

**TOWN OF APEX, NORTH CAROLINA
ORDINANCE NO. 2015-0317-12**

**AN ORDINANCE TO AMEND VARIOUS SECTIONS IN THE CODE OF ORDINANCES OF
THE TOWN OF APEX IN THE FOLLOWING RELATED TO TRAFFIC**

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Apex as follows:

Section 1. Sec. 20-1 of the Code of Ordinances of the Town of Apex is hereby amended as follows:

Section 20-1. – Definitions.

Police officer means any sworn officer of the municipal police department or any officer authorized to direct traffic or to make arrests for the violation of traffic regulations.

Section 2. Sec. 20-5 of the Code of Ordinances of the Town of Apex is hereby amended as follows:

Section 20-5. – Citations—Failure to Obey.

Any person who violates a citation or notice to appear given by an officer for any traffic violation or parking violation is guilty of a misdemeanor, regardless of the disposition of the charge on which such person was originally ~~arrested-charged~~.

Section 3. Sec. 20-7 and Sec. 20-8 of the Code of Ordinances of the Town of Apex are hereby amended as follows:

Section 20-7. – Use of Skates, coasters, toy vehicles, etc.

No person on roller skates, a skateboard, or riding on or in any coaster, toy vehicle or similar device shall go upon any public street posted greater than 25 miles per hour speed limit or outside of a residential area unless it be while crossing at a crosswalk or intersection or on a street closed for a Town sanctioned event. Additionally, all devices included in this section shall be prohibited from traveling on sidewalks along North Salem Street between Chatham Street and Center Street at all times. No parent or guardian of any juvenile shall knowingly allow any juvenile to violate this section.

Section 20-8. – Traffic control in extraordinary circumstances.

In the event of a fire or other emergency, when it is deemed necessary to expedite traffic, when it is deemed necessary to safeguard pedestrians or when a special hazard exists, police officers may direct traffic, divert traffic, or close streets as existing conditions require, notwithstanding the provisions of this chapter.

Section 4.

Sec. 20-13 of the Code of Ordinances of the Town of Apex is hereby amended as follows:

Section 20-13. – Use of unmarked vehicles; equipment on personal vehicles of police officers.

- (a) ~~It shall be legal for any member of the town's police force~~ The chief of police may authorize any police officer to use within ~~the town~~ corporate limits, including ~~the~~ one mile beyond the corporate limits, any police equipped vehicle, marked or unmarked, while performing police duties and authorize use in any other municipality or any other area where mutual aid agreements exist between police departments and law enforcement agencies having jurisdiction pursuant to the NC general statutes.
- (b) ~~It shall be legal for t~~ The chief of police to have such ~~may authorize any police officer's personal vehicle to be~~ equipped with police equipment such as radio, siren and ~~blue lights~~ other emergency equipment. ~~Any other member may equip such member's personal vehicle with a police radio as long as it is authorized by the chief of police. Upon the resignation or discharge of any member, such member will return to the town any transmitter crystal that such person may have been using while with the town. In the event that such member bought and paid for the crystal personally the town will pay such member for it~~ and authorize use in any other municipality or any other area where mutual aid agreements exist between police departments and law enforcement agencies having jurisdiction pursuant to the NC general statutes.

Section 5.

Sec. 20-15 of the Code of Ordinances of the Town of Apex is hereby amended as follows:

Section 20-15. – Entering, riding, etc., vehicle without consent of owner or driver and improper behavior.

No person shall enter, cling to, jump on or ride any vehicle without the consent of the owner or driver of such vehicle. Additionally, it shall be unlawful to cling to, jump on, or attempt to enter a vehicle while it is in motion.

Section 6.

Sec. 20-17 of the Code of Ordinances of the Town of Apex is hereby amended as follows:

Section 20-17. – Temporary parking restrictions.

Police officers are authorized to designate areas as no parking using traffic cones, temporary signs, or similar devices to prohibit parking within marked parking spaces and unmarked areas along a roadway as required to control traffic for an authorized public event or during an emergency.

Section 7. Sec. 20-34, Sec. 20-34.1, and Sec. 20-34.2 of the Code of Ordinances of the Town of Apex are hereby amended as follows:

Section 20-34. – Abandoned motor vehicles.

- (a) - (b) *(No changes)*
- (c) Removal authorized. Upon investigation, ~~chief of a police or his designee~~ officer may determine that a vehicle is an abandoned motor vehicle and order the vehicle removed.

