharp edges of metal, glass, or other rigid materials; or
- (9) One which creates any circumstances which expose the general public to a safety or health hazard; or
- (10) Any other vehicle specifically declared a health safety hazard and a public nuisance by the City Council. (10-10-11)

Sec. 13-59. Abandoned vehicle unlawful; removal authorized.

- (a) It shall be unlawful for the registered owner or person entitled to possession of a vehicle to cause or allow such vehicle to be abandoned as the term is defined herein.
- (b) Upon investigation, proper authorizing officials of the City may determine that a vehicle is an abandoned vehicle and order the vehicle removed.

Sec. 13-60. Nuisance vehicle unlawful; removal authorized.

- (a) It shall be unlawful for the registered owner or person entitled to possession of a motor vehicle, or for the owner, lessee, or occupant of the real property upon which the vehicle is located to leave or allow the vehicle to remain on the property after it has been declared a nuisance vehicle.
- (b) Upon investigation, the authorizing official may determine and declare that a vehicle is a health or safety hazard and a nuisance vehicle as defined above, and order the vehicle removed. (10-10-11)

Sec. 13-61. Junked motor vehicle regulated; removal authorized.

- (a) It shall be unlawful for the registered owner or person entitled to the possession of a junked motor vehicle, or for the owner, lessee, or occupant of the real property upon which a vehicle is located to leave or allow the vehicle to remain on the property after the vehicle has been ordered removed.

- (b) It shall be unlawful to have more than one junked motor vehicle, as defined herein, on the premises of public or private property. Single, permitted junked motor vehicle must strictly comply with the location and concealment requirements of this section.
- (c) It shall be unlawful for any owner, person entitled to the possession of a junked motor vehicle, or for the owner, lessee, or occupant of the real property upon which a junked motor vehicle is located to fail to comply with the locational requirements or concealment requirements of this section.
- (d) Subject to the provisions of section 13-62 below, upon investigation, the City Manager or his designees may order the removal of a junked motor vehicle as defined herein, after finding in writing that the aesthetic benefits of removing the vehicle outweigh the burdens imposed on the private property owner. Such finding shall be based on a balancing of the monetary loss of the apparent owner against the corresponding gain to the public by promoting or enhancing community, neighborhood or area appearance. The following among other relevant factors may be considered:
- (1) Protection of property values;
 - (2) Promotion of tourism and other economic development opportunities;
 - (3) Indirect protection of public health and safety;
 - (4) Preservation of the character and integrity of the community; and
 - (5) Promotion of the comfort, happiness and emotional stability of area residents. (10-10-11)

Sec. 13-62. Permitted concealment or enclosure of junked motor vehicle.

- (a) One junked motor vehicle, in its entirety, can be located in the rear yard as defined by the City's Zoning Ordinance if the junked motor vehicle is entirely concealed from public view from a street and from abutting premises by an acceptable covering.

An appropriate covering shall be made of a material and type that is specifically designed to cover a vehicle or shall be a tarp that is a neutral color which shall cover the vehicle entirely and shall remain in good repair and shall not be allowed to deteriorate. Covers shall be the colors of dark green, brown, grey, tan or other neutral, earth tone colors.

The proper authorizing officials have the authority to determine whether any junked motor vehicle is adequately concealed by an acceptable covering as required by this provision.

- (b) More than one junked motor vehicle. Any other junked motor vehicle(s) must be kept in a garage or building structure that provides a complete enclosure so that the junked motor vehicle(s) cannot be seen from a public street or abutting

property. A “garage or building structure” means either a lawful, nonconforming use or a garage or building structure erected pursuant to the lawful issuance of a building permit and which has been constructed in accordance with all zoning and building code regulations. (10-10-11)

Sec. 13-63. Removal of abandoned, nuisance or junked motor vehicles; pre-towing notice requirements.

