

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**SESSION LAW 2001-88
SENATE BILL 439**

**AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ADOPT AND
ENFORCE ORDINANCES RELATING TO PARKING.**

The General Assembly of North Carolina enacts:

SECTION 1. Article II of Chapter 6 of the Charter of the City of Charlotte, as enacted in S.L. 2000-26 and amended by S.L. 2000-59, is further amended by rewriting Section 6.11 to read:

"Section 6.11. **Parking Regulations and Violations.** (a) The Council may provide by ordinance that each hour a vehicle remains illegally parked in an on-street parking space is a separate offense, and the violator may be given a ticket for each offense.

(b) The Council may provide by ordinance that any vehicle that has been towed for a parking violation is to be held until the towing fee and penalties related to all outstanding parking tickets and parking penalties owed to the City are paid in full, or a bond is posted in the amount of the towing fee and all outstanding parking tickets and parking penalties. Payment of the towing fee and all outstanding parking tickets and parking penalties shall not constitute a waiver of a person's right to contest the towing or the outstanding parking tickets and parking penalties.

(c) The Council may provide by ordinance for the use of wheel locks on illegally parked vehicles for which there are three or more outstanding, unpaid, and overdue parking tickets for a period of 90 days. The ordinance shall provide for notice or warning to be affixed to the vehicle, immobilization, towing, impoundment, appeal hearing, an immobilization fee not to exceed fifty dollars (\$50.00), and charges for towing and storage. The City shall not be responsible for any damage to an immobilized illegally parked vehicle resulting from unauthorized attempts to free or move that vehicle.

(d) Notwithstanding the provisions of Chapter 20 of the General Statutes or any other public or private local laws to the contrary, the Council may adopt ordinances:

- (1) Prohibiting parking or standing of a vehicle in a space designated with a sign for handicapped persons when the vehicle does not display the distinguishing registration plate, windshield placard, or disabled veteran registration plate and that prohibit parking or standing of a vehicle so as to obstruct a curb ramp or curb cut, as provided in G.S. 20-37.6(e).
- (2) Prohibiting parking or standing of a vehicle in front of or within a specified distance in either direction of a fire hydrant or the driveway entrance to any fire station, or in any area designated as a fire lane.
- (3) Prohibiting parking or standing of a vehicle in front of or within a specified distance from a public or private driveway.
- (4) Prohibiting parking or standing of a vehicle within a specified distance from an intersection or crosswalk.

(e) Notwithstanding the provisions of G.S. 20-37.6(f) and G.S. 20-176, a violation of any ordinance adopted pursuant to this section shall not be an infraction or a misdemeanor.

(f) Any ordinance adopted pursuant to this section may be enforced by law enforcement officers and any person or persons authorized by ordinance, by the city

manager, or by the chief of police, whether or not the vehicle is parked on public or private property."

SECTION 2. Section 6.12 of Article II of the Charter of the City of Charlotte, as enacted in S.L. 2000-26, is repealed.

SECTION 3. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 17th day of May, 2001.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives