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**ORDINANCE NO. 2021-1123-40**

**AN ORDINANCE TO AMEND VARIOUS SECTIONS OF APEX TOWN  
CODE**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF APEX AS  
FOLLOWS:

**Section 1. Section 1-8 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 1-8. General penalty; enforcement of ordinances; continuing violations.**

- (a) ~~Unless otherwise specifically provided~~**If specified as such in the ordinance,** violation of ~~any~~ provision of this Code or any other ordinance shall be a misdemeanor or an infraction as the case may be, as provided by section 14-4 of the General Statutes of North Carolina, and punishable as provided therein.
- (b) Violation of any provision of this Code or any other ordinance shall **also** subject the offender to a civil penalty **in the amount of, unless otherwise specified, \$100 for each day the violation continues,** to be recovered by the town in a civil action in the nature of debt if the offender does not pay the penalty within a period of time prescribed by the court after such offender has been cited for such violation.

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**Section 2. Section 2-53 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 2-53. Duties of police officers generally.**

It shall be the duty of the police officers to:

- (1) Especially preserve public peace, prevent crimes, detect and arrest offenders, and suppress riots and unlawful gatherings which obstruct the free passage of public streets, sidewalks, parks and public places.
- (2) Protect the rights of persons and property.
- (3) Preserve order at town elections and all public meetings and assemblages.
- (4) Regulate the movements of vehicles in the streets, bridges, parks, public squares and highways.
- (5) Provide proper police attendance at fires.

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- (6) Carefully observe and inspect all places of public amusement, all places of business having license to carry on such businesses and to suppress and restrain all unlawful and disorderly conduct or practices therein.
  - (7) Enforce penalties for the violation of laws and ordinances in the town.
  - (8) Arrest all persons guilty of violating any law or ordinance **with a criminal penalty as specified.**
  - (9) Prevent as far as possible any damage to property, buildings, streets and sidewalks.
  - (10) Report to the chief of police any repairs needed to any public property.
  - (11) Serve all processes issued to them.
  - (12) Summon as many persons as may be necessary to assist them in the duties herein outlined.
  - (13) Perform all other duties that may be assigned to them by the chief of police.

**Section 3. Section 2-55 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 2-55. Summoning of aid by police.**

The chief of police or any police officer of the town shall have authority, if resisted in the execution of lawful duties, to summon a sufficient number of persons to aid them in enforcing the law. It shall be unlawful for any person so summoned to refuse to assist the chief of police or other officers. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 4. Subsection (d) of Section 4-1 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 4-1. Animal sanitation.**

**(d) A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 5. Subsection (c) of Section 4-3 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

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**Sec. 4-3. Prohibition of certain animals.**

**(c) A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 6. Section 5-104 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 5-104. Alternative remedies.**

Neither this division, nor any of its provisions shall be construed to impair or limit in any way the power of the town to define and declare nuisances and to cause their abatement by summary action ~~or otherwise or to enforce this article by criminal process as authorized by G.S. 14-4 and section 5-106 of this Code;~~ and the enforcement of any remedy provided herein shall not prevent the enforcement of any other remedy provided herein or in other ordinances or laws.

**Section 7. Section 5-118 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 5-118. Penalties.**

Any person violating the provisions of this article shall be subject to all the applicable punishment, penalties, and equitable relief provided for by ~~G.S. 143-151.26 through 143-151.36 and 160A-175~~ **section 1-8 of this Code.**

**Section 8. Section 6-9 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 6-9. Removal of bodies—Prohibited in certain cases.**

Removal, by the heirs, of a body so that the plot may be sold for profit to themselves or removal contrary to the expressed or implied wish of the original plot owner is repugnant to the ordinary sense of decency and is absolutely forbidden. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 9. Subsection (p) of Section 6-16 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

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**Sec. 6-16. General rules.**

**(p) A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 10. Subsection (u) of Section 6-17 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 6-17. Traffic rules.**

**(u) A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 11. Section 6-19 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 6-19. Lounging on grounds.**

Persons shall not be permitted to sit or to lounge on any of the grounds, graves or monuments in the cemetery or in any of the buildings. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 12. Section 6-21 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 6-21. Gathering flowers, injuring trees, etc.**

All persons are prohibited from gathering flowers, either wild or cultivated; breaking trees, shrubbery or plants; or disturbing the birds. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 13. Section 6-22 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 6-22. Loud talking.**

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No loud talking shall be permitted on the cemetery grounds within hearing distance of funeral services. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 14. Section 6-23 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 6-23. Rubbish.**

The throwing of rubbish on the drives and paths or any part of the grounds is prohibited. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 15. Section 6-24 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 6-24. Peddling or soliciting.**

Peddling of flowers or plants, or soliciting the sale of any commodity is positively prohibited within the confines of the cemetery. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 16. Section 6-25 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 6-25. Notices and advertisements.**

No signs, notices or advertisements of any kind shall be allowed in the cemetery. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 17. Section 6-39 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 6-39. Casket not to be disturbed.**

Once a casket containing a body is within the confines of the cemetery, no funeral director or embalmer, assistant, employee or agent shall be permitted to open the casket or to touch the body without the consent of the legal representatives of the deceased, a relative in charge of the

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funeral or without a court order. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 18. Section 7-7 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 7-7. Required compliance with proclamation.**

During the existence of a proclaimed state of emergency, it shall be unlawful for any person to violate any provision of any restriction imposed by any proclamation authorized by this chapter. **A violation of any restriction imposed by a proclamation authorized by this chapter is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 19. Subsection (h) of Section 9-22 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**(h) A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 20. Section 9-23 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 9-23. Quantities—Private residences.**

Private residences shall be allowed the following quantities of flammable fluids or explosives:

- (1) *Flammable fluids.* Maximum quantity allowed is five gallons if kept in approved metal containers.
- (2) *Oil burner installations.* Maximum quantity of fuel oil allowed is 285 gallons if kept in approved metal tank on noncombustible supports. Larger quantities may be stored in an underground tank with pump feed.
- (3) *Explosives.* Maximum quantity allowed is five canisters of powder.