- (a) Except as set forth in subsection (c) below, an abandoned, nuisance or junked vehicle which is to be removed shall be towed only after notice to the registered owner or person entitled to possession of the vehicle. In the case of a nuisance vehicle or a junked motor vehicle, if the names and mailing addresses of the registered owner or person entitled to the possession of the vehicle, or the owner, lessee, or occupant of the real property upon which the vehicle is located can be ascertained in the exercise of reasonable diligence, the notice shall be sent by first class mail. The person who mails the notice(s) shall retain a written record to show the name(s) and address(s) to which mailed, and the date mailed. If such names and addresses cannot be ascertained or if the vehicle to be removed is an abandoned motor vehicle, notice shall be given by affixing on the windshield or some other conspicuous place on the vehicle a notice indicating that the vehicle will be removed by the city on a specified date, no sooner than seven (7) days after the notice is affixed or mailed, unless the vehicle is moved by owner or legal possessor prior to that time.
- (b) Except in those instances in which pre-towing notice is not required to be given, if the registered owner or person entitled to possession does not remove the vehicle but chooses to appeal the authorizing official’s determination that the vehicle is abandoned, a safety or health hazard, or, in the case of a junked vehicle, that the aesthetic benefits of removing the vehicle outweigh the burdens, he may submit a written request to do so to the authorizing official before the seven (7) day period has expired. Such appeal shall be made to the Zoning Board of Adjustments in writing, heard at the next regularly scheduled meeting provided that the requirements for notification of adjacent property owners are met. Further proceedings to remove the vehicle shall be stayed until the appeal is heard and decided.
- (c) The requirement that notice be given prior to the removal of an abandoned, junked or nuisance vehicle may, as determined by the authorizing official, be omitted in those circumstances where there is a special need for prompt action to eliminate traffic obstructions or to otherwise maintain and protect the public safety and welfare. By way of illustration and not of limitation, such circumstances include vehicles blocking or obstructing ingress or egress to business and residences, vehicles parked in such a location or manner as to pose a traffic hazard, and vehicles causing damage to public or private property. Such findings shall, in all cases, be entered by the authorizing official in the appropriate daily records. (10-10-11)

Sec. 13-64. Removal of vehicles; post-towing notice requirements.

The city may have vehicles removed under this article by private towing operators. Any abandoned, junked or nuisance vehicle which has been ordered removed may be removed to a storage area by the tow truck operator or towing business contracting to perform such services for the city.

- (a) Whenever a vehicle with a valid registration plate or registration is removed, the authorizing official shall immediately notify the last known registered owner of the vehicle, such notice to include the following:
- (1) The description of the removed vehicle;
 - (2) The location where the vehicle is stored;
 - (3) The violation with which the owner is charged, if any;
 - (4) The procedure which the owner must follow to redeem the vehicle; and
 - (5) The procedure to be followed to request a probable cause hearing.

If the vehicle is registered in North Carolina, notice shall be given within 24 hours from removal of the vehicle. Otherwise, notice shall be given to the registered owner within 72 hours from removal of the vehicle. Notice shall be sent to the owner at his last known address of the registered owner unless he or his agent waives this notice in writing.

- (b) Whenever an abandoned, junked or nuisance vehicle is removed and such vehicle has no valid registration or registration plate, the authorizing official shall make reasonable efforts, including checking the vehicle identification number to determine the last known registered owner and to notify the owner of the information listed in subsection (a). If the last known registered owner cannot be determined the notice posted on the vehicle as required in Section 13-63(a) shall be deemed reasonable efforts to determine the last known owner. (10-10-11)

Sec. 13-65. Probable cause hearing prior to disposition.

- (a) After removal of an abandoned, junked or nuisance vehicle and within twenty (20) days from the date of mailing of the notice set forth in section 13-64 above, the owner or any other person entitled to possession may file a written request with the Gaston County magistrate for a hearing to determine if probable cause existed for removing the vehicle. The magistrate will set the hearing within 72 hours of the receipt of the request and the hearing will be conducted in accordance with G.S. 20-219.11 as amended.
- (b) If the magistrate determines that the vehicle was towed in error, the city shall:
- (1) If the hearing is held before the vehicle is reclaimed, notify the person in possession of the vehicle to release it and pay all charges, if any; or
 - (2) If the hearing is held after the vehicle is reclaimed, reimburse the owner for all charges incurred incident to the towing and storage of the vehicle.

