

AN ORDINANCE TO AMEND ARTICLE VI. "STOPPING, STANDING AND PARKING" OF CHAPTER 70 "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES OF THE CITY OF NEW BERN

THAT WHEREAS, the Board of Alderman of the City of New Bern deems it advisable and in the public interest to effect said revisions to Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinances of the City of New Bern.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

SECTION 1. That Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting Section 70-225. "Prohibited parking zones." in its entirety and inserting in its stead the following:

"Sec. 70-225. Prohibited parking zones.

(a) When signs are placed, erected or installed in each block giving notice thereof, no person shall park a vehicle for longer than two hours at any time between the hours of 9:30 a.m. and 5:00 p.m. on any day except Saturday, Sunday and public holidays, upon any of the following streets, and the changing of the position of a vehicle from one point directly to another point, within the same block, shall be deemed one continuous parking period; each hour which a vehicle shall be parked in violation of the terms hereof shall constitute a separate offense.

Avenue B, on the southwesterly side, beginning at a point 50 feet measured southwesterly from the southwesterly right-of-way line of North Pasteur Street and extending southwesterly 60 feet.

Batts Hill Road, on both sides thereof, from its intersection with Country Club Road to its easternmost terminus.

Bay Street, between Miller Street and Second Avenue. Traffic shall be limited to a westerly direction.

Bern Street, on the west side thereof, beginning at a point 237 feet south of the southerly right-of-way line of Cedar Street, and extending southwardly 50 feet.

Browns Alley, on the east side, from Elm Street to Cedar Street.

C Street, on the south side, between National Avenue and E Street.

Carmer Street, on the east side thereof, beginning at a point 180 feet northwardly of the northern curblineline of Neuse Boulevard, extending 20 feet northwardly.

Carmer Street, on the west side thereof, beginning at a point 15 feet northwardly of the northern curblineline of Neuse Boulevard, extending 20 feet northwardly.

Carmer Street, on the west side thereof, beginning at a point 180 feet northwardly of the northern curblineline of Neuse Boulevard, extending 20 feet northwardly.

Carmer Street, on the east side thereof, beginning at a point 15 feet northwardly of the northern curblineline of Neuse Boulevard, extending 20 feet northwardly.

Carroll Street, on the west side.

Carroll Street, on the east side thereof, beginning at a point 125 feet northwardly of the northern curblineline of Neuse Boulevard extending northwardly 40 feet.

Cedar Street, beginning at a point 65 feet west of the western right-of-way line of Miller Street, and extending westwardly for a distance of 30 feet.

Cedar Street, on the south side thereof, between Miller Street and Oak Street.

Change Street, on the north side, between Craven Street and East Front Street.

Chapman Street, on the east side, from Cedar Street to Main Street.

Clark Avenue, on both sides, beginning at the southern curb line of Lincoln Street and extending to a point 230 feet southwardly thereof.

Craven Street, on the northeastern side, from the southeastern curblineline of Queen Street to a point 86 feet southeasterly thereof.

Craven Street, on the southwestern side, from the southeastern curblineline of Queen Street to a point 76 feet southeasterly thereof.

Craven Street, on the west side, beginning at 132 feet north of the northern right-of-way line of Broad Street and running northwardly 80 feet. Provided, however, the three parking spaces which this identifies may be used by law enforcement officers to park for a period not to exceed more than two hours for the purpose of loading and unloading prisoners.

Craven Street, on the west side, beginning 212 feet north of the northern right-of-way line of Broad Street and running northwardly approximately 113 feet.

Craven Street, on the west side, beginning at the northern curblineline of New Street, extending 45 feet northwardly.

Craven Street, on the west side, beginning at the southern curblineline of New Street and extending 45 feet southwardly.

Craven Street, North, on the east side.

Darst Avenue, on the east side, from Queen Street to Elm Street.

deGraffenried Avenue, on both sides, beginning at the southern curbline of Neuse Boulevard and extending to a point 200 feet southwesterly thereof.

Dunn Street, on either side, between National Avenue and North Craven Street.