Section 20-34.1. – Health or safety hazard vehicles.

- (a) *Definition.*
 - (1) - (2) *(No changes)*
 - (3) Is more than five years old and appears to be worth less than \$500.00; or
- (b) *(No changes)*
- (c) Removal authorized. Upon investigation, ~~the chief of a police or his designee~~ officer may determine and declare that a vehicle is a health or safety hazard vehicle, as defined herein and order the vehicle removed.

Section 20-34.2. – Aesthetic nuisance vehicles.

- (a) - (b) *(No changes)*
- (c) Removal authorized. Upon investigation, ~~the chief of a police or his designee~~ officer may determine and declare that a vehicle is an aesthetic nuisance vehicle and order the vehicle removed from the property.

Section 8. Sec. 20-38 and Sec. 20-39 of the Code of Ordinances of the Town of Apex are hereby amended as follows:

Section 20-38. – Towing and storage--Designation of eligible person.

- (a) - (c) *(No changes)*
- (d) The police department may use one or more towing services from their approved list.

Section 20-39. – Notice to vehicle owner of removal; post towing notice requirements.

- (a) Whenever a motor vehicle with a valid registration plate or registration is towed as provided herein, the authorizing person shall immediately notify the last known registered owner of the vehicle of the following:
 - (1) - (5) *(No changes)*

Section 9. Sec. 20-51 and Sec. 20-52 of the Code of Ordinances of the Town of Apex are hereby amended as follows:

Section 20-51. – Sitting, lying, etc., upon streets and pedestrian facilities.

No person shall willfully stand, sit or lie upon any portion of a highway, street, sidewalk, greenway, or multi-use path in such a manner as to impede the regular flow of vehicular or pedestrian traffic.

Section 20-52. – Standing, etc., in street to solicit employment, business or contributions; hitchhiking.

(a) *(No changes)*

(b) No person shall solicit a ride from the driver of any motor vehicle not registered as for hire within the corporate limits.

Section 10. Sec. 20-55 of the Code of Ordinances of the Town of Apex is hereby amended as follows:

Section 20-55. – Same—Blind persons.

At any street crossing or intersection where the movement of traffic is not regulated by a ~~traffic~~-police officer or by traffic control signal, any blind or partially blind person shall be entitled to the right-of-way at such crossing or intersection, if such blind or partially blind person shall extend before such person's self at arms-length a cane white in color or white tipped with red or if such person is accompanied by a guide dog. Upon receiving such a signal, all traffic at or approaching such crossing or intersection shall come to a complete stop, leaving a clear lane through which such blind person may pass and such vehicle shall remain stationary until such blind person has completed such crossing or intersection. At such intersection or crossing where the movement of traffic is controlled by traffic control signals, blind or partially blind persons shall be entitled to the right-of-way if such person having such cane or accompanied by such dog shall be partly across such crossing or intersection at the time that the traffic control signal changes, and all vehicles shall stop and remain stopped until such person has completed the crossing.

Section 11. Sec. 20-63 through Sec. 20-67 of the Code of Ordinances of the Town of Apex are hereby amended as follows:

Section 20-63. – Location and physical characteristics of stop and caution signs.

(a) Whenever the type of stop sign is used whereby the lettering is attached to a post or pole located adjacent to or near the curbline of the street, such stop sign shall bear the word "~~Stop~~ STOP" in letters not less than six inches in height. The surface of Ssuch sign shall consist of a reflective material

~~allowing it to be readily visible be provided with reflector buttons or, if not, then shall be self-illuminated at night.~~

~~(b) In lieu of the type of stop signs above described in this section, it shall be lawful to use stop and caution signs painted upon the surface of the street, and where the same are used they shall bear the word "Stop" or "Caution" or "Slow" or "One Way" or "School Zone," as the case may be, in letters not less than 60 inches in height painted upon the surface of the street where such signs shall be readily seen and observed by the traveling public using the street.~~

(eb) Every stop sign shall be located as near as practical to the property line of the street at the entrance to which the stop must be made or to the nearest line of the crosswalk at such stop or, if none, ~~at a limit line to be indicated by the town manager or~~ where the same shall be readily seen and observed by the traveling public; ~~provided, that this subsection shall not apply where the stop or caution sign is painted upon the surface of the street in the manner herein provided.~~ It shall be lawful to install supplemental pavement markings or signs in accordance with the Manual on Uniform Traffic Control Devices.