**(4) A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

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**Section 21. Section 9-24 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 9-24. Same—Dealers.**

Dealers shall be allowed the following quantities of flammable fluids or explosives:

- (1) Flammable fluids. Maximum quantity is 100 gallons if kept in approved metal containers; larger quantities must be stored in buildings constructed of brick or stone, provided with iron roofs or arched roofs made of brick or stone. There may be no openings in such structure except fireproof doors located in one end or side. The floor of such building must be at least three feet below lowest level of the ground immediately surrounding.
- (2) Explosives. Maximum quantity allowed is 60 pounds of powder or 25 pounds of dynamite.
- (3) **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 22. Section 9-44 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 9-44. General prohibition on outdoor burning and open burning.**

Open burning and outdoor burning are prohibited in the town unless the burning is specifically permitted by this article. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 23. Section 9-45 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 9-45. Open burning of refuse.**

Open burning of refuse is prohibited. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

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**Section 24. Section 9-46 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 9-46. Burning trees, logs, brush, stumps, leaves, and grass clippings.**

Open burning of trees, logs, brush, stumps, leaves and grass clippings is prohibited. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 25. Section 9-47 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 9-47. Patio wood-burning units.**

No person shall install, use, or maintain a patio wood-burning unit in the town except that such units are permitted provided they are located on a noncombustible surface and located a minimum distance of 20 feet from the residence or any raised structure. Outdoor masonry fireplaces constructed in the same manner as indoor residential fireplaces shall be permitted in the town. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 26. Section 9-48 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 9-48. Campfires.**

Campfires shall not be permitted in the town unless the campfire is located at least 25 feet from any structure and 25 feet from any property line. The campfire shall be no larger than four square feet and shall be surrounded by bricks at least two tiers high. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 27. Section 9-50 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 9-50. Liability.**

A person utilizing or maintaining an outdoor fire in violation of this article shall be responsible for all fire suppression costs caused by the violation **and the same is punishable as a misdemeanor as provided by G.S. 14-4.**



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**Section 28. Section 9-51 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 9-51. Sky lanterns.**

It shall be unlawful for any person to ignite, set aloft, or use a sky lantern in the town. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 29. Section 9-70 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 9-70. Combustible landscaping materials prohibited in certain areas.**

No person shall place, keep or store pine straw or any other material with a fire rate of spread of more than 24 inches per minute within ten feet of a building with combustible exterior construction. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 30. Section 10-6 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 10-6. Discarded refrigerators, etc.**

It shall be unlawful for any person to discard or have stored outside any icebox, refrigerator, freezer chest or any other airtight box on any lot, street, alley, yard, platform or any other location outside of a building without first removing or making the latching mechanism inoperative in such a manner as not to prevent the opening from the inside of such items by small children, or in the alternative shall remove the doors. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 31. Section 10-20 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 10-20. Breeding places in water to be treated.**

It shall be unlawful to have, keep, maintain, cause or permit within the town any collection of standing or flowing water in which mosquitoes breed or are likely to breed,

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unless such collection of water is treated so as to effectually prevent such breeding. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 32. Section 10-23 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 10-23. Presence of larvae; failure to act.**

The natural presence of mosquito larvae in standing or running water shall be evidence that mosquitoes are breeding there, and failure to prevent such breeding within three days after notice by the town shall be deemed a violation of this article. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 33. Section 10-32 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 10-32. Smoking prohibited in municipal buildings.**

It shall be unlawful for any person to smoke, use vapor products, or use tobacco products in any building or facility or portion of a building or facility now or hereafter owned, leased, operated, occupied, managed or controlled by the town. **Violation of this section shall constitute an infraction punishable by a fine of \$50.00.**

**Section 34. Section 10-33 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 10-33. Smoking prohibited in municipal vehicles.**

It shall be unlawful for any person to smoke, use vapor products, or use tobacco products in any vehicle now or hereafter owned or leased by the town. **Violation of this section shall constitute an infraction punishable by a fine of \$50.00.**

**Section 35. Section 10-34 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

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**Sec. 10-34. Smoking in greenways, parks, and park property prohibited.**

It shall be unlawful to smoke, use vapor products, or use tobacco products in any town park, on any town greenway, or upon any town park property except in designated areas.

**Violation of this section shall constitute an infraction punishable by a fine of \$50.00.**

**Section 36. Section 10-35 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**~~Sec. 10-35. Penalty.~~**

~~Violation of this article shall constitute an infraction punishable by a fine of \$50.00.~~

**Section 37. Section 12-18 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 12-18. Damage to property used in service.**

It shall be unlawful to detach or otherwise damage any wire, meter or any other appliance or apparatus used in connection with the operation of the town electric system. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 38. Subsection (i) of Section 12-76 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 12-76. Conditions for discharge into treatment system.**

**(i) A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 39. Section 12-77 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 12-77. Discharge into sewers at appropriate places; discharge of substances damaging to system.**

No person shall pour, throw or discharge any substance, either solid or liquid, into any sanitary or storm sewer at any manhole or at any opening therein other than a sewer

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connection; nor shall any person discharge into any sanitary or storm sewer any substance likely to obstruct or cause damage to the same or any substance of such high causticity or of a sufficiently acid nature to interfere materially with the equipment used in connection therewith. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4**

**Section 40. Subsection (d) of Section 12-78 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 12-78. Limitations on discharge.**

**(d) A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 41. Section 12-88 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 12-88. Damage, etc., to sewer system prohibited.**

No person shall obstruct, break, remove or otherwise damage any portion of any manhole, flush-tank or other part of any public sanitary or storm sewer. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 42. Section 12-111 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 12-111. Prompt removal of garbage.**

No garbage that has become decayed or that shall otherwise be a menace to health or cleanliness shall be allowed to remain in any dwelling house, hotel, boarding house, cafe, restaurant, lunch stand, meat market, store or other building or on any premises a longer time than shall be reasonably necessary to remove and deposit the same in a container as hereinafter provided in this article. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

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**Section 43. Section 12-113 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 12-113. Wet garbage.**

All wet garbage shall have the liquid drained off and shall be wrapped in paper or other noncombustible material before it is placed in the garbage can, thus preventing smell and the breeding of flies in summer and freezing and adhesion to the can in winter. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 44. Section 12-114 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 12-114. Deposit of garbage in public places and on private property.**

No person shall throw, place or deposit any garbage in any street, alley, public place or private property within the town, except in garbage containers as provided in this article. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 45. Section 12-115 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 12-115. Transportation of garbage by private persons.**

No person shall collect, handle, haul or transport on any of the streets, alleys, public ways or places of the town any garbage without first having procured a permit therefor from the town council. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 46. Subsection (e) of Section 12-117 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 12-117. Same—Regulations.**

**(e) A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

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**Section 47. Subsection (d) of Section 12-118 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 12-118. Building materials; tree and lawn trimmings.**

**(d) A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 48. Section 12-119 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 12-119. Burning of leaves and related items.**

No person shall burn leaves, shrubs, trees, limbs, and the like on the streets or sidewalks. No person shall burn leaves, shrubs, trees, limbs, and the like on private property except pursuant to a permit issued by the town fire chief under chapter 9 of this Code. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 49. Section 12-120 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 12-120. Removal of dead animals.**

Dead animals will be removed as soon as possible during normal business hours. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 50. Subsection (f) of Section 12-128 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 12-128. Pre-collection practices.**

**(f) A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 51. Subsection (c) of Section 12-130 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

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Sec. 12-130. Disposal of yard waste.