- (c) Any aggrieved party may appeal the magistrate's decision to district court. (10-10-11)

Sec. 13-66. Right to redeem. At any stage in the proceedings, including before the probable cause hearing, the owner may obtain possession of the removed vehicle paying all towing and storage fees accrued to date or by posting bond for double the amount of such fees and charges to the tow truck operator or towing business having custody of the removed vehicle. Upon regaining possession of a vehicle, the owner or person entitled to the possession of the vehicle shall not allow or engage in further violations of this ordinance. (10-10-11)

Sec. 13-67. Disposal of removed vehicles.

Any abandoned, nuisance or junked motor vehicle which is not claimed by the owner or other party entitled to possession will be disposed of by the tow truck operator or towing business having custody of the vehicle. Disposition of such a vehicle shall be carried out in accordance with Article 1 of Chapter 44A of the North Carolina General Statutes. (10-10-11)

Sec. 13-68. Conditions on removal of vehicles from private property.

- (a) The city will not remove a vehicle from private property if the owner, occupant or lessee could have the vehicle removed under applicable state law procedures.
- (b) Unless determined to be a nuisance or junked motor vehicle by the authorizing official, no vehicle shall be ordered removed by the city without prior written request from the owner, occupant or lessee.
- (c) The city may require any person requesting the removal of a junked, abandoned, or nuisance vehicle from private property to indemnify the city against any loss, expense or liability incurred because of the removal, storage, or sale of such vehicle. (10-10-11)

Sec. 13-69. Immunity from criminal and civil actions.

No person shall be held to answer in any civil or criminal action to any owner or other person legally entitled to the possession of an abandoned, nuisance or junked motor vehicle for disposing of such vehicle provided in this chapter. (10-10-11)

Sec. 13-70. Exceptions.

- (a) Nothing in this article shall apply to any vehicle:
- (1) Which is located in a bona fide "automobile graveyard" or "junkyard" as defined in G.S. 136-143, in accordance with the "Junkyard Control Act," G.S. 136-141 et seq.; or

- (2) Which is on the premises of a business enterprise being operated in a lawful place and manner if the vehicle is necessary to the operation of the enterprise; or
- (3) Which is in an appropriate storage place or depository maintained in a lawful place and manner by the city or private towing operator contracting with the city for removal of vehicles.

(b) For the purposes of this section, the term "lawful place and manner" shall include, but not be limited to, strict compliance with the city's zoning ordinance. "A vehicle is necessary to the operation of the enterprise" shall mean, but not be limited to, the clear, active use or involvement of the vehicle in the operation of the business enterprise. Mere storage or idle standing of a vehicle does not constitute "a vehicle necessary to the operation of the business." (10-10-11)

Sec. 13-71. Unlawful removal of impounded vehicle.

It shall be unlawful for any person to remove or attempt to remove from any storage facility designated by the City, any vehicle which has been impounded pursuant to the provisions of this code unless and until all towing and impoundment fees which are due, or bond in lieu of such fees, have been paid.

Article VII. Operation of Golf Carts on Public Streets and Roads

Sec. 13-72. Authority to regulate.

Pursuant to G.S. 160A-300.6, the City is authorized, by ordinance, to require the registration of, and regulate the operation of golf carts upon any public street or road within the City.

Sec. 13-73. Purpose.

The establishment of a golf cart ordinance is necessary to address the interests of public safety. Golf carts are not designed or manufactured to be used on public streets, roads, and highways, and the City in no way advocates or endorses their operation on roads. The City, by regulating such operation, is merely trying to address obvious safety issues, and adoption of this Ordinance is not to be relied upon as a determination that operation on roads is safe or advisable if done in accordance with this Ordinance. All persons who operate or ride upon carts on roads do so at their own risk and peril and must be observant of and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists, and pedestrians. The City has no liability under any theory of liability for permitting carts to be operated on roads under special legislation granted by the State Legislature. Any person who operates a cart must procure liability insurance sufficient to cover the risks involved in using a cart on the roads of the City.

Sec. 13-74. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Golf cart means a vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour, as defined by G.S. 20-4.01(12a).

Operate means to drive, or be in physical control of a golf cart that is moving or has its engine on.

Certified golf cart roads are those roads defined in section 13-77 below.

Sec. 13-75. Operation on public streets and roads.

It is unlawful to operate a golf cart on a public street or road within the City unless the following requirements are met.