Section 20-64. – Traffic signals generally.

The driver of any vehicle shall obey any official traffic control signal placed or located on any public street or public highway, ~~exhibiting the words "Go," "Caution" or "Stop," or by exhibiting differently colored lights successively one at a time.~~ "Signal light" shall refer to an illuminated circular indication assigned to one or more lanes and "arrow signal light" shall refer to an illuminated arrow-shaped indication pointing in the assigned direction of travel for a single lane. "Assigned" shall refer to the nearest aligned signal light or arrow signal light facing the direction of travel of one or more lanes.

The following colors only shall be used and such terms and lights shall indicate the following action:

- (1) *Green signal light ~~alone, or "Go."~~*
 - a. Vehicular traffic in the lane or lanes assigned to the facing the signal light may proceed straight through or turn either right or left unless a sign prohibits such turn; provided, that vehicular traffic shall yield the right-of-way to other vehicles ~~or and~~ pedestrians, who may be lawfully within the intersection.
 - b. Pedestrians facing such signal light may proceed across the roadway within the crosswalk area, whether marked or unmarked.
- (2) *Yellow signal light ~~alone or "Caution," when shown following the green light signal or "Go" signal.~~*
 - a. Vehicular traffic in the lane or lanes assigned to facing the signal

light shall stop before entering the intersection, or if a crosswalk is present, vehicular traffic shall stop before entering the nearest crosswalk at the intersection; however, if such stop cannot be made in safety, the vehicle may proceed cautiously through the intersection.

- b. Pedestrians facing such signal light are thereby warned that there will not be sufficient time to safely cross the roadway, and any such pedestrian then starting to cross such roadway shall yield the right-of-way to all vehicles.

(3) *Red signal light ~~alone or "Stop."~~*

- a. Vehicular traffic in the lane or lanes assigned to facing the signal light shall stop before entering the intersection, or if a crosswalk is present, vehicular traffic 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 in a stopped position until the green signal light is illuminated and the red signal light is no longer illuminated or "Go" is shown alone on such signal; provided that except where prohibited by sign, such vehicle may turn right after stopping and yielding to other vehicles and pedestrians, ~~and may similarly turn left off a one-way street into a one-way street.~~
- b. No pedestrian facing such signal light shall enter the roadway unless such pedestrian can do so without interfering with any vehicular traffic.

(4) *~~Red light with~~ Green arrow signal light.*

- a. Vehicular traffic in the turning lane assigned to facing such the signal light may cautiously enter the intersection and can continue in the direction indicated by the arrow.
- b. No pedestrians facing in conflict with such signal light, whether facing such signal light or otherwise, shall enter the roadway unless he can do so without interfering with any vehicular traffic.

(5) *Flashing yellow arrow signal light.*

- a. Vehicular traffic in the turning lane assigned to the signal light may turn in the direction indicated by the arrow; provided, that vehicular traffic shall yield the right-of-way to other oncoming vehicles and pedestrians who may be lawfully in the intersection.
- b. Pedestrians facing such signal light may proceed across the roadway within the crosswalk area, whether marked or unmarked.

Section 20-65. – Flashing signals.

The driver of any vehicle shall obey any flashing light displayed on a public street in accordance with the direction as follows:

- (1) *(No changes)*
- (2) *Flashing yellow light:* When a yellow flashing signal is clearly displayed or located on a public street, the driver of any vehicle facing such light shall proceed through the intersection with caution, provided, that movement can be made in safety.

Section 20-66. – Safety zones.

~~The chief of p~~Police ~~officers is~~ are hereby authorized to establish safety zones of kind and character and at such places as such officer may deem necessary for the protection of pedestrians.

Section 20-67. – Crosswalks.

The ~~chief of police is~~ Public Works & Utilities Department and the Engineering Division are hereby authorized to designate and maintain crosswalks by with appropriate signs, pavement markings, or other appropriate devices, marks or lines upon the surface of the roadway crosswalks located at or between intersections ~~here in such officer's opinion there is a particular danger to pedestrians crossing the roadway and at such other places as such officer may deem necessary.~~

Section 12. Sec. 20-82 of the Code of Ordinances of the Town of Apex is hereby amended as follows:

Section 20-82. – Lights.

