

Chapter 11

MOTOR VEHICLES AND TRAFFIC*

- Art. I. In General, §§ 11-1—11-20**
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Art. III. Abandoned or Inoperable Motor Vehicles, §§ 11-46—11-49

ARTICLE I. IN GENERAL

Sec. 11-1. Adoption of state law.

It is hereby adopted by reference and made a part hereof as if set forth in full those provisions of the state law known as the "Uniform Act Regulating Traffic on Highways" (S.C. Code Section 56-5-10 et seq.).

(Comp. of Ords. 1989, § 8-1)

Sec. 11-2. Obedience to traffic laws.

It shall be unlawful to do any act forbidden or fail to perform any act required in this chapter.

(Comp. of Ords. 1989, § 8-2)

State law reference—Similar provisions, S.C. Code 1976, § 56-5-730.

Sec. 11-3. Certain vehicles prohibited from traveling in particular areas.

All trucks or automotive vehicles equipped with more than two (2) axles are hereby prohibited from traveling on or upon Florida Avenue from Manning Street to Marion Street in the City of Chesnee, South Carolina. A violation of this section shall consti-

***Cross references**—Police, Ch. 15; streets and sidewalks, Ch. 17; parades, § 17-16; parking in mobile home parks, App. A, § 4C.(d)4; visibility at intersections, App. A, § 6B.

State law references—Motor vehicles generally, S.C. Code 1976, Title 56; The Uniform Act Regulating Traffic on Highways, S.C. Code 1976, § 56-5-110 et seq.; municipal authority to enact traffic ordinances, S.C. Code 1976, § 56-5-710.

tute a misdemeanor and shall be punishable by a fine of one hundred fifty dollars (\$150.00) or thirty (30) days in the discretion of the court.

(Ord. of 12-12-94)

Secs. 11-4—11-20. Reserved.

ARTICLE II. VEHICLE OPERATION

DIVISION 1. GENERALLY

Sec. 11-21. Only licensed operators may drive vehicle.

No vehicle shall be operated within the city limits other than by a properly licensed driver. Every person operating a motor vehicle in the city must have in his possession at all times his drivers license.

(Comp. of Ords. 1989, § 8-8)

Sec. 11-22. Vehicles not to be driven on sidewalk.

The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway.

(Comp. of Ords. 1989, § 8-4)

Cross reference—Streets and sidewalks, Ch. 17.

Sec. 11-23. Funeral processions.

(a) Funeral processions shall be identified as such by the display of lights on each vehicle; each driver in a procession shall drive as near to the right-hand edge of the roadway as practical and follow the vehicle ahead as [near as] is practical and safe.

(b) No driver or vehicle shall drive between the vehicles composing a funeral possession while they are in motion and if such vehicles are conspicuously designated as such as required in this section. This provision shall not apply at intersections where traffic is controlled by traffic-control systems or a police officer.

(Comp. of Ords. 1989, § 8-3)

Cross reference—Streets and sidewalks, Ch. 17.

Sec. 11-24. Prohibiting careless operation of motor vehicles.

No person shall operate any motor vehicle without care and caution and full regard for the safety of persons and property. Any person failing to do so shall be guilty of careless driving. The operation of any vehicle when the same or any of its parts are not in proper or safe conditions shall be prime facie evidence of careless driving. Speeding, failure to obey a traffic control device or other acts of careless operation of a motor vehicle as described in Title 56, Article 5 through Article 22 inclusive, Code of Laws of South Carolina 1976, as amended, shall be prima facie evidence of a violation of this section.

(Ord. of 5-28-91)

Secs. 11-25—11-35. Reserved.**DIVISION 2. STOPPING STANDING AND PARKING*****Sec. 11-36. Unlawful parking.**

No persons shall stand or park a vehicle upon any roadway for the principal purpose of displaying it "for sale" or advertising it in any manner or washing, greasing or repairing such vehicles except for repairs necessitated by an emergency.

(Comp. of Ords. 1989, § 8-6)

State law reference—Stopping, standing or parking prohibited in specified places, S.C. Code 1976, § 56-5-2530.

Sec. 11-37. Parking zones.

The chief of police is hereby authorized to establish and regulate parking zones and regulate permissible parking periods which shall be enforceable upon the posting of said regulations. It shall be unlawful for any person to allow a vehicle to remain parked in a manner inconsistent with the posted parking regulations.

(Comp. of Ords. 1989, § 8-5)

***State law reference**—Stopping, standing and parking, S.C. Code 1976, § 56-5-2510 et seq.

Sec. 11-38. Use of sidewalks.

Sidewalks in the city limits are to be used for pedestrian traffic only. Parking of vehicles, or any part thereof, upon the sidewalks is prohibited.

A violation of this section is a misdemeanor and any person convicted of a violation shall be subject to a fine not to exceed Five hundred dollars (\$500.00), or imprisonment not to exceed thirty (30) days.

(Ord. of 1-14-02)

Editor's note—An ordinance adopted Jan. 14, 2002, was not specifically amendatory of the Code and has been included as § 11-38 at the discretion of the editor.

Cross reference—Streets and sidewalks, Ch. 17.

Secs. 11-39—11-45. Reserved.

ARTICLE III. ABANDONED OR INOPERABLE MOTOR VEHICLES

Sec. 11-46. Declared health hazard and nuisance.

The having, parking or placing of any motor vehicle which does not have a current motor vehicle license upon any property located within the city is hereby declared to be a public health hazard and a nuisance and the owner of the property on which such vehicle is located shall be guilty of a misdemeanor.

(Ord. of 10-3-88, § 1)

Sec. 11-47. Unlawful to leave unlicensed vehicle on public property; seizure.

It shall be unlawful for the owner of any vehicle not having a current motor vehicle license to park or leave same in a public street or any right-of-way of a public street or on any public property. In the event such a vehicle remains on a public street or right-of-way or on public property for a period of more than forty-eight (48) hours, such motor vehicle shall be deemed abandoned and may be seized and removed for safekeeping by the chief of police in a manner provided for by state law.

(Ord. of 10-3-88, § 2)

Sec. 11-48. Maintenance on private property unlawful.

It shall be unlawful for any person to salvage or otherwise maintain upon his property any inoperable motor vehicle for the purpose of taking parts therefrom.

(Ord. of 10-3-88, § 3)

Sec. 11-49. Exceptions.

Provisions of this article shall not apply to any motor vehicle which is the subject of litigation in any court of this state and shall not apply to motor vehicles located on the place of business of any licensed new or used car dealer, or in those cases, where the unlicensed or inoperable vehicle is covered or sheltered in such fashion as is adequate to prevent moisture from accumulating.

(Ord. of 10-3-88, § 4)