

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 590

Short Title: Charlotte Handicapped Parking Enforcement. (Local)

Sponsors: Representatives Alexander; Culp, Davis, Earle, Easterling, Gulley, McMahan, Rayfield, and Saunders.

Referred to: Local Government I.

March 14, 2001

A BILL TO BE ENTITLED

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

3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** Section 6.11 of the Charter of the City of Charlotte, being S.L.
5 2000-26, as amended by Section 3 of S.L. 2000-59, reads as rewritten:

6 "Section 6.11. **Parking Regulations and Violations.** (a) The Council may provide
7 by ordinance that each hour a vehicle remains illegally parked in an on-street parking
8 space is a separate offense, and the violator may be given a ticket for each offense.
9

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

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

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

1 (1) That prohibit parking or standing of a vehicle in a space designated
2 with a sign for handicapped persons when the vehicle does not display
3 the distinguishing license plate, windshield placard, or disabled
4 veteran registration plate and that prohibit parking or standing of a
5 vehicle so as to obstruct a curb ramp or curb cut, as provided in G. S.
6 20-37.6(e).

7 (2) That prohibit parking or standing of a vehicle in front of or within a
8 specified distance in either direction of a fire hydrant or the driveway
9 entrance to any fire station or in any area designated as a fire lane.

10 (3) That prohibit parking or standing of a vehicle in front of or within a
11 specified distance from a public or private driveway.

12 (4) That prohibit parking or standing of a vehicle within a specified
13 distance from an intersection or crosswalk.

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

17 (f) Any ordinance adopted pursuant to this section may be enforced by law
18 enforcement officers and any person or persons authorized by ordinance, the city
19 manager, or the chief of police, whether or not the vehicle is parked on public or private
20 property."

21 **SECTION 2.** Section 6.12 of the Charter of the City of Charlotte, being S.L.
22 2000-26, is repealed.

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