Every vehicle operated upon a public street during the period from a half hour after sunset to a half hour before sunrise and at any other times when there is not sufficient light to render clearly discernible any person on the public street at a distance of ~~200~~400 feet ahead or 500 feet ahead when windshield wipers are in use due to environmental factors reducing visibility, other than intermittent use in misting rain, sleet, or snow, shall display lights on such vehicle as determined by the commissioner of motor vehicles.

Section 13. Sec. 20-87 of the Code of Ordinances of the Town of Apex is hereby amended as follows:

Section 20-87. – Obstructions to vision.

It shall be unlawful for any person to drive any vehicle upon a public street with any sign, poster or other nontransparent material upon the front windshield, side winds, side or rear windows, or hanging from the rear view mirror of such vehicle other than a toll transponder, parking pass, certificate, or other paper required to be so displayed by law or approved by the commissioner of motor vehicles.

Section 14. Sec. 20-100 of the Code of Ordinances of the Town of Apex is hereby amended as follows:

Section 20-100. – Speed limits.

- (1) *(No changes)*
- (2) Speed shall be limited to 25 miles per hour on all residential streets in residential subdivisions and all streets in the central business district;
- (3) - (5) *(No Changes)*
- (6) Speed shall be limited to 25 miles per hour on the following streets or sections thereof as indicated:

Abraham Circle, Ada Street, Ambergate Station, Baucom Street, Beaver Creek Commons Drive, Bullock Court, Chatham Street from its intersection with Jones Street eastwardly to its terminus 100 feet east of Briarcliff Street, Cooke Street, Corenna Street, Creekside Landing Drive, Culvert Street, Cunningham Street, Dogwood Lane, Ellington Street, First Street, Harward Street, Hughes Street from its intersection with East Williams Street, northward to the terminus of Hughes Street north of Center Street, James Street eastward from Williams Street to Schieffelin Road, Lynch Street, Mason Street, Moore Street, Olive Street, Saunders Street, Second Street, Short Street, Third Street, Tunstall Avenue, Upchurch Street, West Street, ~~and~~ Wrenn Street, and James Street from its intersection with Tingen Road to its intersection with Minley Way.

Section 15. Sec. 20-107 of the Code of Ordinances of the Town of Apex is hereby amended as follows:

Section 20-107. – Emerging from alley or driveway.

The driver of any vehicle or a pedestrian emerging from an alley, driveway or building shall ~~bring such vehicle come~~ to a complete stop prior to entering onto a sidewalk or the sidewalk area extending across the alleyway, driveway or building frontage and shall remain in such stopped position until movement into or across the street can be made in safety without interfering with any vehicular or pedestrian traffic lawfully using such street.

Section 16. Sec. 20-111 of the Code of Ordinances of the Town of Apex is hereby amended as follows:

Section 20-111. – Railroad warning signals.

Whenever any person driving a vehicle approaches a street railway grade crossing and a clearly visible and positive signal gives warning of the immediate approach of a railroad train, it shall be unlawful for the driver of the vehicle to fail to bring the vehicle to a complete stop before traversing such grade crossing. Additionally, it shall be unlawful to proceed across a street railway grade crossing

when railroad gate arms are lowered.

Section 17. Sec. 20-115 of the Code of Ordinances of the Town of Apex is hereby amended as follows:

Section 20-115. – School zones.

Whenever authorized signs are placed designating any street or part thereof as a school zone, the driver of any motor vehicle using such street or part thereof shall exercise the greatest care for the protection of children-pedestrians.

Section 18. Sec. 20-117 of the Code of Ordinances of the Town of Apex is hereby amended as follows:

Section 20-117. – Stopping in street generally.

No person shall stop a vehicle in the street, except for the purpose of parking, unless such stop is made necessary by the approach of fire-apparatus-emergency vehicles, by the approach of a funeral or other procession which is given right-of-way, by the stopping of a public conveyance, by the stopping of a school bus, by the stopping of any other vehicle located in front of such vehicle, by the lowering of railroad gates, by being given countermanding traffic signals, or by the passing of some other vehicle or pedestrian, or by some emergency or when proceeding cannot be done in safety. In all cases covered by these exceptions such vehicle shall stop so as not to obstruct any footpath, pedestrian aisle, safety zone, crossing or street intersection if possible to do so.

Section 19. Sec. 20-125 of the Code of Ordinances of the Town of Apex is hereby amended as follows:

Section 20-125. – Conduct on approach of an emergency vehicle.