Eden Street, south of Tryon Palace Drive.

Eden Street, on the east side, beginning at the southern curb line of Pollock Street, extending 41 feet southwardly.

Eden Street, on the west side, beginning at the southern curb line of Pollock Street, extending 247 feet southwardly.

Elizabeth Avenue, on the north side thereof, beginning at the western curbline of South Glenburnie Road extending 316 feet westerly along Elizabeth Avenue.

Elizabeth Avenue, on the south side thereof, beginning at a point 253 feet westerly of the western curbline of Glenburnie Road, extending 1,037 feet westerly along Elizabeth Avenue.

Elizabeth Avenue, on the southwest side, beginning at the northwestern right-of-way line of South Glenburnie Road, and extending to a point 355 feet northwesterly thereof.

Eubanks Street, on the west side, from Booms Alley to K Street.

F Street, on the east side, from Cypress Street to Biddle Street.

First Avenue, on the east side, from Broad Street to Cedar Street.

First Street, on both sides, from Neuse Boulevard to Pembroke Road.

Fleet Street, on the east side, between Pollock Street and Tryon Palace Drive.

East Front Street, on the east side, between Broad Street and Johnson Street.

Gaston Boulevard, on the west side, beginning at a point 60 feet north from the back of curb on Neuse Boulevard and extending in a northerly direction for a distance of 120 feet.

George Street, on the east side, thereof, from the southern curbline of Guion Street to a point 78 feet southwardly thereof.

Hospital Drive (formerly S.R. #1487), on the north side thereof, from DeGraffenried Avenue extended northwardly across Neuse Boulevard, to the Emergency Room entrance on the grounds of Craven County Hospital.

I Street, on the east side, from Main Street to Biddle Street.

K Street, on the south side, from F Street to Main Street.

Karen Drive, on both sides, beginning at a point 425 feet southwardly of the southerly right-of-way line of Neuse Boulevard, extending 430 feet southeasterly thereof.

Karen Drive, on the northwesterly side, from the southerly right-of-way line of Neuse Boulevard southwesterly 300 feet.

Kennedy Avenue, on the east side thereof, from the northerly right-of-way line of Neuse Boulevard, northwardly to the end of Kennedy Avenue.

Kilmarnock Street, on the east side thereof, beginning at ten feet northwardly of the northern curbline of Neuse Boulevard, extending 20 feet northwardly.

Kilmarnock Street, on the east side thereof, beginning at a point 190 feet northwardly of the northern curbline of Neuse Boulevard, extending 40 feet northwardly.

Kilmarnock Street, on the west side beginning at the northern right-of-way of Broad Street, extending in a northwardly direction for 200 feet.

Kimberly Road, on the east side thereof, beginning at a point 32 feet from the western curbline of Simmons Street Extension, measured along the radius of the curb on Kimberly Road extending thence northwesterly along and with the eastern curbline of Kimberly Road 50 feet.

Kimberly Road, on the west side thereof, beginning at a point 33 feet from the western curbline of Simmons Street Extension, measured along the radius of the curb on Kimberly Road, extending thence northwesterly and then northeasterly along and with the western curbline of Kimberly Road 205 feet.

Kings Way, on the east side thereof, from Elizabeth Avenue to its northerly terminus and in the cul-de-sac at the northern end thereof.

Linden Street, on the north side, between New Street and East Front Street.

Main Street, on the north side, between West Street and K Street.

Main Street, on the south side, between Bloomfield Street and Pavie Avenue.

Meadows Street, on both sides between Center Avenue and Henderson Avenue.

Meadows Street, between Clarendon Boulevard (U.S. Highway 17) and Tatum Drive.

Metcalf Street, beginning at its intersection with the southernmost curbline of Broad Street, extending in a southerly direction on both sides of said street for a distance of 50 feet.

Metcalf Street, beginning at its intersection with the northernmost curbline of Pollock Street, extending for a distance of 145 feet in a northerly direction on the west side of said street and a distance of 50 feet in a northerly direction on the east side of said street.