**(c) A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

Section 52. Subsection (c) of Section 12-193 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 12-193. Specific prohibitions.

**(c) In addition to the enforcement actions provided in section 12-196, a violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

Section 53. Subsection (o) of Section 12-194 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 12-194. Grease interceptors.

**(o) In addition to the enforcement actions provided in section 12-196, a violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

Section 54. Subsection (i) of Section 12-195 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 12-195. Grease interceptor inspections and documentation.

**(i) In addition to the enforcement actions provided in section 12-196, a violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

Section 55. Section 13-52.6 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 13-52.6. Transfer prohibited.

It shall be unlawful for any person other than the permittee to use or wear any badge or permit issued under the provisions of this article. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

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**Section 56. Subsection (k) of Section 13-53 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 13-53. Prohibited acts.**

**(k) A violation of this section by someone engaged in peddling or soliciting is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 57. Subsection (b) of Section 13-69.4 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 13-69.4. Violations.**

**(b) ~~In addition to any criminal enforcement,~~ The town or any individual may pursue any available civil remedies deemed appropriate and necessary.**

**Section 58. Section 14-1 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-1. Attempts; aiding and abetting; attempts to avoid doing required acts.**

**(a) It shall be unlawful for any person to attempt to commit any act which is prohibited by this Code or other ordinance or by any rule, regulation, order or notice duly promulgated or given pursuant to authority thereof; and it shall be unlawful for any person to aid or abet the commission or attempted commission of any act which is prohibited by this Code or other ordinance or by any rule, regulation, order or notice duly promulgated or given pursuant to authority thereof. A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**(b) It shall be unlawful for any person to attempt to avoid the doing of any act which is required by this Code or other ordinance or by any rule, regulation, order or notice duly promulgated or given to authority thereof; and it shall be unlawful for any person to aid or abet the avoidance or attempted avoidance of any act which is required by this Code or other ordinance or by any rule, regulation, order or notice duly promulgated or given to authority thereof. A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**



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**Section 59. Section 14-2 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-2. Interfering with police.**

It shall be unlawful for any person to interfere with, hamper, molest, resist or hinder a police officer in the lawful discharge of such officer's duty. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 60. Section 14-3 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-3. Police and fire alarms and signals; unauthorized use.**

No person without special authority from the police department or fire department shall carry or use any whistle, bell, horn or siren similar in appearance or sound to the whistles, horns or sirens used by the police department or fire department. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 61. Section 14-4 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-4. Congregating near fires.**

It shall be unlawful to congregate on the streets, sidewalks or alleys near a fire in a manner which would interfere with the activities of the fire department. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 62. Section 14-5 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-5. Impersonation of town officers and employees.**

No person shall falsely represent him or herself to be an officer or employee of the town or, without proper authority, wear or display any uniform, insignia or credential which identifies any town officer or employee; nor shall any person, without proper authority,

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assume to act as an officer or employee of the town, whether to gain access to premises, obtain information, perpetrate a fraud or for any other purpose; provided, that nothing in this section shall be construed to prevent a private citizen from making a lawful citizen's arrest for felony or breach of the peace committed in such person's presence. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 63. Subsection (b) of Section 14-6 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-6. Disorderly conduct.**

- (b) **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.** ~~Any person convicted of disorderly conduct, as defined in this section, shall be punished as provided in section 1-8.~~

**Section 64. Section 14-7 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-7. Failure to pay admission fees.**

It shall be unlawful for any person to attempt to see any public entertainment for which a fee is charged without paying the required admission fee. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 65. Section 14-8 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-8. Failure to pay transportation fare.**

No person except persons entitled to free transportation shall ride any bus, taxicab or other public conveyance without paying the fare prescribed or allowed by law. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 66. Section 14-9 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

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**Sec. 14-9. Advertising—By marking streets, sidewalks or poles.**

It shall be unlawful to advertise or attempt to advertise by marking or painting on any of the streets, sidewalks or poles in the town except with permission of the town council~~board~~. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 67. Section 14-10 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-10. Same—Posting bills.**

No person shall stick, brand, stamp, write or put upon any house, fence, wall, pavement, post or upon any property owned by the town, any printed, written or painted advertisement, bill, notice, sign or poster. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 68. Section 14-11 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-11. Same—On streets by creating noise.**

No person shall advertise any article of any kind for sale by crying out on the street or sidewalk. No person shall advertise any article of any kind or any event of any kind by crying out the same or by using therefor any megaphone, bell, horn or other noisemaking device on any street or sidewalk, except with permission of the town council. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 69. Section 14-12 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-12. Begging—Permit required.**

It shall be unlawful for any person to beg on any public street or public place without a permit. This section does not apply to any person requesting donations for any church, religious or charitable organization. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

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**Section 70. Section 14-13 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-13. Same—Indirect solicitation of alms by sale of articles.**

It shall be unlawful for any person to solicit alms in any public place by offering for sale any article of merchandise. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 71. Subsection (e) of Section 14-17 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-17. Discharge of firearms, air rifles, bows and arrows, etc.**

(e) **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 72. Subsection (c) of Section 14-17.1 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-17.1. Firearms; display on public property while under the influence of an impairing substance.**

(c) **A violation of this section is punishable as a misdemeanor.** This section shall be enforced as provided in G.S. 160A-175 or as provided in this Code. ~~Any criminal violation of this section shall be punished by a fine not to exceed \$200.00 and up to 30 days in jail or both.~~

**Section 73. Subsection (a) of Section 14-17.2 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-17.2. Possession of weapons prohibited on town property; signage.**

(a) *Carrying of firearm or deadly weapon prohibited.*

...

