

January 10, 1940
Page 83.

The regular meeting of the City Council was held in the Council Chamber, City Hall, at 3:30 o'clock P. M., Wednesday, January 10, 1940, with Mayor Douglas presiding, and Councilmen Baxter, Britt, Hovis, Huntley, Little, Nance, Sides, Ward and Wilkinson being present.

Absent: Councilmen Albea and Hudson.

MINUTES OF PREVIOUS MEETING APPROVED.

On motion of Councilman Huntley, seconded by Councilman Hovis, the minutes of the meeting of January 3rd. were approved as read.

PURCHASE OF 100- 5/8" WATER METERS FROM NEPTUNE METER COMPANY.

On motion of Councilman Huntley, seconded by Councilman Little and carried, the Mayor and Clerk were authorized to sign a contract with the Neptune Meter Company for 100- 5/8" Water Meters, at a total delivered price of \$882.00.

Bids on these meters received from Hersey Manufacturing Co. and Pittsburgh Equitable Meter Company were at the same price as above-\$882.00, and contract was awarded on basis of rotating business.

TRADE AND TRYON STREETS TO BE MARKED OFF IN LANES AND MONEY AUTHORIZED FOR DOING WORK.

Councilman Hovis made a motion that the two main arteries, Trade and Tryon Streets be marked off in lanes, and that the amount of \$600.00 for the salaries of two men to do this work, for the remainder of this fiscal year, and \$100.00 for the purchase of equipment for same, be authorized from the Emergency Fund. Motion seconded by Councilman Ward and carried.

LETTER OF APPRECIATION FROM CHIEF PALMER.

Mayor Douglas presented a letter received from Chief Palmer, expressing his appreciation of the action of the Council and the Firemen in naming the new drill tower and school building, the Palmer Fire School. The Mayor suggested that at the time of the dedication of these buildings that the Council meet there in regular session and hold the dedication services.

CITY ATTORNEY AUTHORIZED TO MAKE SETTLEMENT IN ACCIDENT CASE.

City Attorney Scarborough made a report in connection with the accident case reported some time ago, in which a City car, driven by a Duke doctor, was in a collision with two other cars, and on motion of Councilman Hovis, seconded by Councilman Ward and carried, Mr. Scarborough was authorized to settle this case at the least possible amount.

At this time it was suggested that the matter of having these young doctors covered by insurance be taken up with the proper parties, either Duke University, or the Kiwanis Club, who sponsors the Maternity Clinic, and Councilman Hovis made a motion that the City Attorney proceed along the proper lines to have these men covered by insurance. Motion seconded by Councilman Ward and carried.

January 10, 1940
Page 84.

SETTLEMENT AUTHORIZED ON STREET ASSESSMENTS OF J. H. CUTTER.

Uouncilman Baxter, Chairman of the special committee appointed to make adjustments on street assessments, again brought up the question of the assessments against property of J. H. Cutter on Fifth Street, stating that due to the size of the assessment he preferred for the entire Council to pass on same. He advised that a compromise of \$8,000 had been recommended and he made a motion that Street Assessments Nos. 9488 and 9489 be settled for \$8000.00, which motion was seconded by Councilman Wilkinson and carried, after discussion and explanation from the City Attorney as to a promise on the part of the City of Charlotte made to Mr. Cutter and Ebird's at the time 5th Street was widened approximately ten years or more ago, in which it was stated that the City promised to make no paving assessment against their property if they would give the amount of land necessary to widen this street. Councilman Little voted "No".

TRAFFIC ORDINANCE, AND WIDENING OF DAVIDSON STREET.

The Council was ready at this time to read the proposed Traffic Ordinance, but Councilman Hovis stated that before doing so, he would make a motion that the City sign the W.P.A. project for widening Davidson Street, along the property of the City Hall, as suggested by Mr. Marshall. Motion seconded by Councilman Baxter.

Councilman Sides objected to this matter again being brought up after having been lost at two previous meetings, stating that it was the rule of the Council to stop after a question had been lost twice. He also objected to the project being approved since the widening would necessitate the cutting down of two trees and the possible loss of two more, but when put to a vote the motion of Councilman Hovis carried. This vote was as follows:

AYE: Councilmen Hovis, Baxter, Wilkinson, Ward, Huntley and Ward.

NAY: Councilmen Britt, Nance and Sides.

SCHEDULE 3 OF PROPOSED ORDINANCE TO BE CHANGED WITH REGARD TO DAVIDSON ST.

On motion of Councilman Hovis, seconded by Councilman Wilkinson and carried, Schedule 3 of the proposed Traffic Ordinance was authorized to be changed before being read, to include 30 minute parking between 7 A.M. and 6 P. M. on Davidson Street, between Trade and Fourth Streets, East Side.

TRAFFIC ORDINANCE.

The following new Traffic Ordinance was then read, as follows:

AN ORDINANCE
REGULATING TRAFFIC UPON THE PUBLIC STREETS OF
THE CITY OF CHARLOTTE.

BE IT ORDAINED by the City Council of the City of Charlotte:

ARTICLE 1.

Section 1. Definition of Words and Phrases- The following words and phrases when used in this ordinance shall for the purpose of this ordinance have the meaning respectively ascribed to them in this article.

January 10, 1940
Page 85.

Subdivision 1. VEHICLES, TRAFFIC, etc. DEFINED.

Sec. 2 (a) VEHICLE - Every device in, upon, or by which any person or property is or may be transported or drawn upon a street or highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

(b) MOTOR VEHICLE - Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

Sec. 3 (a) RAILROAD- A carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

(b) RAILROAD TRAIN- A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except street cars.