Metcalf Street, on the east side thereof, beginning at a point 55 feet northwardly of the northern right-of-way line of New Street, extending 20 feet northwardly along Metcalf Street.

Metcalf Street, on the east side, between the intersection of Metcalf Street, Tryon Palace Drive and the Trent River.

Metcalf Street, south of Tryon Palace Drive.

Middle Street, on the west side, beginning at the northwest corner of the intersection of Middle Street and Broad Street and extending 100 feet in a northerly direction.

Miller Street, on the east side, from Broad Street to Cedar Street.

Miller Street, on the east side, from Cedar Street to Booms Alley.

Moses Griffin Lane, on the east side beginning at a point 443 feet from the northernmost pavement edge of Tomlinson Boulevard at its intersection with Moses Griffin Lane, and extending northwardly for a distance of 30 feet.

Nathan Tisdale Lane, on the west side, beginning at a point 572 feet north of its intersection with Tomlinson Boulevard, and extending northwardly for a distance of 22 feet.

National Avenue, on the west side.

Neuse Avenue, on the southeast side thereof, from the southerly right-of-way line of National Avenue to a point 275 feet southwest thereof.

New Street, on the north side, between Hancock Street and Metcalf Street.

New Street, on the north side, between Middle Street, and East Front Street.

New Street, on the south side, between Metcalf Street and Bern Street.

New Street, on the south side, between Middle Street and Hancock Street, beginning at a point 129 feet westwardly of the westerly right-of-way line of Middle Street and running westwardly 134 feet.

North Street, from West Street to Eubanks Street.

Nunn Street, on the east side, from Main Street to Cypress Street.

North Pasteur Street, on the southwesterly side, beginning at a point 80 feet measured southeasterly from the southeasterly right-of-way line of Avenue B and extending southeasterly 35 feet.

Pine Tree Drive, on both sides, beginning at the southeastern curbline of the main entrance to West New Bern Recreation Center and extending to a point 400 feet southeasterly thereof.

Pine Tree Drive, on both sides, beginning at the southwestern curblin of Grace Avenue and extending in a southerly direction to the northern right-of-way of M.L. King Jr. Boulevard.

Pine Valley Drive, on the west side thereof, beginning at a point 275 feet from the southern curb line of St. Andrews Circle and extending southwardly for a distance of 200 feet.

Pollock Street, on the south side beginning at its westernmost intersection with Queen Street and extending for a distance of 30 feet in a westwardly direction.

Pollock Street, on the south side, beginning at the eastern curblin of Eden Street, extending 17.5 feet eastwardly.

Pollock Street, on the south side, beginning at the western curblin of Eden Street, extending 40 feet westwardly.

Pollock Street, on the north side, between Hancock Street and Queen Street.

Pollock Street, on the south side, from the western curblin of Hancock Street to a point 100 feet westerly thereof.

Pollock Street, on either side, from the intersection of Pollock Street and First Street, extending eastwardly 150 feet.

Queen Street, on the north side, between Bern Street and George Street.

Queen Street, on the north side thereof, beginning at the intersection of Pollock Street and extending southwesterly 169 feet.

Queen Street, on the south side, beginning at a point 130 feet measured from the right-of-way line of Pollock Street and extending southwesterly to its intersection with Bryan Street.

Queen Street and Pollock Street intersection, between the north line of Pollock Street extended at such intersection and the south line of Queen Street extended, and the McCarthy corner at such intersection.

Rhem Street, on the east side beginning at the northernmost right-of-way line of First Street, at its intersection with Rhem Street, and extending for a distance of 170 feet in a northerly direction.

Roundtree Street, on the west side beginning at the northern right-of-way of Broad Street, extending in a northwardly direction for 396 feet.

Second Avenue, on the west side, from Broad Street to Cedar Street.

Smith Street, on the east side, from Cedar Street to Cypress Street.

Spencer Avenue, in the medium portion thereof, from First Street to Simmons Street.