- (1) The golf cart may only be operated on certified golf cart roads that meet the requirements of section 13-77 below, except as provided in section 13-75(10) below.
- (2) The operator of the golf cart must have a valid, issued registration, issued by the Police Department of the City of Mount Holly in accordance with section 13-76 below.
- (3) Any person who operates a golf cart must be responsible for all liability associated with operation of the golf cart and must have liability insurance coverage which will cover the use of a golf cart in an amount not less than required by North Carolina law for motor vehicles operated on public highways in the State of North Carolina, and must carry proof of insurance when operating the golf cart.
- (4) (a) Except as set forth in Section 4 (b) below, no person may operate a golf cart unless that person is at least 16 years of age and licensed to drive upon the streets and highways of North Carolina and then, only in accordance with such person's valid driver's license. Golf cart operators must carry their driver's license on their person at all times while operating a golf cart on public roads. (Amended 2-27-2017.)
- (4) (b) A person wishing to operate a golf cart who is eighteen years of age or older with a medical or physical condition that prevents that individual from being able to obtain a valid North Carolina driver's license, may provide to the chief of police a letter from a physician certifying that the medical or physical condition preventing such person from obtaining a driver's license does not impair his ability to safely operate a golf cart. The chief of police will review the physician's letter and other relevant factors to make a determination as to whether there is sufficient evidence of the person's ability to safely operate a golf cart and if so the chief of police shall issue a letter of exemption from the driver's license requirement. The physician's letter, however, does not automatically entitle the person to such exemption. Any person that is exempt from the requirement of a valid North Carolina license

- must carry with him while operating the golf cart on a public street, his letter of exemption and a valid North Carolina Identification card. (Amended 2-27-2017.)
- (5) An operator may not allow the number of people in the golf cart at any one time to exceed the maximum capacity specified by the manufacturer. The operator shall not allow passengers to ride on any part of a golf cart not designed to carry passengers, such as the part of the golf cart designed to carry golf bags. The operator shall not allow any passenger to ride on any part of a golf cart who would be required to ride in a car seat if riding in a car.
 - (6) No golf cart may be operated at a speed greater than reasonable and prudent for the existing conditions, and in no instance at a speed greater than 20 miles per hour.
 - (7) No golf cart may be operated in a careless or reckless manner.
 - (8) Golf carts must be operated to the right edge of the roadway and must yield to all vehicular and pedestrian traffic.
 - (9) Golf carts not equipped with Working Lights (as defined herein) may only be operated on public streets from 7:00 a.m. to sundown. Golf carts properly equipped with Working Lights may be operated on public streets only between the hours of 7:00 a.m. to 11:00 p.m. To be properly equipped with Working Lights, golf carts shall have two operating headlights directed forward, one on each side of the front of the golf cart, and two operating tail lights, one on each side of the rear of the cart, all four lights must be visible from a distance of 500 feet. (Amended 2-27-2017.)
 - (10) Golf carts shall not be operated on any sidewalk, pedestrian walkway, jogging path, greenway, park, or trail, except by City personnel while on City business. Application may be made to the City Manager or his designee for a waiver of this provision for a period of one or two days for the express purpose of undertaking a specific project benefiting a greenway, park, or trail.
 - (11) Golf carts may only be parked in the same manner and at the same places designated for the parking of motor vehicles. The stopping, standing, or parking of golf carts in an area where parking is not allowed or in any place that impedes the flow of traffic or pedestrian walkways is prohibited.
 - (12) Golf carts must be operated in accordance with all applicable state and local laws and ordinances, including all laws, regulations and ordinances pertaining to the possession and use of alcoholic beverages.
 - (13) Golf carts must have the basic equipment supplied by the manufacturer, including a vehicle identification number. Such equipment must include all safety devices as installed by said manufacturer, including rear view mirror, 50 square inches of reflective tape on the rear or rear triangle reflector of the type required by North Carolina law, and lights if the vehicle is to be operated at any time before sunrise or after sunset, as provided in section 13-75(9) above. In addition, golf carts must start with a key and be equipped with a non-manually operated horn.

Sec. 13-76. Registration, Inspection, and Fee.