(c) STREET CAR- A car other than a railroad train for transporting persons or property and operated upon rails principally within the municipality.

Sec. 4. TRAFFIC- Pedestrians, ridden or herded animals, vehicles, street cars and other conveyances either singly or together while using any street for purposes of travel.

Sec. 5. RIGHT-OF-WAY- The privilege of the immediate use of the roadway.

Sec. 6. (a) STOP- When required means complete cessation of movement.

(b) STOP OR STOPPING- When prohibited means any stopping of a vehicle except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control sign or signal.

(c) STANDING- Any stopping of a vehicle, whether occupied or not.

(d) PARK- The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

Sec. 7. OFFICIAL TIME STANDARD- Whenever certain hours are named herein they shall mean standard time or daylight saving time as may be in current use in this city.

SUBDIVISION 2. PERSONS, etc. DEFINED.

Sec. 8. (a) PERSON- Every natural person, firm, co-partnership, association or corporation.

(b) DRIVER- Every person who drives or is in actual physical control of a vehicle.

(c) PEDESTRIAN - Any person afoot.

Sec. 9. POLICE OFFICER- Every officer of the municipal police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

SUBDIVISION 3. STREETS, etc. DEFINED.

Sec. 10. (a) STREET OR HIGHWAY- The entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the Public, as a matter of right, for the purpose of vehicular traffic.

January 10, 1940
Page 86.

(b) PRIVATE ROAD OR DRIVEWAY- Every way or place in private ownership used for vehicular traffic by the owner and those having express or implied permission from the owner, but not by other persons.

(c) ROADWAY- That portion of a street improved, designed, or ordinarily used for vehicular travel.

(d) SIDEWALK- That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

Sec. 11. INTERSECTIONS- The area embraced within the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadways of two streets or highways which join one another at or approximately at right angles, or the area within which vehicles traveling upon different streets or highways, joining at any other angle may come in conflict.

Sec. 12. (a) CROSSWALK- That portion of a roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections.

(b) Any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Sec. 13. SAFETY ZONES- The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as safety zones.

Sec. 14. (a) OFFICIAL TRAFFIC CONTROL DEVICES- All signs, signals, markings and devices not inconsistent with this ordinance, placed or erected by authority for the purpose of regulating, warning or guiding traffic.

(b) OFFICIAL TRAFFIC SIGNALS- Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

Sec. 15. (a) BUSINESS DISTRICT- The territory contiguous to and including a street or highway when fifty percent or more of the frontage thereon for a distance of 300 feet or more is occupied by buildings in use for business.

(b) RESIDENCE DISTRICT- The territory contiguous to and including a street or highway not comprising a business district when the property on such highway for a distance of 300 feet or more is in the main improved with dwellings or dwellings and buildings in use for business.

ARTICLE 2.

Sec. 16 (a) CITY TRAFFIC ENGINEER- The office of the City Traffic Engineer is hereby established. The City Traffic Engineer shall be appointed by the City Manager and he shall exercise the powers and duties as provided in this ordinance and in the traffic ordinances of this city.

(b) It shall be the general duty of the City Traffic Engineer to determine the installation and proper timing and maintenance of Traffic Control Devices, to conduct engineering analyses of accidents and to devise remedial measures, to conduct engineering investigation of traffic conditions and to cooperate with other city officials in the development of ways and means to improve traffic conditions and to carry out the additional powers and duties imposed by ordinances of this city.

ARTICLE 3.

REQUIRED OBEDIENCE TO TRAFFIC REGULATIONS.

January 10, 1940
Page 87.

Sec. 17. OBEDIENCE TO POLICE- No person shall wilfully fail or refuse to comply with any lawful order or direction of a police officer while directing traffic.

Sec. 18. (a) EXEMPTION TO AUTHORIZED EMERGENCY VEHICLES- The provisions of this ordinance regulating the operation, parking and standing of vehicles shall not apply to vehicles of the police department nor to fire department or fire patrol vehicles when an exemption from said provisions is reasonably necessary in the actual discharge of official duties; nor to ambulances, nor to vehicles of public service corporations when an exemption from said provisions is reasonably necessary in the actual installation or repair to public service equipment on or above streets and sidewalks.

(b) Ambulance companies shall notify the Police Department before answering emergency calls, giving name of the company and location where called.

(c) The foregoing exemptions shall not, however, protect the driver of any such vehicles from the consequences of his reckless disregard of the safety of others.

Sec. 19. PERSONS PROPPELLING PUSH CARTS OR RIDING BICYCLES OR ANIMALS TO OBEY TRAFFIC REGULATIONS- Every person propelling any push cart or riding a vicycle or an animal upon a roadway and every person driving any animal-drawn vehicles, shall be subject to the provisions of this ordinance applicable to the driver of any vehicle, except those provisions of this ordinance which by their very nature can have no application.

ARTICLE 4.

OBEDIENCE TO TRAFFIC CONTROL DEVICES.

Sec. 20 (a) OBEDIENCE TO TRAFFIC CONTROL DEVICES- The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the traffic ordinance of this city, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this ordinance.

(b) No provisions of this ordinance for which signs are required shall be enforced against an alleged violator is at any time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective without any signs being erected to give notice there.

Sec. 21. OBEDIENCE TO NO-TURN SIGNS AND TURNING MARKERS- Whenever authorized signs are erected indicating that no right or left or "U" turn is permitted no driver of a vehicle shall disobey the directions of any such sign, and when authorized marks, buttons or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver or a vehicle shall disobey the directions of such indications.

