

CODE OF ORDINANCES
City of
WILMINGTON, NORTH CAROLINA

Codified through
Ordinance No. O-2009-45, adopted June 2, 2009.
(Supplement No. 10, Update 1)

Chapter 5 MOTOR VEHICLES AND TRAFFIC*

ARTICLE V. MISCELLANEOUS

Sec. 5-90. Alteration and removal of violation notice.

- (a) No person may alter a violation notice, and no person may have in his possession an unlawfully altered notice.
- (b) No person may remove a violation notice from a vehicle or permit it to be removed, except for the purpose of answering the charge for which it was issued.

Sec. 5-91. Towing vehicles.

Without limiting the authority conferred in Article VII of this chapter to remove vehicles, members of the police department are hereby authorized to direct the towing of vehicles in accordance with the procedures set forth in Article VII under the following circumstances:

- (1) When any vehicle is left unattended upon any bridge, overpass or other elevated structure or within any tunnel or other underpass structure where such vehicle constitutes an obstruction to traffic;
- (2) When a vehicle upon a street is so disabled as to constitute an obstruction to traffic and the person in charge of the vehicle is by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal;
- (3) When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic;
- (4) When a vehicle is left unattended upon a street continuously for more than forty-eight (48) hours;
- (5) When the driver of a vehicle is taken into custody by a law enforcement office and such vehicle would thereby be left unattended upon the street;
- (6) When any vehicle is left unattended on a street to be used for a procession, assemblage or parade;
- (7) When removal is necessary in the interest of public safety because of fire, flood, storm or other emergency.
- (8) When any vehicle is parked in violation of section 5-57 of this chapter.
(Ord. of 7-23-85, § 1; Ord. of 2-17-87, § 8)

Sec. 5-92. Funeral processions.

(a) As used in this section, "funeral procession" means two (2) or more vehicles accompanying the remains of a deceased person when such vehicles have their headlights in operation and random vehicles in the procession display a pennant identifying the vehicles as part of a funeral procession in such manner as to be clearly visible to traffic approaching from any direction. At a minimum, the lead vehicle and the final vehicle of a funeral procession shall bear a pennant as described in the previous sentence.

(b) The operator of any motor vehicle traveling on or entering on the streets or highways in the city shall yield the right-of-way to a funeral procession. A funeral procession shall have the right-of-way at any intersection regardless of the method of traffic control which is present or in operation at said intersection.

(c) Each driver in a funeral procession shall drive as near to the right hand edge of the roadway as practicable and shall follow the vehicle ahead as closely as possible consistent with safety. When a driver enters an intersection in a manner inconsistent with the method of traffic control at said intersection, the driver shall exercise due care to avoid colliding with any other vehicle or pedestrian upon the roadway.

(d) Unless otherwise directed by a police officer, no pedestrian or operator of a vehicle, other than an emergency vehicle described in and operated in conformity with the provisions of N.C.G.S. section 20-156 and 20-157, may go or be driven between the vehicles constituting a funeral procession when such vehicles are in motion.

(Ord. of 4-28-87, § 1)

Sec. 5-93. Temporary regulations.

The manager is hereby empowered to make regulations necessary to make effective the provisions of the traffic ordinances of the city and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than ninety (90) days.

Secs. 5-94--5-99. Reserved.