

## **CHAPTER 10 STREETS, SIDEWALKS, AND DRAINAGE DITCHES**

### **ARTICLE I. DAMAGING STREETS AND SIDEWALKS**

#### **Section 10-1. Permit to dig in streets**

It shall be unlawful for any person, firm or corporation to dig any hole, ditch or excavation of any kind whatsoever, on or across any dirt or paved street situated or located within the boundaries of city limits of the Town of Holly Ridge without first securing a permit therefore in writing from the Town Clerk. In certain circumstances a bond may be required.

#### **Section 10- 2. Street repair**

It shall be the duty of every person, firm, or corporation, who shall open or dig a ditch, trench, or hole in any street, public alley or sidewalk of the Town, to put the said street, public alley or sidewalk in as good condition in all respects as it was before, and every person, firm or corporation violating or failing to observe the provisions of this section shall be guilty of a misdemeanor.

#### **Section 10-3. Excavation- leaving unprotected**

It shall be unlawful for any person, firm, or corporation making any excavations for any purpose whatsoever in any of the streets or sidewalks to fail to securely cover such excavations with plank or place ropes around the same three feet from the ground or shall fail to place a sufficient number of red lights around such excavations before dark and to keep such light burning all night and every night such excavation shall be open.

#### **Section 10-4. Streets not to be damaged**

It shall be unlawful for any person, firm, or corporation to drag, run, or cause to be dragged or run any harrow or other implement, engine, machine or tool upon asphalt or other permanently paved street of the Town which shall be liable in any way to injury or cut the surface thereof. It shall also be unlawful to injure any dirt or rocked street in the same manner.

#### **Section 10-5. House moving**

No person shall move any house or building upon or across the public streets or sidewalks without the written consent of the Town Council and the deposit of a good and sufficient bond in the sum of five hundred dollars (\$500.00) to cover damages done to such street or sidewalk or to any property of any person.

### **ARTICLE II. OBSTRUCTING STREETS, SIDEWALKS, AND STORMWATER RUN-OFF**

### **Section 10-6. Assembly on sidewalk**

All persons are forbidden from assembling or collecting and standing so as to obstruct any sidewalk or street and all persons so collecting and standing shall disperse and move upon demand of any police officer.

### **Section 10-7. Display of goods prohibited**

No person shall place for display or sale any goods, wares or merchandise of any kind upon any of the sidewalks of said Town or which shall extend out on the sidewalks.

### **Section 10-8. Placing objects upon street and sidewalks**

No brick, stone, wood or other fencing materials which obstruct the free passage of persons and vehicles shall be placed or suffered to lie in or on any of the dirt or paved streets situated or located within the boundaries or city limits of the Town of Holly Ridge without first securing a permit therefore in writing from the Town Clerk.

### **Section 10-9. Storm water management**

In certain cases when a driveway is connected to a town street, the owner of the property may be required to purchase a culvert pipe to be installed. The town maintenance department shall supervise and may install such culvert. Culverts must be a minimum of 15 inches in diameter and must meet the minimum specification standards of NCDOT.

All property owners are responsible for all storm water run-off from their property and must maintain proper drainage and prevent water run-off to adjacent properties.

### **Section 10-10. Construction Near Sidewalk**

Before building or remodeling at any place where the same is in close proximity to the sidewalk, a passageway shall be constructed so as to leave the sidewalk unobstructed and provide safe and easy passage.

### **Section 10-11. Sheds and awnings**

No person shall erect or repair over any sidewalk or street any wooden shed or awning or any wooden shed for the support of an awning or erect upon any street or sidewalk or any post for the support of an awning or erect upon any street or sidewalk any post for the support of any awning. If any person shall violate this Section then each day that the above forbidden structure shall remain after notice shall constitute a separate offense and violation. Provided that this shall not be construed to prevent the erection over the sidewalk of cloth or metal awning supported upon metallic frames firmly suspended from the building, and at least seven feet above the level of the sidewalk.

### **Section 10.12. Damage to bridges and culverts**

No persons shall injure or misplace any part of any bridge, culvert, ditch, and drain or other property belonging to or used by the Town, or shall place any obstruction in any culvert, ditch or drain, to prevent the free flow of water on or over streets of the Town.

### **Section 10-13. Damage to lights and signs**

No person shall injure, tamper with, remove, or paint upon or deface any sign, sign post, street light, traffic signal, or bulletin board or other municipal property upon the streets and sidewalks except employees of the Town in performance of their duties.