Sec. 22. ZONE OF QUIET- Whenever authorized signs are erected indicating a zone of quiet, no person operating a motor vehicle or street car within any such zone shall sound the horn, bell or other warning of said vehicle or street car except in an emergency.

Sec. 23. PLAY STREETS- Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed area, and then any said driver shall exercise the greatest care in driving upon any said street or portion thereof.

January 10, 1940
Page 88.

Sec. 24. SCHOOL ZONES- Whenever authorized signs are erected indicating any streets or parts thereof as school zones, all drivers of motor vehicles and operators of street cars using said streets or parts thereof, shall exercise the greatest care in driving upon said streets or parts thereof for the protection of children.

Sec. 25. (a) TRAFFIC CONTROL SIGNAL LEGEND- Whenever traffic is controlled by traffic control signals exhibiting the words "Go", "Caution", or "Stop" or exhibiting different colored lights successively one at a time, the following colors only shall be used, and said terms and lights shall indicate as follows:

(a) Green alone or "Go".

1. Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersections at the time such signal is exhibited.

2. Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

(b) Yellow alone or "Caution when shown following the green or "Go" signal.

1. Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at the intersection, but if such stop cannot be made in safety a vehicle may be driven cautiously through the intersection.

2. Pedestrians facing such signal are thereby advised that there is insufficient time to cross a roadway, and any pedestrian then starting to cross shall yield the right-of-way to all vehicles.

(c) Red alone or "Stop".

1. Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection or at such other points as may be indicated by a clearly visible line, and shall remain standing until green or "Go" is shown alone.

2. No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.

(d) Red with Green Arrow.

1. Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow, but shall not interfere with other traffic.

2. No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.

Sec. 26. (a) FLASHING SIGNALS- Whenever flashing red or yellow signals are used they shall require obedience by vehicular traffic as follows:

1. Flashing red (Stop Signal). When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, and the right to proceed shall be subject to the rules applicable after making a stop at stop sign.

2. Flashing yellow (Caution Signal). When a yellow lens is

January 10, 1940
Page 89.

illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or along said street or highway past such signal only with caution.

Sec. 27. (a) DISPLAY OF UNAUTHORIZED SIGNS, SIGNALS OR MARKINGS. No person shall place, maintain or display upon or in view of any street or highway any unauthorized sign, signal, marking device or device which purports to be or is an imitation of or resembles an official traffic control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any traffic device or any railroad sign or signal, and no person shall place or maintain, nor shall any public authority permit upon any street or highway any traffic sign or signal bearing thereon any commercial advertising. This shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and a type that cannot be mistaken for official signs.

(b) Every such prohibited sign, signal or marking is hereby declared to be a public nuisance, and the authority having jurisdiction over the highway is hereby empowered to remove the same or cause it to be removed without notice.

Sec. 28. (a) INTERFERENCE WITH OFFICIAL TRAFFIC CONTROL DEVICES OR RAILROAD SIGNS OR SIGNALS- No person shall without lawful authority attempt to or in fact alter, deface, injure, knock down, or remove any official traffic control device or any railroad signs or signals, or any inscription, shield or insignia thereon, or any other part thereof.

ARTICLE 5.

STOPPING, STANDING AND PARKING.

Sec. 29. PARKING PROHIBITED ON NARROW STREETS- When signs prohibiting parking are erected on narrow streets no person shall park a vehicle in any such designated place.

Sec. 30. NO STOPPING OR PARKING NEAR HAZARDOUS OR CONGESTED PLACES- When signs are erected upon approach to hazardous or congested places no person shall stop, stand, or park a vehicle in any such designated place.

Sec. 31. PARKING ADJACENT TO SCHOOLS- When signs are erected indicating no parking upon that side of the street adjacent to any school property no person shall park a vehicle in any such designated place.

Sec. 32. (a) PARKING PROHIBITED IN CERTAIN PLACES- 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 10 feet of the width of the roadway for the free movement of vehicular traffic, except that a driver may stop temporarily during the actual loading or unloading of passengers, or when necessary to obey traffic regulations or traffic signs or signals, or in obedience to the instructions of a police officer.

(b) No person shall park in a public alley in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for the free movement of vehicular traffic.

Sec. 33. PARKING PROHIBITED AT ALL TIMES IN DESIGNATED PLACES. When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets described in Schedule 1.

Sec. 34. PARKING PROHIBITED DURING CERTAIN HOURS IN DESIGNATED PLACES- When signs are erected in each block giving notice thereof, no person shall park a vehicle between the hours of (1) a.m., and (5) a.m. of any day except Sundays and public holidays within the district or upon any of the streets described in Schedule 2, attached to and made a part of this ordinance.

January 10, 1940.
Page 90.

Sec. 35. PARKING TIME LIMITED IN DESIGNATED PLACES- When signs are erected in each block giving notice thereof, no person shall park a vehicle for longer than 30 minutes at any time between the hours of (7) a.m. and (6) p.m. of any day except Sundays and public holidays, within the district or upon any of the streets described in Schedule 3, attached to and made a part of this ordinance.

Sec. 36. (a) Standing for Loading Only- No person shall stop, stand or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger zone during the hours when regulations applicable to such passenger zones are effective, and then only for a period not to exceed 3 minutes.

(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 pick-up and loading of materials in any place marked as a loading zone during the hours when the provisions applicable to loading zones are in effect. In no case shall the stop for loading and unloading of materials exceed 30 minutes. See Schedule No. 5.

Sec. 37. STANDING OR PARKING CLOSE TO CURB- No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of traffic, and with the curb side wheels of the vehicle within 12 inches of the edge of the roadway, except as provided in the following paragraph:

(a) Upon those adjacent to or in church districts, forty-five degree parking angle may be permitted on Sundays where such parking is feasible.