Upon the approach of any police or fire department vehicle or public or private ambulance or rescue squad emergency service vehicle, except as otherwise provided in G.S. 20-157, giving audible signal by bell, siren or exhaust whistle audible under normal conditions from a distance of not less than 1,000 feet, the driver of every other vehicle shall immediately drive such vehicle to a position parallel to the right edge or curb, clear of any intersection of streets and shall stop and remain in such position unless otherwise directed by a police ~~or-traffic~~ officer until the emergency vehicle shall have passed.

Section 20. Sec. 20-127 of the Code of Ordinances of the Town of Apex is hereby amended as follows:

Section 20-127. – Following fire apparatus.

It shall be unlawful for the driver of any vehicle other than ~~one-on-official-business~~ an emergency vehicle to follow any fire apparatus traveling in response to a fire alarm closer than one city block or to drive into or park such vehicle within one

block where fire apparatus has stopped to answer a fire alarm.

Section 21. Sec. 20-141 of the Code of Ordinances of the Town of Apex is hereby amended as follows:

Section 20-141. – Operating without hands on handlebars.

No person shall operate a bicycle or motorcycle on the public streets without having both hands at least one hand on the handlebars at all times, ~~except when such operator is giving an arm signal for a turn, stopping or slowing movement.~~

Section 22. Sec. 20-143 of the Code of Ordinances of the Town of Apex is hereby amended as follows:

Section 20-143. – Riding bicycles on sidewalk.

~~(a) —~~ No person shall ride a bicycle on any public sidewalk without due caution and shall yield the right-of-way to all pedestrians and persons on other permitted devices using said sidewalks, ~~except when such person is proceeding across a public sidewalk at a private driveway or alleyway where such movement is necessary to enter into or from a public street.~~ Speed shall be limited to 10 mph on sidewalks and paths of five feet or less in width and when crossing the intersection of a public street or driveway along any sidewalk or path. No person shall ride a bicycle on the sidewalks along North Salem Street between Chatham Street and Center Street.

~~(b) — Exceptions. Juveniles 15 years of age or under may ride a bicycle on "residential sidewalks" within the town provided they yield the right-of-way to all pedestrians using the sidewalks. "Residential sidewalks" are sidewalks adjacent to residences. Sidewalks adjacent to nonresidential structures or uses are not residential sidewalks. Structures or uses that are mixed nonresidential and residential are deemed nonresidential structures or uses for the purposes of this subsection 20-143(b).~~

Section 23. Sec. 20-146 of the Code of Ordinances of the Town of Apex is hereby amended as follows:

Section 20-146. – Attaching bicycles, coasters, etc., to moving vehicle.

Any person riding upon any bicycle, skateboard, motorcycle, coaster, sled, roller skates, toy vehicle or any other such vehicle shall not attach such vehicle or such person's self to any moving vehicle upon any public street.

Section 24. Sec. 20-150 of the Code of Ordinances of the Town of Apex is hereby amended as follows:

Section 20-150. – Stopping, standing or parking prohibited in certain places.

No person shall stop, stand or park a vehicle, attended or unattended, except when

necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device in any of the following places:

- (1) *(No changes)*
- (2) Within an intersection or in front of a private driveway; or within 15 feet of a private driveway unless permitted by the owner(s) of the property for which the driveway accesses.
- (3) - (9) *(No changes)*
- (10) At the intersection of two streets, Wwithin 25 feet of the ~~intersection of curblines or if none, then within 15 feet of the intersection of property lines at an intersection of highways or streets edge of pavement for the opposing street or within any portion of the corner radius, whichever distance is greater.~~
- (11) Along any portion of a street without marked parking spaces where the clear distance from the side of the parked vehicle to the marked street centerline or to the edge of a both sides of a street served by a left turn lane is less than 10 feet. lane approaching a street intersection, within 400 feet of the intersection of curblines, or if none, then within 390 feet of the intersection of property lines at such intersection.
- (12) In any area designated as a fire lane including designated fire lanes in shopping center or mall parking lots and all other public vehicular areas. Provided, however, persons actively engaged in loading or unloading supplies or merchandise may park temporarily in a fire lane located in a shopping center or mall parking lot as long as the vehicle is not left unattended.

Section 25. Sec. 20-154 and Sec. 20-155 of the Code of Ordinances of the Town of Apex are hereby amended as follows:

Section 20-154. – Prohibited purposes—Generally.

No person shall stand, or park a vehicle upon any street or in any parking space along such street for principal purposes of:

Section 20-155. – Parallel parking.