## **ARTICLE III. USE AND CLEANLINESS**

### **Section 10-14. Throwing or burning trash on street prohibited**

No paper, straw, lemon peel, banana peel, watermelon rind, or any trash of any kind shall be thrown or swept upon any sidewalk or street of the Town nor shall any trash, refuse, or rubbish be burned thereon.

### **Section 10-15. Tree trimmings**

It shall be unlawful for any person to place or allow to be placed any tree trimmings or shrubbery on any street, sidewalk, or town drainage ditch.

### **Section 10-16. Snow and ice removal**

Every occupant of a store building in front of which the sidewalk is paved with stone, brick, asphalt, or cement, shall remove snow, ice or other obstruction from such sidewalk at the earliest possible time and as soon as the weather permits.

### **Section 10-17. Bicycle on sidewalks prohibited**

It shall be unlawful for any person to ride a bicycle on any sidewalk in the Town. Applicable to business district only.

### **Section 10-18. Playing ball on sidewalks prohibited**

No person shall play ball or bat or catch ball on any of the streets of the Town.

## **ARTICLE IV. SPEED LIMITS AND CONTROL OF VEHICLES AT INTERSECTIONS**

**Section 10-19. Purpose**

It has been determined that the regulation of speed limits and control of vehicles at intersections is desirable and necessary to ensure the safety of all residents of the Town of Holly Ridge.

**Section 10-20. Statutory references**

- (a.) Speed Limits: Chapter 20, N.C.G.S. 20-141
- (b.) Stop Signs: Chapter 20, N.C.G.S. 20-158
- (c.) Yield Signs: Chapter 20, N.C.G.S. 20-158.1
- (d.) Exceptions to right-of-way rule: Chapter 20, N.C.G.S. 20-156

**Section 10-21. Definitions**

For the purpose of this ordinance, the definitions contained in N.C. Gen. Stat. § 20-4.01 shall apply.

**Section 10-22. Speed restrictions**

- A. No person shall drive a vehicle on a Town street or public vehicular area at a speed greater than is reasonable and prudent under the conditions then existing.
- B. Except as otherwise provided in this ordinance, when speed limit signs have been erected and installed, it shall be unlawful to operate a vehicle in excess of the speeds listed below upon the following streets or portions of streets:

STREETS	SPEED LIMIT (M.P.H.)
Bass Street	25
Boroughs Road	25
Bream Street	20
Brent Avenue	25
Burns Street	25
Camp Davis Road	25
Chub Street	25

N. Jenkins St. Extension	25
Circle Drive	10
Cole Street	20
Crawford Street	25
Cypress Avenue	25
Dwight Rd.	25
Dyson Street	25
Flag Street	20
Furney's Alley	10
Green Street	25
Hines Street	25
Holly Street	25 (Between Flag St. and Hwy 50 the Speed to be 15)
Hudiberg Street	25
Jenkins Street	25
Jones Street	25
Kenney Street	25
Kraft Street	25 (Between Hines and Jenkins St. the Speed to be 15)
Lloyd Street	25
Main Street	35
Maple Street	25
Pine Street	25
Sanders Street	25

Smith Street	25
Trout Street	25

**Section 10-23. Stop intersections**

- A. When a stop sign has been erected or installed at an intersection, it shall be unlawful for the driver of any vehicle to fail to stop in obedience thereto and yield the right-of-way to vehicles operating on the designated main-traveled of through highway.
- B. A “Stop” is required before entering the following intersections:

**INTERSECTION**

- Crawford Street at US 17
- Burns Street at US17
- Kraft Street at US 17
- Main Street at US17
- Sound Road at US17
- Camp Davis Road at US17
- Sanders Street at US17
- Pine Street at US 17
- Maple Street at US 17
- N. Green Street at Crawford Street
- Burns Street at N. Green Street
- Kraft Street at N. Green Street (4 way Stop intersection)
- N. Green Street at Main Street
- N. Green Street at Sound Road
- N. Green Street at NC Hwy 50
- S. Green Street at NC Hwy 50
- S. Green Street at Sanders Street
- Maple Street at S. Green Street
- S. Green Street at Pine Street
- Crawford Street at N. Jenkins Street Extension
- N. Jenkins Street Extension at Burns Street
- N. Dyson Street at Crawford Street
- N. Dyson Street at Kraft Street
- N. Dyson Street at Burns Street
- Jenkins Street at Sound Road
- N. Hines Street at Sound Road
- N. Hines Street at Burns Street
- Kraft Street at N. Jenkins Street
- Kraft Street at N. Hines Street
- N. Dyson Street at Sound Road
- N. Dyson Street at NC Hwy 50