(b) In places where and at hours when stopping for the loading or unloading of merchandise or materials is permitted, vehicles used for transportation of merchandise or materials may back into the curb to take on or discharge loads when the owner of such vehicle holds a permit granting him such privilege, and such permit shall be either in the possession of the driver or on the vehicle at the time such vehicle is backed against the curb to take on or discharge a load, and it shall be unlawful for any owner or driver to violate any of the special terms or conditions of any such special permit.

Sec. 38. UNLAWFUL PARKING- No person shall stand or park a vehicle upon any street or highway for the principal purpose of:

1. Displaying it for sale.
2. Washing, greasing or repairing such vehicle except repairs necessary by emergency.

Sec. 39. USING VEHICLES FOR PRIMARY PURPOSE OF ADVERTISING PROHIBITED- No person shall park on any street any vehicle for the primary purpose of advertising.

Sec. 40 (a) STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES- No person shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:

1. On a sidewalk.
2. In front of a public or private driveway.
3. Within an intersection.
4. Within 15 feet of a fire hydrant.
5. On a crosswalk.
6. Within 20 feet of a crosswalk at an intersection.
7. Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway.
8. Between a safety zone and the adjacent curb or within 30 feet of the points on the curb immediately opposite the ends of a safety zone unless the traffic authority indicates length by signs or markings.

January 10, 1940
Page 91.

9. Within 50 feet of the nearest rail of a railroad crossing.
10. Within 20 feet of the driveway entrance to any fire station within 75 feet of said entrance.
11. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.
12. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
13. Upon any bridge or other elevated structure upon a highway or within a highway tunnel.
14. At any place where official signs prohibit stopping.

(b) No person shall move a vehicle not owned by such person into any such prohibited area or away from a curb such a distance as is unlawful.

ARTICLE 6. OPERATION OF VEHICLES

Sec. 41. (a) STOP BEFORE ENTERING A THROUGH STREET- Those streets and parts of streets described in Schedule 4, attached hereto and made a part hereof are hereby declared to be through streets for the purpose of this section.

(b) When stop signs are erected upon streets or highway intersecting a through street at the entrance thereto or at the entrance to any intersection, every driver of a vehicle and every motorman of a street car shall stop at every such sign or at a clearly marked stop line before entering the intersection except when directed to proceed by a police officer or traffic control signal.

Sec. 42. STOP WHEN TRAFFIC OBSTRUCTED- No driver shall enter an intersection or marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indicating to proceed.

Sec. 43. ONE-WAY STREETS- Upon these streets and parts of streets described in Schedule 6 attached hereto and made a part thereof, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.

Sec. 44. DRIVING THROUGH PROCESSION- No driver of a vehicle or motorman of a street car 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 ordinance. This provision shall apply at intersections where traffic is controlled by traffic control signals or police officers.

Sec. 45. (a) PERMITS FOR PARADES OR PROCESSIONS- No 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 the 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 herein which may apply.

(b) Each driver in a funeral or other processions shall drive as near to the right hand edge of the roadway as practical and follow the vehicle ahead as close as practical and is safe.

Sec. 46. LIMITATIONS OF TURNING AROUND- The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district and shall not enter upon any other street to turn a vehicle unless such a movement can be made in safety and without interfering with other traffic.

January 10, 1940
Page 92.

Sec. 47. LIMITATIONS OF BACKING- The driver of a vehicle shall not back the same into an intersection or over a crosswalk and shall not in any event or at any place back a vehicle unless such a movement can be made in safety.

Sec. 48. EMERGING FROM ALLEY OR PRIVATE DRIVEWAY- The driver of a vehicle emerging from an alley, driveway, or building shall stop such vehicle immediately prior to driving into a sidewalk or into the sidewalk area extending across any alleyway, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway,

Sec. 49. VEHICLES SHALL NOT BE DRIVEN ON THE SIDEWALK- The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway.

Sec. 50. CLINGING TO MOVING VEHICLES- Any person riding upon any bicycle, motorcycle, coaster sled, roller skates, or any toy vehicle shall not attach the same or himself to any street car or moving vehicle upon any roadway.

Sec. 51. RIDING ON HANDLE BARS PROHIBITED- The operator of a motorcycle, or bicycle when upon a street shall not carry any other person upon the handle bar, frame or tank of any such vehicle, nor shall any person so ride upon any vehicle.

Sec. 52. USE OF COASTERS, ROLLER SKATES AND SIMILAR DEVICES RESTRICTED- No person upon roller skates, or riding in or by means of any coaster, toy vehicles or similar device, shall go upon any roadway except while crossing a street on a crosswalk and except upon streets set aside as play-streets when and as authorized by ordinance of this city.

Sec. 53. (a) LIGHTS ON PARKED VEHICLES- Whenever a vehicle is lawfully parked on a street during the time between one-half hour after sunset and one-half hour before sunrise and there is sufficient light to reveal any person within a distance of 200 feet upon such street, no lights need be displayed upon such parked vehicle.

Sec. 54. (a) SPEED RESTRICTIONS- No person shall drive a vehicle on any street or highway designated herein as "Arterial Highways" or "Through Streets" at a speed greater than is reasonable and prudent under the conditions then existing.

(b) Where no special hazard exists, a speed of 30 miles an hour shall be lawful on said "Arterial Highways" or "Through Streets", but any speed in excess of said limit shall be prima facis evidence that the speed is not reasonable or prudent and is unlawful.