Where not otherwise indicated by this chapter and where the street is not marked to show how vehicles shall park, all vehicles shall park parallel to the curb or edge of pavement when curb is not present and not more than 12 inches therefrom.

Section 26. Sec. 20-159 and Sec. 20-160 of the Code of Ordinances of the Town of Apex are hereby amended as follows:

Section 20-159. – Backing to curb.

No vehicle shall be parked by backing the vehicle to a curb unless in the actual

process of loading or unloading provided such vehicle does not block the flow of traffic.

Section 20-160. – Side of vehicle to curb.

No vehicle shall be parked either attended or unattended with its left side to the curb ~~in the business district~~, except on one-way streets where parking is permitted on the left side.

Section 27. Sec. 20-162 of the Code of Ordinances of the Town of Apex is hereby amended as follows:

Section 20-162. – Parking within line of designated parking spaces, duration.

Where parking spaces are marked ~~on streets~~ with lines indicating parking spaces, vehicles shall be parked within the lines of a parking space. No person shall park a vehicle in a marked parking space on a street for a continuous period of time longer than the time that applies to such street or portion thereof pursuant to this chapter. Parking in two or more parking spaces by moving a vehicle from one marked parking space directly to another marked parking space on a street in the same block shall be deemed one continuous parking event and shall not defeat the application of this section.

Section 28. Sec. 20-164 of the Code of Ordinances of the Town of Apex is hereby amended as follows:

Section 20-164. – No parking zones.

No person shall park a vehicle, whether attended or unattended, within a zone designated as no parking by signs or yellow markings. Signs or yellow markings shall be erected or applied designated "no parking at any time" in the following areas:

Section 29. Sec. 20-170, Sec. 20-171, and Sec. 20-172 of the Code of Ordinances of the Town of Apex are hereby amended as follows:

Section 20-170. – Processing of parking violation citations; fines and penalties for parking violations.

- (a) All citations received for the violation of a parking offense shall be presented at the Apex ~~Police-Finance~~ Department at 73 Hunter Street during normal business hours for payment processing or mail the citation and payment to the Apex ~~Police-Finance~~ Department - Parking Violations, 205 Saunders Street PO Box 250, Apex, NC 27502, within five days from the time of the offense, except when the time limit expires on a holiday or weekend, and then the time limit will be extended to the next working day. ~~Prosecution for violation of a town ordinance shall be commenced against~~ A criminal summons shall be issued for the registered owner of the vehicle in question following the expiration of this time period.

Section 20-171. – Removal of certain illegally parked vehicles.

- (a) Any vehicle found parked in a time limiting area, loading zone or other prohibited zone for a period of 24 hours shall be removed to a place of storage and safety, except in the case of publicly sanctioned events or emergencies a police officer may order immediate removal of such vehicle.

Section 20-172. – Construction related vehicles.

In the event that it is necessary for a construction related vehicle to park in a manner that would otherwise violate town parking ordinances in order to obtain direct access to a construction site, ~~the chief of a~~ police ~~or designee officer~~ may direct parking of such construction-related vehicle temporarily as the conditions there require, notwithstanding other provisions of chapter 20 of this Code; provided that the same can be done in a manner which is safe and reasonable in light of all relevant traffic considerations, and further provided that ~~the chief of a~~ police officer shall direct the manner and place of parking and the use of traffic safety devices or personnel to insure the public safety. Nothing in this section relieves the owner or operator of a construction-related vehicle from the duty to operate or park the vehicle in a safe and reasonable manner with due regard for the safety of others.

Section 30. Sec. 20-194 of the Code of Ordinances of the Town of Apex is hereby removed:

~~Section 20-194. — Blowing whistle or horn.~~

~~No engineer, fireman or other train hand or employee of any railroad company or any other person shall at any point within the town blow the whistle or horn of an engine unnecessarily loudly or for an unnecessarily long time.~~

Section 31. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. If any part of this ordinance shall be adjudged invalid, such adjudication shall apply only to such part so adjudged and the remainder of the ordinance shall be deemed valid and effective.

Section 32. This ordinance shall be effective on the 17th day of March 2015.

Introduced by Council Member _____

Seconded by Council Member _____

Attest:

TOWN OF APEX, NORTH CAROLINA

Donna B. Hosch, CMC, NCCMC
Town Clerk

William M. Sutton
Mayor

Approved As To Form:

Laurie L. Hohe, Town Attorney