**(4) A violation of this subsection (a) is punishable as a misdemeanor as provided by G.S. 14-4.**

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**Section 74. Section 14-18 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-18. Halloween restrictions.**

No Halloween "trick or treating" shall be carried on after the hour of 9:00 p.m. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 75. Section 14-19 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-19. Damaging property—Public property on streets and places of town.**

No person shall break, destroy or in any manner damage any light, pump, well or tree in any street or public place or deface or in any manner damage any building belonging to the town. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 76. Section 14-20 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-20. Same—Water system, police alarm systems, etc.**

No person shall wilfully or negligently damage or interfere with any valve, valve box, meter, meter box, storm or sanitary sewer manhole cover, storm sewer catch basin cover, fire hydrant, police or fire alarm box, traffic signal or any other property used in the town's water, sewer, police or fire alarm system. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 77. Section 14-21 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-21. Same—Signs, etc.**

It shall be unlawful for any person to deface, damage, knock down or remove posted, painted or erected signs, signals or devices authorized by this Code. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

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**Section 78. Section 14-22 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-22. Trespass on town property.**

It shall be unlawful for any person to enter upon any real property belonging to, or under the control of, the town unless such person does so under the direction or supervision of the governing body of the town. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 79. Section 14-23 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-23. Loafing in vehicles without permission.**

It shall be unlawful for any person to loaf or sit in or upon the vehicle of any other person while such vehicle is standing at any place within the town unless such person has permission from the owner or person in charge thereof to do so. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 80. Subsection (c) of Section 14-24 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-24. Loitering—On streets.**

**(c) A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 81. Subsection (c) of Section 14-25 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-25. Same—On business premises; after 11:00 p.m.**

**(c) A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

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**Section 82. Section 14-26 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-26. Same—Offensive use of premises; permitting loitering.**

No occupant of any house, whether residence or business, shall permit such house to be kept in an indecent and offensive or disorderly manner or permit loafers or idle persons to congregate therein or in front of same to the annoyance of persons passing by or living in the vicinity. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 83. Section 14-27 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-27. Assembling so as to block passage on streets.**

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 the demand of any police officer. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 84. Subsection (e) of Section 14-30 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-30. Measurement techniques.**

- (e) It shall be unlawful for any person to interfere, through the use of sound or otherwise, with the taking of sound level measurements. **A violation of this subsection is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 85. Subsection (f) of Section 14-31 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-31. Sound emission standards and limitations.**

- (f) **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

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**Section 86. Section 14-33 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-33. Other prohibited noises.**

**(a)** The following acts are specifically declared to be unreasonably loud, annoying, frightening, loud or disturbing noise, the emission of which shall be unlawful:

...

**(b)** **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 87. Section 14-34 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-34. Sound magnification.**

Except for parades and related activities defined in section 14-32(4) and subject to the other exceptions enumerated in section 14-32(1), (2), (3), (5), (6), and (7); it shall be unlawful for any person to use or operate on or over any street within the town any radio, phonograph or other similar mechanical device to produce sound or any mechanical loudspeaker or other sound-magnifying device at a level of volume greater than 55 dB(A) measured at a distance of 20 feet. Any such operation shall be unlawful unless such loudspeaker or other mechanical sound-magnifying device shall be equipped with a control by which the power output can be registered and determined. Except for parades and related activities section 14-32(4) and subject to the other exceptions enumerated in section 14-32(1), (2), (3), (5), (6), and (7); no such equipment or device shall be used or operated on the streets of the town during the period between 8:30 p.m. and 9:00 a.m. Further, no such equipment or device shall be operated to produce magnified sounds along that portion of any street within the block where there is located any school, institution of learning, church or court, while the same are in session, or where any hospital, funeral home, or undertaking establishment is located, or where a funeral is being conducted at any place. Further, no such equipment or device shall be operated on the streets of this town on Sunday. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 88. Subsection (b) of Section 14-37 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**



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**Sec. 14-37. Penalties for violation of noise restrictions.**

- (b) *Criminal penalties.* **A violation of this Chapter is punishable as a misdemeanor as provided by G.S. 14-4.** ~~Any person who violates any provision of this chapter shall be deemed guilty of a misdemeanor punishable by imprisonment not to exceed 30 days or by fine not to exceed \$50.00. Each day of a continuing violation shall constitute a separate violation under this subsection.~~

**Section 89. Subsection (b) of Section 14-38 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 14-38. Bird sanctuary.**

- (b) It shall be unlawful intentionally to trap, hunt, shoot or otherwise kill, within the sanctuary hereby established, any native wild bird; provided, it shall be lawful to trap or otherwise destroy starlings, crows or similar birds or fowl when such birds or fowl are found to congregate in such numbers in a particular locality or otherwise constitute a nuisance or a menace to health or property and do in fact inflict serious damage to property within the town. If firearms are used to eradicate birds causing such damage to persons or property within the town, then a permit shall first be obtained from the chief of police as provided under section 14-17. The bird clubs of the town are hereby granted permission to erect artistic signs, giving notice of the regulations herein provided, at such places and of such design as may be approved by the mayor. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 90. Subsection (e) of Section 15-6 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 15-6. Opening and closing town parks; remaining in parks after closing; forfeiture of right to use park.**

- (e) In addition to any other enforcement remedies provided by **section 1-8 of this Code and G.S. 160A-175**~~law~~, violators of subsections (c) or (d) are subject to criminal penalties for trespass.

**Section 91. Subsection (y) of Section 15-7 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

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**Sec. 15-7. Rules and regulations; illegal acts.**

- (y) **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4. In addition,** ~~Any~~ law enforcement officer may issue a citation for a civil penalty for any violation of section 15-5, and subsections 15-7(l) or 15-7(q), in the amount of \$100.00. This authority shall be in addition to any other authority under this Code or North Carolina law, and shall not preclude in any way any law enforcement officer from exercising any authority or carrying out the duties of a law enforcement officer. Enforcement of any unpaid citation may be by issuance of a criminal summons, by the filing of a civil complaint to collect the unpaid debt owed to the town, and/or by any other means authorized by law.

**Section 92. Subsection (i) of Section 15-9 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 15-9. Regulation of certain activities at special events.**

- (i) *Failure to comply.* **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.** In addition to any other enforcement remedies provided by **section 1-8 and G.S. 14-4**~~law~~, violators of this section will be asked to leave the event in an orderly fashion. Failure to comply with the request will subject the violator to issuance of a criminal complaint for trespassing.