1. Twenty miles per hour in any business district; (State Law).
2. Twenty-five miles per hour in any residence district; (State Law).
3. Thirty-five miles per hour for motor vehicle designed, equipped for, or engaged in transporting property; and thirty miles per hour for such motor vehicle to which a trailer is attached; (State Law).
4. Forty-five miles per hour under other conditions; (State Law).

(c) The fact that the speed of a vehicle is lower than the foregoing prima facis limits shall not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, or when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions, and speed shall be decreased as may be necessary to

January 10, 1940
Page 93.

avoid colliding with any person, vehicle or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

(d) The foregoing provisions of this section shall not be construed to relieve the plaintiff in any civil action from the burden of proving negligence upon the part of the defendant as the proximate cause of an accident. (State Law).

(e) No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law. Police officers are hereby authorized to enforce this provision by directions to drivers, and in the event of apparent wilful disobedience to this provision and refusal to comply with direction of an officer in accordance herewith the continued slow operation by a driver shall be a misdemeanor. (State Law).

Sec. 55. DRIVING ON ROADWAYS LANED FOR TRAFFIC- Whenever any roadway has been divided into 3 or more clearly marked lanes for traffic, the following rules in addition to others consistent herewith shall apply.

(a) A vehicle shall be driven as nearly as practical entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made in safety.

(b) Upon a roadway which is divided into 3 lanes a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway ahead is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn, or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is sign posted to give notice of such allocation.

(c) Official signs may be erected directing slow moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction, and drivers of vehicles shall obey the directions of every such sign.

MISCELLANEOUS RULES

Sec. 56. CROSSING FIRE HOSE- No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, private driveway or street-car track, to be used at any fire or alarm of fire, without the consent of the fire department official in command.

Sec. 57. (a) PUTTING GLASS, ETC. ON STREETS PROHIBITED- No person shall throw or deposit upon any street any glass bottle, glass, nails, tacks, wire, cans, or any other substance likely to injure any person, animal or vehicle upon such highway.

(b) Any person who drops, or permits to be dropped or thrown, upon any highway any destructive or injurious material shall immediately remove the same or cause it to be removed.

(c) Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.

Sec. 58. LAMPS ON BICYCLES- Every bicycle shall be equipped with a lamp on the front exhibiting a white light visible from a distance of at least 500 feet to the front, and with a lamp on the rear exhibiting a red light visible from a distance of 500 feet to the rear; except that a red reflector may be used in lieu of a rear light.

ACCIDENTS.

Sec. 59. DUTY UPON STRIKING FIXTURES UPON A STREET- The

January 10, 1940
Page 94.

driver of any vehicle involved in an accident resulting only in damage to fixtures legally upon or adjacent to a street or highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact, and of his name and address, and of the registration number of the vehicle he is driving, and shall upon request and if available exhibit his operator's or chauffeur's license, and shall make report of such accident.

ARTICLE 7.

SAFETY ZONES.

Sec. 60. BOARDING OR ALIGHTING FROM VEHICLES- No person shall board or alight from any vehicle while such vehicle is in motion.

Sec. 61. UNLAWFUL RIDING- No person shall ride on any vehicle upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of duty, or to persons riding within truck bodies in space intended for merchandise.

Sec. 62. RAILROAD TRAINS AND VEHICLES NOT TO BLOCK STREETS- It shall be unlawful for the directing officer or the operator of any railroad train or vehicle to direct the operating of or to operate the same in such manner as to prevent the use of any street for the purpose of travel for a period of time longer than 5 minutes, except that this provision shall not apply to trains or cars in motion other than those engaged in switching. It shall be unlawful for any railroad train or vehicle to stop within an intersection or on a cross walk for the purpose of receiving or discharging passengers.

ARTICLE 8.

Sec. 63. EFFECT OF ORDINANCE- If any part or parts of this ordinance are for any reason held to be invalid, such decision shall not effect the validity of the remaining portions of this ordinance.

Sec. 64. That all ordinances of the City heretofore passed, which regulate or attempt to regulate traffic in the City of Charlotte, are hereby repealed.

Sec. 65. PUBLICATION OF ORDINANCE- The City Clerk shall certify to the passage of this ordinance and cause the same to be published as required by law.

Sec. 66. SHORT TITLE- This ordinance may be known and cited as the Traffic Ordinance.

Sec. 67. EFFECTIVE DATE- This ordinance shall take effect from and after the date of its adoption.

SCHEDULE 1.

PARKING PROHIBITED AT ALL TIMES.

Alexander Street	- Trade to Fourth - west side.
" "	- 30 feet south of Trade - east side.
" "	- Trade to Fifth - both sides.
Brevard Street	- Trade to Seventh- east side.
" "	- 60 feet south of Trade - east side.
Galdwell Street	- Trade to Fourth - east side.
" "	- Trade to Eleventh - west side.
" "	- 55 feet north of Trade- east side.
Caswell Road	- 50 feet from Fifth - east side.
Cherokee Road-	- 250 feet south from Middleton Drive- east side.
Cedar Street	- 30 feet north of Trade - east side.

January 10, 1940.
Page 95.