Spencer Avenue extended into Queen Street, on the north side, running from the intersection of the curblineline of Queen Street or Spencer Avenue extended, with the curblineline of First Street eastwardly with the curblineline 125 feet; thence northeastwardly 40 feet for a total of 165 feet.

Spencer Avenue, on the north and south sides thereof, from the western right-of-way line of Simmons Street westerly for 200 feet.

Stoney Hill Trail, on both sides thereof, from its intersection with old U.S. Highway Number 70 (N.C. Highway Number 55) to its northeastern terminus.

Third Avenue, on the east side, from Broad Street to Cedar Street.

Trent Boulevard, from its intersection with Simmons Street eastwardly to the intersection of Trent Boulevard with Spencer Avenue.

Trent Boulevard, on the south side beginning at its westernmost curblineline of Ninth Street, at its intersection with Trent Boulevard, and extending for a distance of 120 feet in a westerly direction.

Tryon Palace Drive, on the south side, from Fleet Street to Eden Street.

Tryon Road, on both sides of the street, beginning at the western right-of-way of Fort Totten Drive, westwardly for a distance of 100 feet.

Unnamed short street which extends westwardly from Kilmarnock Street to the northern end of Carroll Street on the south side thereof from Kilmarnock Street to Carroll Street, and on the north side thereof from Kilmarnock Street to the intersection of the northern curblineline of such unnamed street with the western curblineline of Carmer Street extended northwardly.

Woodland Avenue, on the north side thereof, from a point 195 feet east of the eastern right-of-way line of Ninth Street eastwardly as far as Woodland Avenue extends on the ground within the right-of-way of U.S. Highway 17 (Clarendon Boulevard).

Woodland Avenue, on the south side thereof, from a point 235 feet east of the eastern right-of-way line of Meadows Street, eastwardly to Clarendon Boulevard.

(b) When signs are placed, erected or installed, giving notice thereof, no person shall park a vehicle at any time upon the paved portion of any of the following streets:

Bay Street, between Chapman Street and Miller Street.

Bloomfield Street.

Booms Alley.

Chapman Street, between Broad Street and Elm Street.

Craven Street, on the eastern side, from Broad Street to Pollock Street.

Craven Street, on the western side, from South Front Street to the Trent River.

Craven Street, on the eastern side, from a point 425 feet south from the southern right-of-way line of South Front Street, southerly to the Trent River.

Green Street.

Lees Avenue.

Middle Street, on the western side, from a point 550 feet from the southern right-of-way line of South Front Street to the Trent River.

Middle Street, on the eastern side, from a point 300 feet south from the southern right-of-way line of South Front Street, southerly to the Trent River.

Murray Street.

Pavie Avenue.

Pollock Street, on the northern side, from East Front Street to Craven Street.

SECTION 2. That Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting Section 70-226. "Parking prohibited, or limited, during certain hours in designated places." in its entirety and inserting in its stead the following:

"Sec. 70-226. Parking prohibited, or limited, during certain hours in designated places.

(a) When signs are placed, erected, or installed in each block, giving notice thereof, no person shall park a vehicle between the hours specified upon any of the following streets:

7:00 A.M. TO 4:00 P.M.

MONDAY THROUGH FRIDAY

Roundtree Street, on the west side thereof, beginning at a point 100 feet north of the northern curbline of Reizenstein Street extended, and extending 44 feet in a northerly direction.

8:00 A.M. TO 3:00 P.M. ON SCHOOL DAYS

High School Drive, from Tatum Drive to Simmons Street.

High School Drive, on either side, from Tatum Drive to the end of High School Drive at the property of the city schools.

Meadows Street, on the eastern and northern sides, from Clarendon Boulevard to Tatum Drive.

Tatum Drive, on either side, from the west side of the Montgomery Ward parking lot to the south end of Tatum Drive.

Woodland Avenue, on the south side thereof, from the eastern right-of-way line of Meadows Street eastwardly 235 feet.

6 P.M. to 6 A.M.

Roundtree Street, on the west side thereof, beginning at a point 416 feet north of the northern right-of-way of Broad Street and extending in a northerly direction 345 feet.