**Section 93. Section 18-5 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 18-5. Same—Defacing numbers.**

It shall be unlawful for any person to alter, deface or take down any number placed on any property in accordance with section 18-3 except for repair or replacement of such number. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 94. Section 18-7 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

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**Sec. 18-7. Driveway connections.**

No person shall make any driveway connection to a street without first having obtained a written permit from the code enforcement officer. Driveway connections shall be permitted and constructed in accordance with existing ordinances and other policies as the town council may prescribe. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 95. Section 18-9 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 18-9. Damage to streets or sidewalks.**

No person shall damage, deface or mar in any manner whatsoever any of the streets or sidewalks. The town shall have the right and privilege to repair any such damage, defacement or mar and assess the cost thereof against the offender. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 96. Subsection (a) of Section 18-11 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 18-11. Obstructions—Structures; vehicles.**

- (a) It shall be unlawful to build, erect, construct or place any porch, steps, fence, wall, storage pod, dumpster, construction materials, construction equipment, similar items, or other obstruction whatsoever in or over any of the streets or sidewalks. It shall be unlawful to obstruct any sidewalk or street with any buggy, wheelbarrow, wagon, automobile, truck or other vehicle, railroad car, chair, bench, open gate, chicken coop, box or other article; provided, that a margin not exceeding two and one-half feet in width on the inside of the sidewalk in the business blocks shall be allowed for the exhibition of merchandise by abutting merchants; provided further, that this section shall not apply to baby carriages and invalid chairs rolled on the sidewalks in such manner as not to obstruct the same. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 97. Section 18-12 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

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**Sec. 18-12. Same—Boxes, etc.; building materials.**

No brick, stone, wood or other substances obstructing the free passage of persons or vehicles shall be placed or suffered to lie in any of the sidewalks, alleys, streets or other public ways of the town, nor shall any person place thereon any boxes, crates, casks or barrels of any description or any other obstruction of any kind; provided, that any person erecting a building may with permission place building material for immediate use on the streets in such a way as to not interfere with the usual traffic. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 98. Section 18-14 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 18-14. Auction sales on streets; attracting crowds.**

It shall be unlawful to hold any auction sale on any street, except at designated places, without permission of the police; and it shall be unlawful to attract a crowd on any street, sidewalk or public thoroughfare so as to impede travel thereon. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 99. Section 18-15 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 18-15. Awnings.**

It shall be unlawful to erect or maintain in front of any building any shelter, sunshade or awning which shall extend over the sidewalk less than seven feet above the level of any sidewalk or which shall extend more than ten feet from the building to which it may be attached; provided, that stationary awning arms shall not be less than eight feet above the level of the sidewalk. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 100. Section 18-16 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

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**Sec. 18-16. Signs.**

It shall be unlawful to hang or suspend any sign over or above the sidewalk or streets at less than eight feet from the ground over the sidewalk and less than 15 feet from the ground above the street. The sign shall be kept securely fastened at all times. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 101. Section 18-18 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 18-18. Excavations—Permit required.**

No person shall make any excavation, cut or any other opening in any of the streets or sidewalks without first having obtained a written permit from the department of inspections. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 102. Section 20-2 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-2. Applicability of chapter to public employees.**

The provisions of this chapter shall apply to the drivers of any vehicle owned or operated by or used in the service of the United States government, the state government, county government or municipal government, and it shall be unlawful for any driver of such vehicle to violate any of the provisions of this chapter. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 103. Subsection (d) of Section 20-3 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-3. Protective helmets required.**

**(d) A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

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**Section 104. Section 20-4 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-4. Obedience to police.**

It shall be unlawful for any person to refuse or to obey or disobey any lawful order of a police officer when such officer is on duty. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

For the provisions of this section an officer is considered to be on duty when in uniform or when such officer has identified such person's self to be a police officer.

**Section 105. Section 20-7 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-7. Use of skates, coasters, toy vehicles, etc.**

No person on roller skates, a skateboard, or riding on or in any coaster, toy vehicle or similar device shall go upon any public street posted greater than 25 miles per hour speed limit or outside of a residential area unless it be while crossing at a crosswalk or intersection or on a street closed for a town sanctioned event. Additionally, all devices included in this section shall be prohibited from traveling on sidewalks along North Salem Street between Chatham Street and Center Street at all times. No parent or guardian of any juvenile shall knowingly allow any juvenile to violate this section. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 106. Subsection (d) of Section 20-11 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-11. Transportation of explosives.**

**(d) A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 107. Section 20-12 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-12. Transportation of flammable fluids.**

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Vehicles carrying flammable fluids may not park within the town limits and must follow such truck routes as may have been established, except vehicles with a maximum capacity of 1,800 gallons (separated in compartments holding no more than 600 gallons each), which may park for the purposes of loading and unloading only. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 108. Section 20-14 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-14. Display, etc., of unauthorized signs, signals or markings.**

No person shall place, maintain or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be, 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 official traffic control device or any railroad sign or signal. No person shall place or maintain and no public authority shall permit upon any 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 of a type that cannot be mistaken for official signs. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 109. Section 20-15 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-15. Entering, riding, etc., vehicle without consent of owner or driver and improper behavior.**

No person shall enter, cling to, jump on or ride any vehicle without the consent of the owner or driver of such vehicle. Additionally, it shall be unlawful to cling to, jump on, or attempt to enter a vehicle while it is in motion. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 110. Section 20-16 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

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**Sec. 20-16. Boarding or leaving vehicle.**

No person shall board or alight from any public conveyance or other vehicle on the public streets while such conveyance or vehicle is in motion. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 111. Subsection (b) of Section 20-34 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-34. Abandoned motor vehicles.**

- (b) *Unlawful.* It shall be unlawful for the registered owner or person entitled to possession of a vehicle to cause or allow such motor vehicle to become an abandoned motor vehicle as the term is defined herein. **A violation of the same is punishable as an infraction as provided by G.S. 14-4.** If a motor vehicle is abandoned on a public street or highway, it shall be the duty and responsibility of the owner or person entitled to possession of the motor vehicle to cause the removal thereof immediately and to pay all costs incident to the removal.

**Section 112. Subsection (b) of Section 20-34.1 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-34.1. Health or safety hazard vehicles.**

- (b) *Unlawful.* All health or safety hazard vehicles are hereby found, deemed and declared to be unlawful public health nuisances and hazards to the public health and safety. It shall be unlawful for the registered owner or person entitled to possession of a motor vehicle, or for the owner, lessee, or occupant of the real property upon which the vehicle is located to leave or allow the vehicle to remain on the property after it has been declared a health or safety hazard vehicle. **A violation of this subsection is punishable as an infraction as provided by G.S. 14-4.**

**Section 113. Subsection (b) of Section 20-34.2 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-34.2. Aesthetic nuisance vehicles.**



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- (b) *Unlawful.* It shall be unlawful for the registered owner or person entitled to possession of an aesthetic nuisance vehicle, or for the owner, lessee, or occupant of the real property upon which an aesthetic nuisance vehicle is located to leave or allow the vehicle to remain on the property after the vehicle has been ordered removed. **A violation of this subsection is punishable as an infraction as provided by G.S. 14-4.**

**Section 114. Section 20-51 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-51. Sitting, lying, etc., upon streets and pedestrian facilities.**

No person shall willfully stand, sit or lie upon any portion of a highway, street, sidewalk, greenway, or multi-use path in such a manner as to impede the regular flow of vehicular or pedestrian traffic. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 115. Subsection (c) of Section 20-52 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-52. Standing, etc., in street to solicit employment, business or contributions; hitchhiking.**