Church Street	-	Trade to Second - west side.
" "	-	60 feet south of Trade- east side.
" "	-	90 feet north of Seventh- west side
" "	-	50 feet north of Seventh- east side.
" "	-	85 feet south of Seventh- east side.
" "	-	50 feet south of Seventh- west side.
" "	-	110 feet south of Sixth- west side.
" "	-	50 feet north of Sixth - east side.
" "	-	40 feet south of Fifth- west side.
" "	-	34 feet south of Fourth - east side.
" "	-	30 feet north of Fourth - east side.
" "	-	80 feet north of Stonewall - west side.
" "	-	60 feet north of Stonewall - east side.
" "	-	85 feet south of Stonewall - east side.
" "	-	55 feet south of Stonewall - west side.
College Street	-	Trade to Scott alley- west side.
" "	-	100 feet south of Second Street- west side.
" "	-	100 feet north of Trade - both sides.
" "	-	100 feet south of Fifth - west side.
" "	-	north from Fifth to Alley- west side.
" "	-	97 feet south of Trade - east side.
" "	-	60 feet south of Second- east side.
" "	-	30 feet north of Third- East side.
" "	-	45 feet south of Fourth - east side.
" "	-	55 feet north of Fourth - east side.
" "	-	70 feet north of Fourth - west side.
" "	-	125 feet south of Fourth - west side.
" "	-	45 feet north of Fifth - east side.
" "	-	40 feet south of Fifth - west side.
" "	-	55 feet south of Fifth - east side.
" "	-	55 feet south of Sixth - east side.
" "	-	49 feet south of Sixth - west side.
" "	-	75 feet north of Sixth - east side.
" "	-	Garland Court to Seventh - west side.
Commerce Street	-	Mint to Graham - north side.
" "	-	50 feet west of Mint -msouth side.
Davidson Street	-	Trade to Fourth- west side.
" "	-	Trade to Fifth - west side.
" "	-	30 feet south from Trade - east side.
Eleventh Street	-	Pine to Graham - south side.
" "	--	Tryon to College - south side.
" "	-	60 feet east of Graham - north side.
" "	-	50 feet west of Graham @ north side.
Elizabeth Avenue	-	100 feet east of McDowell - north side.
" "	-	100 feet east of Cecil - north side
Eighth Street	-	Tryon to Church - both sides.
" "	-	Church to Smith - south side.
" "	-	Tryon to College - north side.
" "	-	College to Brevard - north side.
Fifth Street	-	Tryon to Poplar - north side.
" "	-	Tryon east to Alley - both sides.
" "	-	College to McDowell - north side.
" "	-	50 feet west of Tryon - south side.
" "	-	55 feet east of College - south side.
" "	-	50 feet west of College - south side.
" "	-	80 feet west of College - north side.
" "	-	50 feet east of Poplar - south side.
First Street	-	Tryon to College - both sides (except Sunday)
" "	-	Brevard to McDowell - north side.
Fourth Street	-	Tryon to Church - north side.
" "	-	Tryon to College - north side
" "	-	85 feet east of Tryon - south side.
" "	-	55 feet west of Tryon - south side.
" "	-	70 feet east of College - south side.
" "	-	50 feet of College - north side.
" "	-	65 feet west of College - south side
" "	-	90 feet east of Church - south side.
Graham Street	-	90 feet south of Trade - west side.

January 10, 1940.
Page 96.

Graham Street	- 135 feet south of Trade - east side.
" "	- 50 feet north of Morehead - east side.
" "	- 50 feet south of Fourth - east side.
" "	- 50 feet south of Eleventh - east side.
" "	- 40 feet north of Eleventh - west side.
" "	- 40 feet north of Eleventh - east side.
Hill Street	- Tryon to College - north side
" "	- Tryon to Church - south side.
Jackson Terrace	- Tryon to Church - north side.
Kingston Avenue	- South Boulevard to R. R. - south side.
Louise Avenue	- 100 feet north of Tenth St - west side.
" "	- 50 feet north of Tenth St. - east side.
McDowell Street	- Boundary to Morehead - west side.
" "	- 50 feet north of Elizabeth Ave- east side.
" "	* 100 feet north of Trade - west side
" "	- 100 feet south of Trade - west side
" "	- 100 feet south of Trade - east side
Middleton Drive	- 150 feet west of Cherokee- north side
Mint Street	- 100 feet south of Trade - east side
Morehead Street	- South Boulevard to Caldwell - south side
" "	- 200 feet west of Oriole - south side
" "	- 200 feet west of McDowell - north side
" "	- 50 feet east of Graham - north side
" "	- 100 feet on south side opposite Graham St.
" "	- 85 feet west of College - south side
" "	- 50 feet east of Graham - north side.
Myers Street	- Trade to Fourth - west side
" "	- Trade to Ninth - east side.
" "	- 60 feet north of Trade - west side
Myrtle Avenue	- Berkley to Park Avenue - east side
Ninth Street	- College to Smith - north side
Oriole Street	- Morehead to Lexington - east side
Park Drive	- Torrence to Cecil - north side
Park Court	- Travis to Torrence - north side
Phifer Avenue	- Tryon to College - both sides
Pine Street	- Trade to Ninth - west side
Parkwood Avenue	- 200 feet west of Plaza - south side
Poplar Street	- Trade to Second - west side
" "	- Trade to Sixth - west side
" "	- 40 feet south of Fifth - east side
" "	- 40 feet north of Fifth - east side
" "	- 80 feet south of Sixth - west side
Seventh Street	- 65 feet west of Church - north side
" "	- Tryon to Church - both sides
" "	- Tryon to Brevard - south side
" "	- Church to Pine - south side
" "	- 230 feet east of Tryon - north side
" "	- College to R. R. - north side
Second Street	- Tryon to Mint - both sides
" "	- Tryon to College - both side
" "	- Brevard to Davidson - north side
Sixth Street	- Tryon to Pine - both sides
" "	- Pine to Graham - north side
" "	- Tryon to College - both sides
" "	- College to Brevard - north side
" "	- 75 feet east of College - south side
Stonewall Street	- Tryon to Church - north side
" "	- Church to Mint - south side
" "	- Tryon to College - north side
" "	- 30 feet west of Church - north side
Tenth Street	- Pine to Graham - both sides
" "	- Graham to Smith - south side
" "	- Brevard to Davidson - north side

January 10, 1940
Page 97.