8:00 P.M. TO 6:00 A.M.

Bern Street, the west side, beginning at the northwest right-of-way line of Queen Street and extending 240 feet in a northerly direction.

2:00 A.M. TO 6:00 A.M.

Innisbrook court.

(b) When signs are placed, erected, or installed in each block giving notice thereof, no person shall park a vehicle for longer than two hours, between the hours of 8:00 a.m. and 3:00 p.m. on school days, upon any of the following streets, and the changing of the position of a vehicle from one point directly to another point, within the same block, shall be deemed one continuous parking period; each hour during which a vehicle shall be parked in violation of the terms hereof shall constitute a separate offense. The subject streets are as follows:

TWO HOUR PARKING BETWEEN
8:00 A.M. AND 3:00 P.M.
ON SCHOOL DAYS

Woodland Avenue, between Meadows Street and Clarendon Boulevard, on the north side thereof.

SECTION 3. That Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting Section 70-227. "Two hour parking zones." in its entirety and inserting in its stead the following:

"Sec. 70-227. Two hour parking zones.

(a) When signs are placed, erected or installed in each block giving notice thereof, no person shall park a vehicle for longer than two hours at any time between the hours of 7:30 a.m. and 5:30 p.m. on any day except Saturday, Sunday and public holidays, upon any of the following streets, and the changing of the position of a vehicle from one point directly to another point, within the same block, shall be deemed one continuous parking period.

Bern Street, on the west side thereof, beginning at a point 25 feet south of the south curblineline of Pollock Street extending southwardly to a point 135 feet south of the south curblineline of Pollock Street.

Broad Street, on the north side, between Roundtree Street and Kilmarnock Street.

East Front Street, on the west side, between Broad Street and Johnson Street.

Fleet Street, on the west side, beginning at a point 28 feet south of the southern curblineline of Broad Street, extending southwardly a distance of 112 feet.

Fleet Street, on the west side, between Pollock Street and New South Front Street.

George Street, on either side, between Broad Street and New Street.

George Street, on the east and west sides thereof, from Broad Street to Pollock Street.

Hancock Street, on the east side, from the intersection of Hancock Street and Tryon Palace Drive to the intersection of Hancock Street and Broad Street.

Hancock Street, on the west side, beginning at a point 55 feet south of the south curblineline of Broad Street and continuing southwardly 375 feet to a point 25 feet north of the north curblineline of Pollock Street.

Johnson Street, on the north side thereof, between Middle Street and Hancock Street.

Johnson Street, on the south side thereof, from the western right-of-way line of Middle Street to a point 135 feet east of the eastern right-of-way line of Hancock Street.

National Avenue, on the west side, beginning at a point 114 feet south of the southeastern most right-of-way of Court Street as it intersects with National Avenue, and extending in a southerly direction for 60 feet.

New Street, on the south side, from the intersection of New Street and Hancock Street eastwardly to the western right-of-way line of Middle Street.

Pollock Street, on the south side, between Hancock Street and Metcalf Street, except that portion of the street presently designated "No Parking."

Queen Street, on the north side, between West Street and Darst Avenue.

Queen Street, on the south side, between Broad Street and Princess Street.

Queen Street, on the south side, beginning at a point in the southern curblineline of Queen Street which lies 116 feet westwardly of the intersection of the western right-of-way line of Princess Street and the southern right-of-way line of Queen Street, extending westwardly 125 feet.

Queen Street, on the southern side, beginning at the intersection of the southern right-of-way line of Bryan Street, extending westwardly a distance of 216 feet.

(b) When signs are placed, erected or installed in each block giving notice thereof, no person shall park a vehicle for longer than two hours at any time between the hours of 8:00 a.m. and 4:00 p.m. on any day except Saturday, Sunday and public holidays, upon any of the following streets, and the changing of the position of a vehicle from one point directly to another point, within the same block, shall be deemed one continuous parking period.

