

**FORSYTH COUNTY**  
**BOARD OF COMMISSIONERS**

**BRIEFING  
DRAFT**

MEETING DATE: FEBRUARY 15, 2018 AGENDA ITEM NUMBER: 9

**SUBJECT: ORDINANCE AMENDING CHAPTER 14 OF THE FORSYTH COUNTY CODE  
ENTITLED, "MOTOR VEHICLES AND TRAFFIC"**

**COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:**

**SUMMARY OF INFORMATION:**

ATTACHMENTS:  Yes  No

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
COUNTY MANAGER

## Chapter 14 - MOTOR VEHICLES AND TRAFFIC<sup>[1]</sup>

Footnotes:

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**Cross reference**— Ambulances, Ch. 5; dispensing of motor fuel to public, § 10-16 et seq.; mobile homes, Ch. 13; prohibition against noise created by use of vehicles or vehicle equipment, § 15-1(b)(2), (5); inspection and approval of vehicles transporting solid waste, § 19-6; permit and franchise for transportation of solid waste, §§ 19-21—19-51; streets, Ch. 20.

Article I. In General – Sections 14-1 – 14-15

Article II. Parking on County-Owned Property – Sections 14-16 – 14-25

### ARTICLE I. - IN GENERAL

#### Sec. 14-1. - County-owned property—Property to which restrictions applicable.

The provisions of sections 14-2 through 14-5 shall apply to real property owned by the county and held and used for parks and related recreational purposes to provide services to its citizens.

(Ord. No. 5-76, § 1, 5-10-76)

#### Sec. 14-2. - Same—Posting.

The county-owned property referred to in section 14-1 shall be designated by posted sign or placard.

(Ord. No. 5-76, § 1, 5-10-76)

#### Sec. 14-3. - Same—Operation of motor vehicles prohibited.

(a) It shall be unlawful for any person to operate a motor vehicle, including, but not limited to the following:

- (1) Automobiles
- (2) Trucks
- (3) Motorcycles
- (4) Mini-bikes
- (5) Trail bikes
- (6) Go-carts
- (7) Dune buggies or all terrain vehicles (ATV)
- (8) Golf carts

(9) Motorized scooters

(10) Horse-powered carriages or wagons

upon the county-owned property referred to in section 14-1 except in authorized areas and only for purposes so designated, such areas and purposes to be designated by posted sign or placard.

- (b) It shall be unlawful for any unlicensed driver to operate either a licensed or unlicensed motor vehicle upon any area of the county-owned property referred to in section 14-1.
- (c) Nothing in sections 14-1 through 14-5 shall be construed so as to permit the operation of motorcycles, mini-bikes, trail bikes, all terrain vehicles, dune buggies, motorized scooters, horse-powered carriages or wagons, and go-carts in any area of county-owned property referred to in section 14-1 and their operation is expressly prohibited.
- (d) The provisions of sections 14-1 through 14-5 shall not be applicable to county employees operating county vehicles while performing their official duties.

(Ord. No. 5-76, § 1, 5-10-76)

**Sec. 14-4. - Same—Penalty for violation.**

Any person convicted of violating section 14-3 shall be guilty of an infraction and shall be punished, and the violation may be remedied as provided in Chapter 1 of the Code.

(Ord. No. 5-76, § 1, 5-10-76; Ord. No. 2-92, § 5, 4-13-92)

**Sec. 14-5. - Same—Enforcement.**

The provisions of sections 14-1 through 14-4 shall be enforced by the Forsyth County Sheriff's Office, department in addition to enforcement by the Winston-Salem Police Department in Union Cross Park, and the Guilford County Sheriff's Office at Triad Park.

(Ord. No. 5-76, § 1, 5-10-76)

**Sec. 14-6. - Speed limit—Generally.**

- (a) Except as otherwise provided in this chapter, it shall be unlawful to operate a vehicle on county-owned property in excess of twenty-five (25) miles per hour or the applicable posted speed limit.
- (b) No person shall drive a vehicle on a county-owned street, road, or public vehicular area as defined in G.S. 20-4.01(32) and incorporated herein by reference, at a speed greater than is reasonable and prudent under the conditions then existing, and in no event greater than the posted speed limit.

(Ord. No. 4-77, § 1, 5-16-77)

**Sec. 14-7. - Yielding right-of-way, etc.—Generally.**

- (a) Stop and yield signs shall be placed and maintained at intersections and other appropriate places on county-owned property at the direction of by the Director of General Services Department and on County parks at the direction of the Director of the Parks and Recreation Department, as determined by appropriate traffic engineering studies. It shall be unlawful for the driver of any vehicle to fail to yield the right-of-way in obedience to a yield sign or to fail to stop in obedience to a stop sign erected on county-owned property.
- (b) It shall be unlawful for the driver of any vehicle to fail to yield the right-of-way to horseback riders, pedestrians, bicyclists, or golfers at marked intersections and crossings giving such persons the right-of-way on county-owned property.