- (c) **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 116. Subsection (c) of Section 20-53 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-53. Right-of-way—At crosswalks.**

- (c) **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 117. Subsection (f) of Section 20-54 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

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**Sec. 20-54. Same—At places other than crosswalks.**

**(f) A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 118. Section 20-55 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-55. Same—Blind persons.**

At any street crossing or intersection where the movement of traffic is not regulated by a police officer or by traffic control signal, any blind or partially blind person shall be entitled to the right-of-way at such crossing or intersection, if such blind or partially blind person shall extend before such person's self at arms-length a cane white in color or white tipped with red or if such person is accompanied by a guide dog. Upon receiving such a signal, all traffic at or approaching such crossing or intersection shall come to a complete stop, leaving a clear lane through which such blind person may pass and such vehicle shall remain stationary until such blind person has completed such crossing or intersection. At such intersection or crossing where the movement of traffic is controlled by traffic control signals, blind or partially blind persons shall be entitled to the right-of-way if such person having such cane or accompanied by such dog shall be partly across such crossing or intersection at the time that the traffic control signal changes, and all vehicles shall stop and remain stopped until such person has completed the crossing. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 119. Section 20-56 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-56. Use of white cane.**

It shall be unlawful for any person, except one who is wholly or partially blind, to carry or use on the public streets or in any other public place a cane or walking stick white in color or one that is white tipped with red. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 120. Subsection (d) of Section 20-61 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

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**Sec. 20-61. Turn signs, lane markers, etc.**

**(d) A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 121. Section 20-62 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-62. Same—No parking and safety zone markers.**

Whenever authorized signs or markings are placed, erected or installed indicating no parking zones or safety zones, no driver of a vehicle shall disobey the regulations in connection therewith. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 122. Section 20-64 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-64. Traffic signals generally.**

The driver of any vehicle shall obey any official traffic control signal placed or located on any public street or public highway. "Signal light" shall refer to an illuminated circular indication assigned to one or more lanes and "arrow signal light" shall refer to an illuminated arrow-shaped indication pointing in the assigned direction of travel for a single lane. "Assigned" shall refer to the nearest aligned signal light or arrow signal light facing the direction of travel of one or more lanes.

The following colors only shall be used and such terms and lights shall indicate the following action:

- (1) *Green signal light.*
  - a. Vehicular traffic in the lane or lanes assigned to the signal light may proceed straight through or turn either right or left unless a sign prohibits such turn; provided, that vehicular traffic shall yield the right-of-way to other vehicles and pedestrians who may be lawfully within the intersection.
  - b. Pedestrians facing such signal light may proceed across the roadway within the crosswalk area, whether marked or unmarked.
- (2) *Yellow signal light.*

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- a. Vehicular traffic in the lane or lanes assigned to the signal light shall stop before entering the intersection, or if a crosswalk is present, vehicular traffic shall stop before entering the nearest crosswalk at the intersection; however, if such stop cannot be made in safety, the vehicle may proceed cautiously through the intersection.
  - b. Pedestrians facing such signal light are thereby warned that there will not be sufficient time to safely cross the roadway, and any such pedestrian then starting to cross such roadway shall yield the right-of-way to all vehicles.

(3) *Red signal light.*

- a. Vehicular traffic in the lane or lanes assigned to the signal light shall stop before entering the intersection, or if a crosswalk is present, vehicular traffic shall stop before entering the nearest crosswalk and shall remain in a stopped position until the green signal light is illuminated and the red signal light is no longer illuminated; provided that except where prohibited by sign, such vehicle may turn right after stopping and yielding to other vehicles and pedestrians.
- b. No pedestrian facing such signal light shall enter the roadway unless such pedestrian can do so without interfering with any vehicular traffic. **A violation of this subsection is punishable as an infraction as provided by G.S. 14-4.**

(4) *Green arrow signal light.*

- a. Vehicular traffic in the turning lane assigned to the signal light may cautiously enter the intersection and can continue in the direction indicated by the arrow.
- b. No pedestrians in conflict with such signal light, whether facing such signal light or otherwise, shall enter the roadway unless he can do so without interfering with any vehicular traffic. **A violation of this subsection is punishable as an infraction as provided by G.S. 14-4.**

(5) *Flashing yellow arrow signal light.*

- a. Vehicular traffic in the turning lane assigned to the signal light may turn in the direction indicated by the arrow; provided, that vehicular traffic shall yield the right-of-way to other oncoming vehicles and pedestrians who may be lawfully in the intersection.

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**A violation of this subsection is punishable as an infraction as provided by G.S. 14-4.**

- b. Pedestrians facing such signal light may proceed across the roadway within the crosswalk area, whether marked or unmarked.

**Section 123. Section 20-65 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-65. Flashing signals.**

The driver of any vehicle shall obey any flashing light displayed on a public street in accordance with the direction as follows:

- (1) *Flashing red light:* When a red flashing signal is clearly displayed or located on a public street, the driver of any vehicle facing such light shall stop before entering the nearest crosswalk at an intersection or at such other line when marked, and the right to proceed shall be subject to the rule of safety and noninterference with other traffic.
- (2) *Flashing yellow light:* When a yellow flashing signal is clearly displayed or located on a public street, the driver of any vehicle facing such light shall proceed through the intersection with caution, provided that movement can be made in safety.
- (3) **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 124. Subsection (a) of Section 20-68 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-68. 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 or through street. When stop signs have been erected at three or more entrances to an intersection, the driver, after stopping in obedience thereto, may proceed with caution. **A violation of this subsection is punishable as an infraction as provided by G.S. 14-4.**

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**Section 125. Section 20-69 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-69. Yielding right-of-way—In obedience to signs.**

Whenever authorized yield right-of-way signs are placed, erected or installed at any street intersection, any vehicle facing such signs shall slow down and yield the right-of-way to any vehicle in movement on the 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 highway or street. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 126. Subsection (a) of Section 20-71 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-71. One-way streets.**

- (a) Upon those streets, or portions thereof, designated in subsection (b) as one-way streets, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 127. Section 20-80 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-80. Steering mechanism.**

The steering mechanism of every self-propelled vehicle operated on the public streets shall be maintained in good working order, sufficient to enable the operator to control the vehicle's movements and to maneuver it safely. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 128. Section 20-81 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-81. Brakes.**

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Every motor vehicle, when operated upon a public street, shall be equipped with brakes adequate to control the movement of and to stop such vehicle, and such brakes shall be maintained in good working order. The brakes shall conform to the standards as set forth by the commissioner of motor vehicles. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 129. Section 20-82 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-82. Lights.**