Craven Street, on the eastern side, from the southern right-of-way line of South Front Street, extending in a southerly direction 425 feet.

Craven Street, on both sides, from the intersection of Craven Street and South Front Street to Pollock Street.

Craven Street, on the western side, between Pollock Street and Broad Street.

Middle Street, on the western side, from the intersection of Middle Street and South Front Street extending in a southerly direction 550 feet.

Middle Street, on the eastern side, from the intersection of Middle Street and South Front Street extending in a southerly direction 300 feet.

Middle Street, on both sides, from the intersection of Middle Street and South Front Street to Broad Street.

Pollock Street, on both sides, from the intersection of Pollock Street and East Front Street to the terminus of the Neuse River.

Pollock Street, on the southern side, between East Front Street and Craven Street.

Pollock Street, on both sides, between Craven Street and Hancock Street.

South Front Street, on both sides, between East Front Street and Metcalf Street.

State Law reference – G.S. 160A-301.

SECTION 4. That Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting Section 70-229. "Fifteen-minute parking zones." in its entirety and inserting in its stead the following:

“Sec. 70-229. Fifteen-minute parking zones.

When signs are placed, erected, or installed in each block giving notice thereof, no person shall park a vehicle for longer than 15 minutes at any time upon any of the following streets, and the changing of the position of a vehicle from one point directly to another point, within the same block, shall be deemed as one continuous parking period:

Hancock Street, on the west side, beginning at a point 109 feet north of the intersection of the north curblane of Broad Street and the west curblane of Hancock Street, north for a distance of 28 feet, between the hours of 9:00 a.m. and 5:00 p.m.

National Avenue, on the east side, for a distance of 150 feet in a northerly direction from the intersection of Dunn Street and National Avenue.

Pollock Street, on the south side thereof, beginning at a point 25 feet west of the west curblane of Bern Street extending westwardly 20 feet, between the hours of 9:00 a.m. and 9:00 p.m.

SECTION 5. That Article VI. “Stopping, Standing and Parking” of Chapter 70 “Traffic and Vehicles” of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting Section 70-230. “Loading zones.” in its entirety and inserting in its stead the following:

“Sec. 70-230. Loading zones.

(a) Those streets, or parts of streets, described in subsection (b) of this section shall be reserved as stands for the specific purpose and at the exact location named therein and no automobile or other vehicle shall park therein, except those for which the space or stand has been designated. Those streets or parts of streets reserved as loading zones and described in subsection (b) of this section shall be used only for the purpose of loading and unloading goods, wares, merchandise and commodities on and from motor vehicles unless the type loading zone clearly indicates otherwise. Provided, however, the loading zones described in subparagraph (b) of this section may be used by motor vehicles as places in which to park for not to exceed two minutes, while loading or discharging passengers.

In addition, no bus, taxicab or vehicle for hire shall park on any street in a place other than that which has been designated for such purpose and no bus shall stop or stand on any street except in a designated bus stop.

(b) The following zones are hereby established:

LOADING ZONES

Carroll Street, on the east side, beginning at a point ten feet north of the northern curblane of Neuse Boulevard extended, extending 70 feet northwardly along Carroll Street.

Cedar Street, on the north side, beginning at a point 165 feet west of the westerly curblin of Lees Avenue and extending westwardly for a distance of 40 feet.

Cedar Street, on the south side, beginning at a point 28 feet east of the eastern curblin of Oak Street extended, and extending 44 feet in an easterly direction: Between the hours of 6:00 a.m. and 5:30 p.m. Monday through Friday.

Colony Drive, on the north side, beginning at a point 85 feet east of the northeasterly curblin of Brunswick Avenue and extending 40 feet eastwardly along Colony Drive.

Colony Drive, on the south side, beginning at a point 85 feet east of the southeasterly curblin of Brunswick Avenue and extending 40 feet eastwardly along Colony Drive.

Craven Street, North, on the southwest side thereof, beginning at a point 527 feet measured along and with the southwestern curblin of North Craven Street, extended, from its point of intersection with the centerline of the Seaboard Coastline Railroad, running thence along and with the southwestern curblin of North Craven Street northwestwardly a distance of 34 feet.

