

## Chapter 16

### TRAFFIC AND MOTOR VEHICLES\*

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\*Cross references—Duties of fire department drivers, § 7-25; loudspeakers or amplifiers on vehicles, § 11-55; weeds and trash, § 11-21 et seq.; junkyards, § 11-76 et seq.; SC Highway 93 corridor, § 13-26 et seq.

State law references—Uniform Act Regulating Traffic on Highways, local authority, S.C. Code 1976, § 56-5-30; general rules regarding maximum speed limits, S.C. Code 1976 § 56-5-1520; alteration of speed limits by local authorities, signs and approval by state, S.C. Code 1976 § 56-5-4540; powers of local authorities concerning traffic laws, South Carolina Code 1976, § 56-5-710; local authority to regulate operation of bicycles, S.C. Code 1976 § 56-5-710(8); power of local authorities to require strict pedestrian compliance with traffic control signals, S.C. Code 1976, \* 56-5-3120.

## ARTICLE I. IN GENERAL

## Sec. 16-1. Powers and duties of council.

(a) The council, except as otherwise directed by this chapter and the council, shall have the power and is hereby authorized to regulate the operation and parking of vehicles within the corporate limits by the erection or placing of proper signs or markers indicating prohibited or limited parking, restricted speed areas, one-way streets, play streets, through or arterial streets, parking meter spaces in parking meter zones, U-turns, school zones, hospital zones, loading and unloading zones, quiet zones, and other signs, markers, and official traffic control devices indicating the place or manner of operating or parking vehicles.

(b) The council, except as otherwise directed by this chapter, shall have the power to regulate the movement of pedestrians upon the streets and sidewalks by the erection or placing of proper signs or markers indicating the flow of pedestrian traffic.

(c) The council, except as otherwise directed by this chapter, shall have the power to designate taxicab stands and to erect signs prohibiting the parking of vehicles other than taxicabs at their respective stands.

(d) The council, except as otherwise directed by this chapter, shall have the power to mark off traffic lanes on streets and parts of streets indicating and directing the flow of traffic when, in the judgment of the council, such action is necessary.

(e) The council shall have the power to secure all necessary signs, markers, or official traffic control devices to be erected or placed on any street or part of a street when such action is deemed necessary.

(f) The existence of such signs, markers, or official traffic control devices at any place shall be prima facie evidence that such signs, markers, or official traffic control devices were erected or placed by and at the direction of the council and in accordance with the provisions of this section.

(Code 1979, § 14-104)

State law reference—Authority, S.C. Code 1976, § 56-5-940.

Sec. 16-2. Authority of chief of police to promulgate rules and regulations; special regulations of council.

The chief of police, with the approval of the mayor, shall have the authority to make, promulgate, and enforce special traffic regulations including designation of one-way streets, dangerous intersections, express avenues, schools zones, other special regulations for the government of traffic in the municipality; and to provide warning signs or other notices regarding such special traffic areas where, in the opinion of the chief of police and the mayor, conditions warrant such special regulations. In addition thereto, the council may at any time and from time to time declare special traffic regulations in areas in addition to those already

existing, but in such cases of special traffic regulations by the council, at least one week's notice by publication, advising of the change of traffic regulations, shall be given before the change shall become effective.

(Code 1979, § 14-105)

State law reference—Similar provisions, S.C. Code 1976, § 56-1-20.

Sec. 16-3. Using vehicle for advertising.

No person shall operate or park on any street any vehicle for the primary purpose of advertising.

(Code 1979, § 14-204)

Sec. 16-4. Driving across private property.

(a) It shall be unlawful for any person driving a vehicle to use the driveway of any filling station or service station as a roadway or thoroughfare.

(b) It shall be unlawful for any person driving a vehicle to make any U-turn or other turn prohibited at any point where such turn is prohibited, and it shall be unlawful to accomplish a U-turn by deviously going into or through private property adjoining the street where such turn is prohibited.

(Code 1979, § 14-205)

Sec. 16-5. Cruising.

(a) No person shall drive or permit a motor vehicle under his care, custody or control to be driven past a traffic-control point three times within a two-hour period from 7:00 p.m. to 6:00 a.m. Monday through Friday, and all day Saturdays, Sundays and holidays, in or around a posted no-cruising area, so as to contribute to traffic congestion, obstruction of streets, sidewalks or parking lots, impediment of access to shopping centers or other buildings open to the public, or interference with the use of property or conduct of business in the area adjacent thereto.

(b) At every point where a public street or alley becomes or provides ingress to a no-cruising area there shall be posted a sign which designates the no-cruising area and times, which sign shall read substantially as follows:

"No Cruising. No person shall drive or permit a motor vehicle under his care, custody or control to be driven past a traffic-control point three (3) times within a two-hour period in or around this area so as to contribute to traffic congestion, obstruction of streets, sidewalks or parking lots, impediment of access to shopping centers or other buildings open to the public, or interference with the use of property or the conduct of business in the adjacent area. Maximum penalty \$200.00 fine or 30 days."