Every vehicle operated upon a public street during the period from a half hour after sunset to a half hour before sunrise and at any other times when there is not sufficient light to render clearly discernible any person on the public street at a distance of 400 feet ahead or 500 feet ahead when windshield wipers are in use due to environmental factors reducing visibility, other than intermittent use in misting rain, sleet, or snow, shall display lights on such vehicle as determined by the commissioner of motor vehicles. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 130. Section 20-83 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-83. Horns and other warning devices—Horns required.**

Every motor vehicle, when operated upon the public streets, shall be equipped with a horn in good working condition capable of emitting a sound audible under normal conditions from a distance of not less than 200 feet. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 131. Section 20-84 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-84. Same—Sirens, whistles; use of horns.**

It shall be unlawful for any vehicle except an emergency vehicle to be equipped with a siren, or for any person at any time to use a horn otherwise than as a reasonable warning or to make unnecessary or unreasonable loud or harsh sound by means of a horn or other

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device. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 132. Section 20-85 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-85. Vehicles out of repair so as to cause noise.**

It shall be unlawful to operate a motor vehicle so out of repair as to cause unnecessary or unreasonable grinding, grating, squealing, rattling or other annoying noises. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 133. Section 20-86 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-86. Windshield wipers.**

No motor vehicle which is equipped with a permanent windshield shall be operated upon the public streets unless such windshield is equipped with a device for cleaning snow, rain, moisture or other matter from the windshield directly in front of the operator, which device shall be in good working order and so constructed as to be controlled or operated by the operator of the vehicle; provided, that on any vehicle equipped by its manufacturer with such devices on both sides of the windshield, both such devices shall be in good working order. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 134. Section 20-87 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-87. Obstructions to vision.**

It shall be unlawful for any person to drive any vehicle upon a public street with any sign, poster or other nontransparent material upon the front windshield, side winds, side or rear windows, or hanging from the rear view mirror of such vehicle other than a toll transponder, parking pass, certificate, or other paper required to be so displayed by law or approved by the commissioner of motor vehicles. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**



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**Section 135. Section 20-88 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-88. Television.**

No person shall drive any motor vehicle with any television viewer, screen or other means of visually receiving a television broadcast which is located in the motor vehicle at any point forward of the back of the driver's seat or which is visible to the driver while operating the motor vehicle. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 136. Section 20-89 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-89. Street gates.**

- (a) A gate shall be located across streets at the following locations and access through the gates shall be as stated:
  - (1) *Sandy Hill Court.* At such time as Sandy Hill Court is extended from Castlewood Subdivision to a subdivision to the north of Castlewood Subdivision, a locked gate shall be located across Sandy Hill Court where Castlewood Subdivision adjoins the subdivision to the north. When locked, the gate shall leave a four-foot-wide opening across Sandy Hill Court. No motorized vehicles or traffic shall pass through the gate or its four-foot-wide opening except for public emergency vehicles. **A violation is punishable as an infraction as provided by G.S. 14-4.** Additionally, Town of Apex personnel may unlock the gate and the full width of Sandy Hill Court may be used for motor vehicular access for emergencies.

**Section 137. Section 20-100 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-100. Speed limits.**

For the purpose of this section, "street" means a street, road, or highway located within the corporate limits of the town that is not part of the state highway/road system. It shall be unlawful for any person to drive a vehicle upon a street at a speed greater than provided by this section. No person shall drive a vehicle upon a street at a speed greater

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than is reasonable and prudent under the conditions then existing even if the speed limit provided by this section would otherwise allow a greater speed. Existing conditions that may require lesser driving speeds include, but are not limited to, pedestrian activity, on-street parking activity, obstructions in the travel way, maintenance work on the roadway or utilities, weather, less than optimal road surface conditions or reduced visibility. Pursuant to G.S. 20-141(e) all speed limits other than 35 miles per hour applicable to streets or sections thereof shall be posted by signage erected upon the street or section thereof affected. All 35 miles per hour speed limits may be posted, but are effective whether or not posted. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

The following speed limits apply as indicated:

- (1) Speed shall be limited to 35 miles per hour on all streets, except as otherwise provided in the following subsections;
- (2) Speed shall be limited to 25 miles per hour on all residential streets in residential subdivisions and all streets in the central business district, also including Salem Street from its intersection with East Williams Street to 300 feet north of Center Street;
- (3) Speed shall be limited to ten miles per hour less than the otherwise applicable speed limit provided by section 20-100 within any school zone during posted hours of enforcement on days school is in session;
- (4) Speed shall be limited to 15 miles per hour when turning at any corner or intersection or when proceeding through a parking lot, but shall not be posted;
- (5) Speed shall be limited to 15 miles per hour on any street within any town recreation park;
- (6) Speed shall be limited to 25 miles per hour on the following streets or sections thereof as indicated:

Abraham Circle, Ada Street, Ambergate Station, Baucom Street, Beaver Creek Commons Drive, Bullock Court, Chatham Street from its intersection with Jones Street eastwardly to its terminus 100 feet east of Briarcliff Street, Cooke Street, Corenna Street, Creekside Landing Drive, Culvert Street, Cunningham Street, Dogwood Lane, Ellington Street, First Street, Harward Street, Hughes Street from its intersection with East Williams Street, northward to the terminus of Hughes Street north of Center Street, James Street eastward from Williams Street to Schieffelin Road, Lynch Street, Mason Street, Moore Street, Olive Street, Saunders Street, Second Street, Short Street, Third Street, Tunstall Avenue, Upchurch Street, West Street, Wrenn Street, and James Street from its intersection with Tingen Road to its intersection with Minley Way.

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- (7) Speed shall be limited to 45 miles per hour on the following streets or sections thereof as indicated:

Richardson Road.