George Street, on the east side, beginning at a point 206 feet north of the northern right-of-way of Guion Street, extending 30 feet northwardly along George Street.

George Street, on the east side, beginning at a point 25 feet south of the southeastern edge of the paving on Cypress Street and extending for a distance of 40 feet southwardly on George Street.

George Street, on the west side, beginning at a point 25 feet south of the southwestern edge of the paving on Cypress Street and extending for a distance of 40 feet southwardly on George Street.

Middle Street, on the west side, beginning at a point 170 feet south of the southern right-of-way line of Johnson Street and extending 20 feet southwardly along Middle Street.

Pollock Street, on the south side, beginning at a point 155 feet west of the southwest corner of the intersection of Pollock Street and Hancock Street, and extending 93 feet in a westerly direction.

Queen Street, on the southeast side, beginning at a point 42 feet south of the southern curblin of Princess Street and extending southwardly for a distance of 40 feet along Queen Street.

Queen Street, on the southeast side, beginning at a point 179 feet southwest of the southwestern curblin of North Craven Street, extended, and extending southwestwardly along the southeastern right-of-way line of Queen Street for a distance of 40 feet.

Trent Boulevard, on the north side, beginning at a point 317 feet west of the southwest curblin of First Street and extending westwardly for a distance of 40 feet.

Tryon Palace Drive, on the south side, beginning at a point 223 feet west of the intersection of the centerline of the Atlantic and North Carolina Railroad with the southern curbline of Tryon Palace Drive and extending 20 feet in a westerly direction.

LAW ENFORCEMENT LOADING ZONES

Craven Street, on the west side, beginning at point 147 feet north of the northern curbline of Broad Street, extending northwardly for a distance of 81 feet.

Middle Street, on the west side, beginning at a point 85 feet south of the southern curbline of New Street and extending southwardly for a distance of 44 feet.

SCHOOL BUS LOADING ZONES

First Street, on the west side, beginning at a point 25 feet south of the southwest corner of the intersection of First Street and Rhem Avenue, and extending 282 feet in a southerly direction.

Bern Street, on the east side, beginning at a point 75 feet south of the southern right-of-way line of Broad Street, and extending 275 feet in a southerly direction.

deGraffenried Avenue, on the west side, beginning at a point 180 feet north of the intersection of the western curbline of deGraffenried Avenue and the northern curbline of Tatum Drive, and extending northwardly for a distance of 51 feet.

George Street, on the west side, beginning at a point 181 feet north of the northern right-of-way line of Broad Street, and extending northerly along the line of George Street 43 feet.

George Street, on the west side, beginning at a point ten feet south of the line of Queen Street, and extending southwardly along the line of George Street 32 feet.

Hancock Street, on the east side, beginning at a point 149 feet north of the curbline of Tryon Palace Drive and extending northwardly along the line of Hancock Street 19 feet.

Liberty Street, on the east side, beginning at a point 273 feet north of the northern curbline of Walt Bellamy Drive, and extending 50 feet in a northerly direction.

Middle Street, on the east side, beginning at a point 104 feet north of the northeast corner of the intersection of Middle Street and New Street, and extending 131 feet in a northerly direction.

Queen Street, on the north side, beginning at a point in the northern curbline of Queen Street located 116.5 feet northeast of the centerline of Bern Street, and extending northeastwardly along the curbline of Queen Street 60 feet.

Rhem Avenue, on the south side, beginning at a point 25 feet west of the southwest corner of the intersection of Rhem Avenue and First Street, and extending 295 feet in a westerly direction.

Spencer Avenue, on the north side, beginning at a point 25 feet west of the northwest corner of the intersection of Spencer Avenue and First Street, and extending 170 feet in a westerly direction..

West Street, on the east side, beginning at a point 205 feet south of the southeast corner of the intersection of West Street and Cedar Street, and extending 383.6 feet in a southerly direction to the intersection with the southern property line of the F.R. Danyus Elementary School.