S. Dyson Street at NC Hwy 50  
N. Jenkins Street at NC Hwy 50  
Circle Drive at N. Hines Street  
N. Hines Street at NC Hwy 50  
Cole Street at Sound Road  
Furney's Alley at US Hwy 17  
Furney's Alley at N. Green Street  
Furney's Alley at N. Dyson Street  
Holly Street at Camp Davis Road  
Holly Street at NC Hwy 50  
Lloyd Street at Camp Davis Road  
Lloyd Street at NC Hwy 50  
Jones Street at Camp Davis Road  
Jones Street at NC Hwy 50  
S. Dyson Street at Sanders Street  
Pine Street at S. Dyson Street  
Pine Street at Hines Street  
Pine Street at S. Jenkins Street  
Sanders Street at NC Hwy 50  
Hudiburg Street at S. Dyson Street  
S. Hines Street at Hudiburg Street  
S. Hines at Sanders Street  
S. Jenkins Street at Hudiburg Street  
S. Jenkins Street at Sanders Street  
Hudiburg Street at S. Smith Street  
S. Smith at NC Hwy 50  
Lee Street at NC Hwy 50  
Trout Street at NC Hwy 50  
Chub Street at Trout Street  
Bream Street at Bass Street  
CC Camp Road at NC Hwy 50  
CC Camp Road at Dwight Avenue  
Burroughs Road at NC Hwy 50  
Dwight Avenue at Burroughs Road  
Dwight Avenue at Cypress Avenue  
Brent Avenue at Burroughs Road  
Brent Avenue at Cypress Avenue  
Cole Street at Furney's Alley

#### **Section 10-24. Yield intersections**

- (a) Notwithstanding any other provisions of this ordinance, except N.C.G.S. 20-156 (exceptions to the right-of-way rule), whenever any such yield right-of-way signs have been so erected, it shall be unlawful for the driver of any vehicle to enter or cross such main traveled or through highway or street which is approaching so as to arrive at the intersection at approximately the same time as the vehicle entering

the main-traveled or through highway or street.

- (b) A “yield” is required before entering the following intersections:

## **INTERSECTION**

Bass Road at Trout Street

Holly Street on either side of the Fire Department (Yield to Emergency Vehicles)

### **Section 10-25. Exemptions for authorized emergency vehicles:**

The provisions of this ordinance regulating the operation of vehicles shall apply to authorized emergency vehicles. However, a driver when operating the vehicle in any emergency, unless otherwise directed by a police officer may:

- A. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
- B. Proceed past a yellow or yield right-of-way signal or yield sign, but only after slowing down or yielding the right-of-way as may be necessary.
- C. Exceed the prima facie speed limits so long as he does not endanger life or property.

### **Section 10-26. Signs required for enforcement of ordinances**

No provisions of this ordinance for which signs are required, shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official sign is not in proper position and sufficiently legible to an ordinarily observant person.

### **Section 10-27. Fines and penalties**

Any person convicted of violating this Chapter shall be Responsible for an infraction and shall be required to pay a penalty of not more than fifty dollars (\$50.00).

### **Section 10-28. Severability**

If any one or more of the terms, provisions, covenants or restrictions of this ordinance shall be determined by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the terms, provisions, covenants, and restrictions of this shall remain in full force and effect and shall in no way be affected, impaired or invalidated. If, moreover, any one or more of the provisions contained in this ordinance shall for any reason be determined by a court of competent jurisdiction to be excessively broad as to duration, geographical scope, activity or subject, it shall be construed, by limiting or reducing it, so as to be enforceable to the extent compatible with then, applicable law.



## **ARTICLE V. ORDINANCE REGULATING SEMI TRUCKS WITH TRAILERS**

### **Section 10-29. Purpose**

To protect designated streets of the Town of Holly Ridge since it has been determined that heavy vehicles traveling through certain streets have a deteriorating effect on the roadway.

### **Section 10-30. Definitions**

Heavy vehicle shall be defined as any vehicle with a gross vehicle weight of more than 10,000 lbs. including but not limited to semi-trucks with trailers.

### **Section 10-31. Restrictions**

No person shall drive a heavy vehicle weighing more than 10,000 lbs. gross vehicle weight on streets marked with “No Thru Trucks” signs including Pine Street, S. Smith Street, Dyson Street, and Sanders Street.

### **Section 10-32. Exemptions**

- (a) Authorized emergency vehicles while in the performance of their duties.
- (b) Those heavy vehicle expressly used for the purpose of moving homes, or for the delivery of goods such as furniture, appliances, etc. to the homes in the residential area served by the unpaved street.
- (c) Heavy vehicles with a permit load, provided they are held responsible.