(c) Traffic-control point, as used in this section, means any point within the no-cruising area established by the police department for the purpose of monitoring cruising.

(d) No violation shall occur except upon the third passage by the same traffic-control point within the two-hour period.

(e) No area shall be designated or posted as a no-cruising area except upon the passage of a resolution by the council specifically mandating the designated and posting for a particular area.

(f) This section shall not apply to in-service emergency vehicles, taxicabs for hire, buses and other vehicles being driven for business purposes.

(Ord. of 11-9-92)

#### Sec. 16-6. Careless driving.

It shall be unlawful for any person to operate any vehicle without due care and caution, and full regard for the safety of persons and/or property.

Any person operating any vehicle without due care and caution, and full regard for the safety of persons and/or property shall be guilty of careless driving, whether or not their driving results in personal injury and/or property damage.

No police officer shall issue a uniform traffic ticket pursuant to this section. Amendment of a citation for an underlying traffic offense to careless driving shall be the sole discretion of the chief municipal judge.

(Ord. No. 6-14-99CD, 6-14-99)

#### Secs. 16-7-16-30. Reserved.

## ARTICLE II. STANDING, STOPPING, PARKING

#### Sec. 16-31. Loading zones.

(a) No person shall stop, stand, or park a vehicle for any purpose or period of time other than for the expeditious unloading or loading of passengers in any place marked as a passenger zone.

(b) No person shall stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a loading zone during the time specified. In no case shall the stop for loading and unloading of material exceed 30 minutes.

(Code 1979, § 14-401)

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\*Cross reference—Parking near or obstructing fire hydrants, § 7-2.

State law reference—Authority, S.C. Code 1976, § 56-5-710.

## Sec. 16-32. Blocking streets and alleys.

(a) No person shall stop, stand, or park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic, except that a driver may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations, traffic signs, or a policeman.

(b) No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for the free movement of vehicular traffic.

(Code 1979, § 14-402)

## Sec. 16-33. Manner of parking.

Where parking is permitted on streets not marked off for parking, the operator of any vehicle shall park such vehicle with the right front and right rear wheels as near as possible to the curb and parallel thereto. Vehicles parked within marked areas shall not occupy any part of more than one space. The operator of any parked vehicle shall back out into the roadway only when the roadway is clear.

(Code 1979, § 14-403)

## Sec. 16-34. Special parking places.

The council may, in its discretion, designate special parking places for doctors and any other persons for which sufficient cause is shown.

(Code 1979, § 14-404)

## Sec. 16-35. Parking and storage of certain vehicles.

(a) It shall be unlawful for any person to permit, park, or store an automobile, truck, and/or trailer of any kind or type, and the same shall not be parked and/or stored in any residentially zoned district including any street that is zoned residential within the municipal corporate limits, other than in a completely enclosed building; that

- (1) Is not operable;
- (2) Does not display a lawful and/or current license tag; and
- (3) Does not have current liability insurance thereon;

(b) This section excludes bona fide classic automobiles currently undergoing restoration and are covered with a factory-made automobile cover.

(c) If in violation of this section, a written notice shall be submitted to the owner or permittee of the parked and/or stored vehicle that such vehicle shall be removed within 20 days from the date of such notice, or be subject to punishment as provided by section 1-10 of this Code. Penalty to be not more than \$500.00 or 30 days in jail.

(d.) Any person who, having been previously given written, notice of being in violation of this section, parks and/or allows to be parked any automobile, truck, and/or trailer not meeting the requirements of this section will be deemed immediately in violation, and a warning or notice will not be required.

(Ord. of 4-14-80; Ord. No. 14-405, § 2, 6-9-86; Ord. of 1-12-87(1); Ord. No 12-98, 7-13-98)

Sec. 16-36. Display for sale, washing, greasing, etc., beside roadway.

No person shall stand or park vehicles alongside any roadway for the principal purpose of displaying it for sale, washing, greasing, or repairing such vehicle, except for repairs necessitated by an emergency.

(Code 1979, § 14-207)

Secs. 16-37-16-55. Reserved.

### ARTICLE III. PROCESSIONS:-

Sec. 16-56. Interference with.

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this article. This section shall not apply at intersections where traffic is controlled by traffic control signals or police officers.

(Code 1979, § 14-301)

Sec. 16-57. Permits.

No funeral, procession, or parade containing 200 or more persons or 50 or more vehicles, excepting the forces of the United States Army or Navy, the military forces of this state, and forces of the police and fire departments, shall occupy, march, or proceed along any street except in accordance with a permit issued by the chief of police and such other regulations as are set forth in this article which may apply.

(Code 1979, § 14-302)

Sec. 16-58. Drivers in to follow closely.

Each driver in a funeral or other procession shall drive as near to the righthand edge of the roadway as practical, follow the vehicle ahead as close as is practical and safe, and drive with the lights on.

(Code 1979, § 14-303)

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\*Cross reference—Parades and picketing, § 15-61 et seq.