(Ord. No. 4-77, § 1, 5-16-77; Ord. No. 9-82, 5-24-82)

### Sec. 14-8. - Exceptions.

The traffic regulations contained in this chapter shall not be applicable to authorized emergency vehicles of the fire department, Sheriff's Office department, Emergency Services Department, North Carolina Highway Patrol, and other Law Enforcement providers, including ambulances, emergency rescue vehicles, and other authorized emergency vehicles when they are responding to an emergency and are operating in accordance with appropriate warning devices and at a reasonable speed in accordance with applicable state law relating to public streets, roads or highways and the operation of emergency vehicles thereon.

(Ord. No. 4-77, § 1, 5-16-77)

### Sec. 14-9. - Handicapped parking regulations; violation and penalty.

A violation of G.S. 20-37.6(e)(1), (2), (3) or (4) is an infraction which carries a penalty of ~~one hundred dollars (\$100.00)~~ two hundred fifty dollars (\$250.00) on County property.

(Ord. No. 4-91, § 1, 4-8-91)

**Editor's note**— Ord. No. 4-91, § 1, adopted Apr. 8, 1991, did not specify manner of codification, but has been designated by the editor as § 14-9.

### Secs. 14-10—14-15. - Reserved.

## ARTICLE II. - PARKING ON COUNTY-OWNED PROPERTY<sup>[2]</sup>

Footnotes:

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**State Law reference**— Authority to regulate parking on county-owned property, G.S. § 153A-170; authority to operate off-street parking facilities, G.S. § 153A-274 et seq.

### Sec. 14-16. - Property to which article applicable—Designated.

The provisions of this article shall apply to real property owned by the county and held and maintained for governmental and related purposes to provide services to its citizens and those properly utilizing the facilities thereon, including, but not limited to, the following:

- (1) The Government Center located on Chestnut Street ~~Courthouse site, bounded by Third, Fourth, Main and Liberty Streets~~ in Winston-Salem, North Carolina;
- (2) The Hall of Justice located on Main Street ~~and Government Center site bounded by Second, Third, Main and Liberty Streets~~ in Winston-Salem, North Carolina;
- (3) The Forsyth County Law Enforcement and Detention Center located on Church Street ~~Jail and adjoining parking lot bounded by First, Church and Chestnut Streets~~ in Winston-Salem, North Carolina;
- (4) The Health and Social Services property located on Highland Avenue ~~Ridge Avenue~~ in Winston-Salem, North Carolina;
- (5) The Central Main Library ~~and Bahnsen House~~ property located on Fifth Street in Winston-Salem, North Carolina;
- (6) The Reynolda Library Branch and Adult Outreach located on Fairlawn Drive in Winston-Salem, North Carolina;
- (7) The Southside Library Branch located on Buchanan Street ~~Kenneak Drive~~ in Winston-Salem, North Carolina;
- (8) The Smith Reynolds Airport located on Liberty Street in Winston-Salem, North Carolina, including all land used and held in connection therewith for airport and related purposes;
- (9) The Forsyth County Animal Shelter located on Sturmer Park Circle ~~Fairchild Road~~ in Winston-Salem, North Carolina;
- (10) The Agriculture Building property located on Fairchild Drive ~~Spruce Street~~ in Winston-Salem, North Carolina;
- (11) The Behavioral Health Complex property located on Highland Avenue ~~Agricultural Building site on Fairchild Road~~ in Winston-Salem, North Carolina;
- (12) The Forsyth County Youth Detention Center located on Sturmer Park Circle ~~North Cherry Street Extension~~ in Winston-Salem, North Carolina;
- (13) The EMS Administration property located on Fifth Street in Winston-Salem, North Carolina;
- (14) The EMS Clemmons Station property located on Amp Drive in Clemmon, North Carolina;
- (15) The EMS Triangle Station property located on Kernersville Road in Winston-Salem, North Carolina;
- (16) The Carver School Road Branch Library located on Carver School Road in Winston-Salem, North Carolina;
- (17) The Lewisville Branch Library located on Shallowford Road in Lewisville, North Carolina;

(18) The Walkertown Branch Library located on Main Street in Walkertown, North Carolina;

(19) The Clemmons Branch Library located on Clemmons Road in Clemmons, North Carolina;

(20) The Malloy/Jordan Heritage Branch Library located on Seventh Street in Winston-Salem, North Carolina;

(21) The Rural Hall Branch Library located on Broad Street in Rural Hall, North Carolina;

(22) The old Sheriff's Administration Building located on Third Street in Winston-Salem, North Carolina;

(23) The Forsyth County Public Safety Center located on Church Street in Winston-Salem, North Carolina;

(24) The Richard V. Linville Maintenance property located on North Liberty Street in Winston-Salem, North Carolina

and other county-owned real property held for purposes and functions authorized by law.