- Third Street - Tryon to Mint - south side
- " " - Tryon to College - south side
- " " - College to R.R. - both sides
- " " - 125 feet east of Tryon - north side
- " " - Graham to R.R. - north side
- Thirteenth Street - 50 feet east of Tryon - south side
- Torrence Street - Park Drive to Elizabeth - west side
- Trade Street - 50 feet west of McDowell - north side
- " " - 100 feet west of McDowell - south side
- " " - 75 feet east of Myers - north side
- " " - 80 feet west of Myers - south side
- " " - 100 feet east of Alexander - north side
- " " - 80 feet west of Alexander - south side
- " " - 100 feet east of Davidson - north side
- " " - 145 feet west of Davidson - south side
- " " - 80 feet west of Caldwell - south side
- " " - 80 feet east of Caldwell - north side
- " " - 120 feet east of Brevard - north side
- " " - 110 feet west of Brevard - south side
- " " - 80 feet at Underpass of R.R. - both sides
- " " - 110 feet west of College - south side
- " " - 100 feet east of College - north side
- " " - 100 feet west of Tryon - north side
- " " - 230 feet west of Tryon - south side
- " " - 105 feet east of Tryon - south side
- " " - 230 feet east of Tryon - north side
- " " - 100 feet east of Church - north side
- " " - 100 feet west of Church - south side
- " " - 50 feet east of Church - south side
- " " - 110 feet east of Poplar - north side
- " " - 100 feet west of Poplar - south side
- " " - 60 feet east of Poplar - south side
- " " - 140 feet east of Pine - north side
- " " - 135 feet west of Mint - south side
- " " - 115 feet east of Graham - north side
- " " - 120 feet west of Graham - south side
- " " - 55 feet east of Wilkes Place - north side
- " " - 70 feet east of Cedar - north side
- " " - 115 feet west of Cedar - south side
- Tryon Street - 65 feet south of Stonewall - east side
- " " - 135 feet north of Stonewall - west side
- " " - 50 feet north of First - east side
- " " - 100 feet south of First - east side
- " " - 75 feet north of First - west side
- " " - 120 feet south of Second - east side
- " " - 90 feet north of Second - west side
- " " - 135 feet south of Third - east side
- " " - 125 feet north of Third - west side
- " " - 60 feet north of Fourth - east side
- " " - 135 feet south of Fourth - east side
- " " - 170 feet south of Fourth - west side
- " " - 135 feet north of Fourth - west side
- " " - 170 feet south of Trade - west side
- " " - 150 feet south of Trade - east side
- " " - 140 feet north of Trade - east side
- " " - 140 feet north of Trade - west side
- " " - 120 feet south of Fifth - east side
- " " - 115 feet north of Fifth - west side
- " " - 100 feet south of Sixth - east side
- " " - 110 feet north of Sixth - west side
- " " - 40 feet south of Sixth - west side
- " " - 110 feet south of Seventh - east side
- " " - 130 feet north of Seventh - west side
- " " - 100 feet south of Eighth - east side
- " " - 90 feet north of Eighth - west side
- " " - 60 feet north of Ninth - west side
- " " - 60 feet south of Ninth - east side
- " " - 40 feet south of Thirteenth - east side
- Vance Street - Tryon to Church - south side

January 10, 1940
Page 98.

Vance Street	- Tryon to College - south side
" "	- 40 feet east of Tryon - north side
Winnifred Street	- Morehead to Palmer - west side

SCHEDULE NO. 2
PARKING PROHIBITED - 1 A.M. to 5 A. M.

Alexander Street	- Fourth to Fifth - both sides
Brevard "	- Morehead to Eleventh - both sides
Caldwell "	- Fourth to Eleventh - both sides
Church "	- Morehead to Eleventh - both sides
College "	- Morehead to Eleventh - both sides
Davidson "	- Fourth to Fifth - both sides
Eighth "	- Brevard to Smith - both sides
Eleventh "	- Brevard to Smith - both sides
First "	- Tryon to Mint - both sides
Fourth "	- McDowell to Smith - both sides
Fifth "	- McDowell to Cedar - both sides
Graham "	- Morehead to Eleventh - both sides
McDowell "	- Morehead to Ninth - both sides
Mint "	- Morehead to Trade - both sides
Myers "	- Third to Ninth - both sides
Ninth "	- McDowell to Smith - both sides
Pine "	- Trade to Eleventh - both sides
Poplar "	- Second to Eleventh - both sides
Second "	- Brevard to Mint - both sides
Seventh "	- McDowell to Smith - both sides
Sixth "	- Brevard to Cedar - both sides
Smith "	- Fourth to Eleventh - both sides
Third "	- College to Mint - both sides
Tenth "	- Tryon to Smith - both sides
Trade "	- McDowell to Cedar - both sides
Tryon "	- Morehead to Eleventh - both sides
Wilkes Place	- Trade to Fifth - both sides

SCHEDULE NO. 3

PARKING LIMITED TO 30 MIN. 7 A.M. TO 6 P.,,
EXCEPT AS NOTED IN SCHEDULE NO. 1.