## **ARTICLE VI. NO PARKING IN CERTAIN AREAS OF TOWN**

### **Section 10-35. No parking areas; authority to designate**

- (a) The manager shall have the authority to mark off and designate areas within the Town as “No Parking” areas and shall be authorized to erect, have the North Carolina Department of Motor Vehicles to erect or contract with a public or private entity to erect such signs or notices as are necessary to identify such “No Parking” areas. The manager shall also be allowed to restrict the time of enforcement of said “No Parking” areas.
- (b) It shall be unlawful for any person to use any space in violation of this ordinance or any policy, procedure, rule, or regulation adopted pursuant to this ordinance.

## **ARTICLE VII. ADDRESSING**

### **Section 10-36. Purpose and intent**

The purpose and intent of this Article is to provide a uniform system of addresses throughout the Town's jurisdiction in order to minimize difficulty in locating properties and buildings for public service agencies and the general public.

### **Section 10-37. Definitions**

**Building** - Any roofed or walled structure whether residential, commercial, industrial or institutional in nature and use. When a structure is divided by division walls from the ground up without openings, each portion of such building may be deemed a separate building.

**Driveway** - A private way, beginning at the property line of a lot abutting a public or private road or other easement.

**Road Address** - The combination of numbers and road names assigned by the Planning Department which uniquely identifies the location of a particular building, lot or parcel.

**Road** - A public or private one-way or two-way road for ingress and/or egress.

**Subdivision** - Shall mean that definition as identified in the Holly Ridge Subdivision Ordinance.

### **Section 10-38. Road names**

The road names on file with the North Carolina Department of Transportation and the Town of Holly Ridge are hereby declared the official names of these roads, unless changed by action of the town council in accordance with the policies adopted by the town council.

No new private road names shall be recognized by this ordinance without prior approval of the Planning Board.

The name of any new road or road being named whether it is public or private, shall not duplicate or be similar to any other road name already in existence. This shall not apply to the extension of any road.

New subdivision roads, whether private or public, shall be named when created through the subdivision approval process.

Road name signs shall be uniform throughout the Town in accordance with approval of local standards and policies.

### **Section 10-39. Administration and application**

The Zoning/Planning Administrator shall be responsible for the administration of this ordinance, including but not limited to:

- A. Assigning all numbers for properties and buildings.
- B. Maintaining address records of each property and building.
- C. Recommending change of existing addresses when necessary to facilitate sequential building numbers along a road.
- D. Designating individual units within multiple housing units in conformity with this Article.
- E. Coordinating system changes and adjustments with emergency service organizations and agencies.
- F. Assisting the public in complying with the requirements of this Article.

### **Section 10-40. Display of road address**

Road address numbers must be clearly displayed so that the location can be identified easily from the road.

The official address number must be displayed on the front of a building or at the entrance to a building, whichever is more clearly visible from the road during both day and night.

Numerals indicating the address number of a single family dwelling shall be at least four (4) inches in height and one-half ( $\frac{1}{2}$ ) inch in width and shall be posted and maintained so as to be legible from the road.

Numerals for multiple dwelling units and non-residential buildings shall be at least four (4) inches in height and one-half ( $\frac{1}{2}$ ) inch in width and shall be placed on the front of the building facing the road or the end of the building nearest the road. Individual units shall be required to display unit numbers at least four (4) inches in height and one-half ( $\frac{1}{2}$ ) inch in width on the front door or immediately adjacent to the door.

Should the structure be too far from the public vehicular area for the numerals to be seen, the property owner shall also display an additional set of numerals legible for vehicles traveling at the prevailing speed on the roadway. Such numbers shall be located where the main driveway to the building intersects the nearest public or private street.

Numerals must be of contrasting color to the background.

The Planning Department, in conjunction with the Police Department, will have the authority to authorize and approve methods of displaying road address numbers which meet the intent of this Article when strict adherence to these standards cannot be reasonably met.

#### **Section 10-41. Enforcement**

It shall be unlawful for any person or corporation to remove or deface a street address which is displayed in accordance with this Article. It shall also be unlawful to allow an incorrect street address to remain on a building.

No building permit shall be issued until an official building number has been assigned for a lot.

No business/privilege license shall be issued or renewed until an official building number is displayed in accordance with this Article.

Any violation of this section shall be subject to the enforcement provisions of this Article. Each days continuing violation shall be a separate and distinct offense.