(Res. of 5-17-71; Res. of 3-5-73, § 1)

#### Sec. 14-17. - Same—Posting.

The county-owned property referred to in section 14-16 shall be designated as county-owned by posted sign or placard.

(Res. of 5-17-71)

#### Sec. 14-18. - Designation of enforcement officials.

The County Manager may designate such officials as deemed advisable to administer and enforce the rules and regulations contained in this article, in addition to those officials set forth.

(Res. of 5-17-71; Res. of 3-5-73, § 2)

#### Sec. 14-19. - Authorization for parking by county officers, employees, etc.

The County Manager may authorize county officials, agents or employees or other officials to park on county-owned property referred to in section 14-16. ~~such authorization to be evidenced by a tag, decal or seal to be issued and affixed to the vehicle authorized to be parked.~~

(Res. of 5-17-71; Res. of 3-5-73, § 2)

#### Sec. 14-20. - Designation of public parking areas.

The County Manager may authorize and prescribe public parking areas for those persons properly utilizing facilities located upon county-owned property.

(Res. of 5-17-71; Res. of 3-5-73, § 2)

### Sec. 14-21. - Unauthorized parking prohibited.

It shall be unlawful for any person to park a vehicle upon the county-owned property referred to in section 14-16, unless such person has been authorized to park as provided in this article. Each hour, or fraction thereof, during which a vehicle remains parked in violation of this section shall constitute a separate offense.

(Res. of 5-17-71)

### Sec. 14-22. - ~~Information to be recorded as to violations; notice of violations.~~ Reserved.

~~Whenever any motor vehicle is found parked or stopped in violation of this article, the county employee designated to inspect county owned lots for the purpose of ascertaining the existence of unauthorized parking thereon shall record the motor vehicle's registration license tag number and may take down or record any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a notice, in writing on a form provided by the county, for the driver or owner to answer to the charge of unauthorized parking on county owned property within forty eight (48) hours, during the hours and at the place specified in the notice. The county employee affixing such notice shall send one (1) copy of such notice to the county tax collector. Such county employee shall record the name of the driver of the vehicle upon such notice, if the driver is present.~~

(Res. of 5-17-71)

### Sec. 14-23. - Penalty for violations.- Reserved.

- ~~(a) Any person violating section 14 21 may pay to the county tax collector, within forty eight (48) hours after the notice prescribed in section 14 22 has been attached to his vehicle, a penalty of one dollar (\$1.00) in full satisfaction of such violation. Such penalty may be paid in person or it may be mailed to the tax collector, within said time, in the envelope attached to the vehicle with such notice. The penalty set forth above is a civil penalty.~~
- ~~(b) If a person violating section 14 21 does not pay the penalty prescribed in subsection (a) above within the specified time, a complaint shall be filed and traffic court process issued for such violation. Upon conviction, such person shall be deemed guilty of an infraction punishable as prescribed in section 1 8 of this Code.~~

(Res. of 5-17-71; Ord. No. 2-92, § 5, 4-13-92)

### Sec. 14-24. - Removal of illegally parked vehicles.

Any motor vehicle found parked in violation of this article may be removed or towed away from the county-owned property, by or under the direction of the Departments of General Services or Parks and Recreation of the County, to a storage area or garage. The owner of such

vehicle shall be deemed to have appointed the Department of General Services or Parks and Recreation as his/her agent for the purpose of arranging for the transportation and safe storage of such vehicle and accepting a warehouse receipt from the person or firm providing such transportation and storage. The owner of such vehicle, before obtaining possession thereof, shall pay to the County all reasonable costs incidental to the removal and storage of the vehicle and any fines or penalties due for violation of this article.

(Res. of 5-17-71)

**State Law reference**— Authority to provide for removal of motor vehicles parked on county-owned property in violation of ordinance, G.S. § 153A-170.

### Sec. 14-25. - Penalties to be paid into school fund.

The penalties provided for in this article, as and when collected, shall be paid into the school fund of the county.

(Res. of 5-17-71)