- (1) Registration required. No golf cart may be operated on any public street or road within the City unless the golf cart has first been registered with the Police Department of the City of Mount Holly as required herein. The registration shall be renewed thereafter in accordance with the provisions of this section.
- (2) Application. The application for registration shall be made to the Police Chief, or to some other person designated by him or her, on forms provided by the Police Department. Along with the application, the applicant shall provide a valid driver's license and proof of liability insurance as required by section 13-75(4) above. A registration fee in the amount of \$35.00 shall be paid to the City at the time the application for registration is filed or at the time of filing any renewal of the application.
- (3) Inspection. Prior to issuing the initial registration permit, an inspector from the Police Department must perform an inspection at the Police Department, or under special circumstances and with the approval of the Chief, at the location of the golf cart within the city limits of Mount Holly, to determine that:
 - (a) The golf cart is equipped with all mechanical systems and safety equipment required by this article;
 - (b) The brakes on the golf cart are in proper working order; and
 - (c) The golf cart has all of the standard safety features provided by the manufacturer and has not been modified to exceed a speed of 20 miles per hour nor otherwise modified in any way that creates a hazard.
- (4) Issuance and Proof of compliance. If the application is approved, the Police Department will issue a permit sticker to be attached to the golf cart in accordance with the instructions of the Police Department. The permit sticker shall be valid for one year from date of issuance, and may be renewed for subsequent one year periods in the same manner as an application for an initial permit, except that inspections shall only be required for initial issuance of a permit sticker and shall not be required for subsequent renewals. Lost or stolen stickers are the responsibility of the owner and must be replaced before the golf cart is operated on a public road.
- (5) Denial and Revocation. The application for registration of a golf cart may be denied or subsequently revoked by the Chief of Police if he or she determines that:
 - (a) The application contains any material representation;
 - (b) The golf cart does not meet the definition of a golf cart;
 - (c) The applicant does not have a valid driver's license;
 - (d) The applicant does not have proof of required liability insurance;
 - (e) The golf cart does not have the safety equipment required by this article;
 - (f) The golf cart has been modified to exceed a speed of 20 miles per hour or otherwise modified in any way that creates a hazard;
 - (g) The golf cart is being operated in a manner violating this article, including operation by someone not having a valid driver's license;

- (h) Failure to pay a penalty as provided in Section 13-78 below; or
- (i) Other good cause shown including repeated violations of this article.

Sec. 13-77. Certified golf cart roads.

Golf carts may be operated only upon certain public residential streets or segments of public residential streets that have been proclaimed certified golf cart roads in accordance with this section. Maps designating certified golf cart roads will be maintained at the Police Department and at City Hall, and may be inspected upon request.

To certify streets or segments of streets which have not been previously certified as golf cart roads, applicant must apply for certification on a form provided by the Police Department. The Police Chief or his or her designee will review the application and approve or deny certification of the street or street segment as a certified golf cart road based upon the following criteria:

- (1) The street must be a public street located within the City of Mount Holly and not have a posted speed limit of greater than 25 miles per hour;
- (2) The street must be located within a residential neighborhood;
- (3) The street must be reasonably safe for the operation of golf carts in conjunction with existing traffic after looking at all factors, including: width of street, sight distances, horizontal and vertical curvature, intersections, parking, location relative to a school or daycare center, the existence of traffic lights or other traffic control devices, and the speed, volume, and character of motor vehicle traffic using the street; and
- (4) Any other factors that the Police Chief or his or her designee deems necessary when evaluating a particular street.

Sec. 13-78. Enforcement.

Violation of this article shall be an infraction, the maximum penalty for which shall be \$50.00. If the offender fails to pay the penalty within ten (10) days of receiving final written notice of a violation, the penalty may be recovered by the City of Mount Holly in a civil action in the nature of a debt, as provided by section 1-8 of the Mount Holly City Code. Operating a golf cart on a public road or highway in violation of state law, including operating under the influence of an impairing substance (i.e., alcohol or drugs), is a violation of state law, and is also punishable as provided therein.

Article VII of this Chapter, Sections 13-72 through 13-78, known as “Operation of Golf Carts on Public Streets and Roads” was adopted on January 23, 2017, with an effective date of February 1, 2017.