BUS LOADING ZONE

South Front Street, on the south side, beginning at a point 140 feet west of the western line of East Front Street, extending in a westerly direction 120 feet.”

SECTION 6. That Article VI. “Stopping, Standing and Parking” of Chapter 70 “Traffic and Vehicles” of the Code of Ordinance of the City of New Bern be and the same is hereby amended by adding Section 70-235. “Penalty for violation of certain provisions.” as follows:

“Sec. 70-235. Penalty for violation of certain provisions.

(a) All offenses set out in Division 1 of Article IV shall be punished as civil offenses pursuant to G.S. 160A-175. Violations shall not be misdemeanors or infractions pursuant to G.S. 14-4.

(b) *Notice to be affixed.* Whenever a member of the police department of the city or other person charged by ordinance with the enforcement of the provisions of this chapter regulating the parking of vehicles shall find that any of those provisions are being, or have been, violated by the owner or operator of any vehicle, such officer or person shall notify the owner or operator of the vehicle of the violation by conspicuously attaching to the vehicle a parking violation notice or citation in such form as the Finance Director may direct.

(c) *Parking violation notice; contents.* Such parking violation notice or citation shall, among other things, (i) state upon its face the amount of the penalty for the specific violation if the penalty is paid within thirty (30) days from and after the violation; (ii) notify the offender that a failure to pay the penalty within thirty (30) days from the violation shall subject the offender to an additional late penalty in the amount of twenty-five (\$25.00); (iii) notify the offender that a failure to pay the penalty within the prescribed time shall subject the offender to a civil action in the nature of debt for the stated penalty plus an additional penalty in the amount of ninety-five dollars (\$95.00), together with the cost of the action to be taxed by the court; (iv) further provide that the offender may answer the city parking citation by mailing or delivering the citation and the stated penalty to the address specified on the citation, and that upon payment, the case or claim and right of action by the city will be deemed compromised and settled; (v) that the penalty must be either paid or the failure to pay must be cleared within thirty (30) days of the issuance of the citation. The notice shall further state that if the parking violation citation is not cleared within thirty (30) days, court action by the filing of a civil complaint for collection of the penalty may be taken. As used upon the parking violation citation, the word “cleared” shall mean either (i) payment, (ii) arrangement for payment to be made, or (iii) a prima facie showing that the parking citation was

received as a result of mistake, inadvertence or excusable neglect by the person issuing the citation as determined by the administrative appeal process established in subsection (d).

(d) *Settlement of claim.* The chief of police or their designee is authorized to accept payments in full and final settlement of the claim or claims, right or rights of action which the city may have to enforce such penalty by civil action in the nature of debt. Acceptance of a penalty shall be deemed a full and final release of any and all claims, or right of action arising out of contended violations. The chief of police is further authorized: (i) to establish a procedure to allow persons who receive citations for violations of city parking regulations to file administrative appeals; and (2) to set deadlines for the filing of such appeals. Any such procedure shall allow a minimum of twenty (20) days to file an appeal from the date of the parking citation.

(e) *Penalties.*

(1) Any person who shall violate or allow or permit anyone to violate any of the provisions of this division and sections 70-211, 70-213, 70-214, 70-217, 70-225, 70-226, 70-227, 70-228, and 70-229 shall pay a civil penalty of \$25.00.

(2) Any person who shall violate or allow or permit anyone to violate any of the provisions of section 70-232 shall pay a civil penalty of \$50.00.

(f) *Additional penalties.* Any civil penalty for a violation that is not paid within thirty (30) days shall accrue an additional penalty of \$25.00 for a total civil penalty of \$50.00.

SECTION 7. That Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting "Division 2. Parking Meters" in its entirety, and renumbering subsequent divisions accordingly.

SECTION 8. This ordinance shall be effective from and after the date of its adoption.

ADOPTED THIS 27th DAY OF FEBRUARY, 2018.


DANA E. OUTLAW, MAYOR


BRENDA E. BLANCO, CITY CLERK