Brevard Street	- Trade to Fourth - both sides
Church "	- Trade to Fourth - east side
" "	- Trade to Eighth - west side
College "	- Third to Fourth - east side
" "	- Second to Third - west side
" "	- Fifth to Seventh - both sides
Fifth "	- Tryon to Graham - south side
" "	- Tryon to College - both sides
" "	- College to Brevard - south side
First "	- Tryon to Church - both sides
Fourth "	- Tryon to Church - south side
" "	- Mint to Graham - both sides
" "	- Tryon to Brevard - south side
" "	- College to Brevard - north side
Mint "	- Fourth to Trade - both sides
Pine "	- Trade to Fifth - east side
Third "	- Tryon to Church - north side
" "	- Tryon to Alley - north side
Trade "	- Tryon to Pine - both sides
" "	- Bus Terminal to Cedar - north side
" "	- Mint to Cedar - south side
" "	- Tryon to McDowell - both sides
Tryon "	- Morehead to Eleventh - both sides
Davidson "	- Trade to Fourth - east side

6730W

January 10, 1940
Page 99.

SCHEDULE NO. 4
ARTERIAL OR "THROUGH" STREETS

Avondale Avenue -	East Boulevard to City Limits
Belmont "	Pegram to Davidson
Belvedere "	The Plaza to City Limits
Beatties Ford Rd-	Trade to City Limits
Boulevard, South -	Morehead to City Limits
Boulevard, East -	Kings Drive to South Tryon
Brevard Street -	Morehead to Belmont
Briarwood Road -	Queens Road to City Limits
Caswell Road -	Seventh to Fourth
Central Avenue -	Seventh to City Limits
College Street --	Morehead to Eleventh
Church "	Morehead to Eleventh
Commonwealth Ave-	Pecan to City Limits
Davidson Street -	Ninth to Thirty-sixth St
Dilworth Road -	Dilworth Road East and West
Eleventh Street -	Tryon to Graham
Elizabeth Ave -	McDowell to Hawthorne Lane
Euclid Ave -	Tremont to Morehead
Fifth Street -	Seventh to Hawthorne Lane
Fourth Street -	Crescent Ave- Providence Rd. from Southern Station to City Limits
Graham Street -	Morehead to Liddell
Hawthorne Lane -	Fourth to Central
Hutchison Ave -	Liddell to City Limits
Louise Avenue -	Seventh to Belmont
McDowell Street -	Morehead to Ninth
Mint Street -	Trade to Cliffwood Place
Morehead Street -	City Limits (west) to Queens Road
Ninth Street -	Seigle to Tryon
Oaklawn Avenue -	Statesville to Beatties Ford Road
Park Avenue -	Mint to Myrtle
Parkwood Avenue -	The Plaza to Davidson Street
Pecan Avenue -	Seventh to Central
Pegram Street -	Belmont to Parkwood
Plaza and Plaza Rd-	Central to City Limits
Poplar Street -	Trade to Eleventh
Queens Road -	Fourth to Briarwood
Seigle Avenue -	Seventh to Parkwood
Selwyn Avenue -	Queens Road to City Limits
Seventh Street -	Tryon to City Limits (east)
Statesville Ave -	Liddell to City Limits
Sylvania Ave -	Tryon to Hutchison
Thirty-sixth St -	Tryon to Plaza
Trade Street -	Mt. Holly Road - Fourth St. to City Limits
Tremont Avenue -	Avondale to South Boulevard
Tryon Street -	City Limits (North) to City Limits (South)
Tuckaseegee Road-	Trade to City Limits

SCHEDULE NO. 5
PARKING LIMITS TO LOADING & UNLOADING
7 A.M. to 6 P.M.
EXCEPT AS NOTED IN SCHEDULE NO. 1.

Brevard Street -	Trade to Fifth - west side
" "	Tenth to Eleventh - west side
Caldwell "	Tenth to Eleventh - both sides
Caswell Road -	Fifth to Greenway - west side
Cecil Street -	Elizabeth to Fifth - west side
Cedar "	P & N R.R. to Trade - east side
Central Ave -	100 feet north of Seventh - east side
" "	The Plaza to Nandina - 100 feet front of school
Church Street -	Third to Fourth - east side
" "	First to Second - both sides
" "	Trade to Sixth - east side
College "	Trade to Fourth - both sides
" "	Third to Fourth - both sides

January 10, 1940
Page 100

College Street	- Third to Fourth - west side
"	- Trade to Fifth - both sides
Eighth Street	- Tryon to College - south side
Elizabeth Avenue	- Sugar Creek to Cecil - both sides
"	- Travis to Hawthorn Lane - north side
Fifth Street	- Poplar to Sou. R.R. - north side
First "	- Church to Mint - both sides
Fourth "	- Church to Mint - north side
" "	- Graham to Smith - both sides
Graham "	- 100 feet south of Eleventh - east side
Hill "	- Mint to Graham - south side
Morehead "	- Tryon to South Boulevard - south side
Park Drive	- Travis to Torrence - north side
" "	- 200 feet north of Fifth - west side
Poplar Street	- Trade to Fourth - east side
" "	- Third to Second - east side
Second "	- College to Brevard - both sides
Third "	- College west to Alley - north side
Trade "	- Pine to Bus Terminal Drive - north side
" "	- Smith to Sou. R.R. - south side.

On motion of Councilman Hovis, seconded by Councilman Wilkinson, the above ordinance was unanimously adopted on three readings and declared by the Mayor to be an ordinance of the City of Charlotte, this the 10th day of January, 1940.

REPORT OF CHARLOTTE PARK AND RECREATION COMMISSION.

A copy of the Report of Activities of the Charlotte Park and Recreation Commission, for the period June 30, 1939 to December 30, 1939, was furnished each member of the Council for careful study.

ADJOURNMENT.

On motion of Councilman Hovis, seconded by Councilman Wilkinson, the meeting adjourned to the Mayor's office for further study of the Gasoline Truck Ordinance.

Alice B. M. Powell
City Clerk