**Section 138. Section 20-101 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-101. Rapid acceleration of vehicle.**

It shall be unlawful to operate or accelerate a motor vehicle in such a manner as to cause squealing or spinning of tires or to propel sand, dirt, gravel or rocks by the tires. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 139. Section 20-102 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-102. Left turns—Generally.**

Any driver of a vehicle making a left turn at an intersection or within a block shall first give the proper signal by hand or signal light and then move the vehicle as near to the centerline as possible and shall then make the left turn after seeing that the movement can be made in safety. Turns at an intersection shall be made beyond the center of the intersection and the driver of such vehicle shall then proceed in the new direction along the right lane. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 140. Section 20-103 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-103. Same—At certain intersections.**

In making left turns at the street intersections that are so marked, all traffic shall travel to the left of the center of such intersections as may be indicated by buttons, markers or other directing signs. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

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**Section 141. Section 20-104 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-104. "U" turns.**

No driver of any vehicle shall turn such vehicle around in the street and head in the opposite direction within the business district. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 142. Section 20-105 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-105. Turning at intersections marked by traffic lanes.**

At intersections where turn lanes are clearly marked by arrows or other markings, the driver of any vehicle shall make a turn from the lane so indicating such driver's intended direction of movement. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 143. Section 20-106 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-106. Driving on laned streets.**

No person driving a vehicle on a street where such street is clearly marked by lines indicating traffic lanes shall drive outside these lines unless such movement can be made in safety. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 144. Section 20-107 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-107. Emerging from alley or driveway.**

The driver of any vehicle or a pedestrian emerging from an alley, driveway or building shall come to a complete stop prior to entering onto a sidewalk or the sidewalk area extending across the alleyway, driveway or building frontage and shall remain in such stopped position until movement into or across the street can be made in safety without

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interfering with any vehicular or pedestrian traffic lawfully using such street. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 145. Section 20-108 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-108. Backing.**

No person shall back a vehicle into any intersection or crosswalk, nor shall a driver back such vehicle otherwise on a public street without ensuring that such movement can be made in safety and only then when ample warning is given by horn, hand signal or other signal. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 146. Section 20-109 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-109. Driving through funeral procession.**

No person shall drive a vehicle through a funeral procession, except police or fire department vehicles or ambulances responding to emergency calls. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 147. Section 10-110 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-110. Moving from parked position.**

The driver of any vehicle parallel parked shall leave such position in the direction that such vehicle is headed. The driver of any vehicle parked at an angle shall back out from the curb at the same angle until such vehicle has cleared the other vehicles so parked and shall then proceed in the direction that such vehicle is most nearly headed; provided, that such movement can be made in safety. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

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**Section 148. Section 20-111 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-111. Railroad warning signals.**

Whenever any person driving a vehicle approaches a street railway grade crossing and a clearly visible and positive signal gives warning of the immediate approach of a railroad train, it shall be unlawful for the driver of the vehicle to fail to bring the vehicle to a complete stop before traversing such grade crossing. Additionally, it shall be unlawful to proceed across a street railway grade crossing when railroad gate arms are lowered. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 149. Section 20-112 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-112. Driving on sidewalk.**

No person shall drive a motor vehicle upon any sidewalk area with the exception of a permanent or temporary driveway. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 150. Subsection (c) of Section 20-113 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-113. Right-of-way at intersections.**

**(c) A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 151. Section 20-114 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-114. Obstructing traffic at intersections.**

No person shall move a vehicle across an intersection or a marked crosswalk, unless there is sufficient space on the other side of such intersection or crosswalk to accommodate such vehicle without obstructing the passage of other vehicles or pedestrians, even if a

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traffic control signal indicates such movement to be lawful. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 152. Section 20-115 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-115. School zones.**

Whenever authorized signs are placed designating any street or part thereof as a school zone, the driver of any motor vehicle using such street or part thereof shall exercise the greatest care for the protection of pedestrians. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 153. Section 20-117 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-117. Stopping in street generally.**

No person shall stop a vehicle in the street, except for the purpose of parking, unless such stop is made necessary by the approach of emergency vehicles, by the approach of a funeral or other procession which is given right-of-way, by the stopping of a public conveyance, by the stopping of a school bus, by the stopping of any other vehicle located in front of such vehicle, by the lowering of railroad gates, by being given countermanding traffic signals, or by the passing of some other vehicle or pedestrian, or by some emergency or when proceeding cannot be done in safety. In all cases covered by these exceptions such vehicle shall stop so as not to obstruct any footpath, pedestrian aisle, safety zone, crossing or street intersection if possible to do so. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 154. Section 20-118 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-118. No through truck traffic on certain streets.**

No trucks except those either picking up or delivering items of cargo or providing a service to some person, business or other place within the restricted area shall be permitted to travel on the following streets or sections thereof:

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- (1) Tunstall Avenue between East Williams Street and Center Street.
  - (2) Knollwood Drive between U.S. 64 and Laura Duncan Road.
  - (3) Salem Street between 900 N. Salem Street and East Williams Street.
  - (4) Commercial trucks are prohibited from travel along Mason Street within the small town character area of the Town of Apex.
  - (5) Hughes Street between NC 55 and Center Street (SR 1010).

**A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 155. Section 20-119 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-119. Avoidance of official traffic control devices.**

It shall be unlawful to drive an automobile or other motor vehicle across or onto a sidewalk or across the property of a service station or other commercial establishment or across public property for the purpose of avoiding an official traffic control device; further, when signs have been erected giving notice thereof, it shall be unlawful to drive across private property for the exclusive purpose of traveling from one public street to another public street. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 156. Section 20-125 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-125. Conduct on approach of emergency vehicle.**

Upon the approach of any police or fire department vehicle or public or private ambulance or rescue squad emergency service vehicle, except as otherwise provided in G.S. 20-157, giving audible signal by bell, siren or exhaust whistle audible under normal conditions from a distance of not less than 1,000 feet, the driver of every other vehicle shall immediately drive such vehicle to a position parallel to the right edge or curb, clear of any intersection of streets and shall stop and remain in such position unless otherwise directed by a police officer until the emergency vehicle shall have passed. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**



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**Section 157. Subsection (a) of Section 20-126 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-126. Exceptions to right-of-way rule; operation of emergency vehicle.**

- (a) The driver of a vehicle upon the public streets shall yield the right-of-way to police and fire department vehicles and public and private ambulances and rescue squad emergency service vehicles and human tissue transport vehicles, when the latter are operated upon official business and the drivers thereof sound audible signal by bell, siren or exhaust whistle. This provision shall not operate to relieve the driver of such vehicle from the duty to drive with due regard for the safety of all persons using the public streets, nor shall it protect such driver from the consequences of any arbitrary exercise of such right-of-way. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 158. Section 20-127 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-127. Following fire apparatus.**

It shall be unlawful for the driver of any vehicle other than an emergency vehicle to follow any fire apparatus traveling in response to a fire alarm closer than one city block or to drive into or park such vehicle within one block where fire apparatus has stopped to answer a fire alarm. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 159. Section 20-128 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-128. Driving over fire hose; blocking fire-fighting apparatus.**

It shall be unlawful to drive a motor vehicle over a fire hose or any other equipment that is being used at a fire at any time, or to block any firefighting apparatus or any other firefighting equipment from its source of supply regardless of its distance from the fire. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

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**Section 160. Section 20-129 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-129. Quiet zones.**

Whenever authorized signs are placed indicating a zone of quiet, any person operating a motor vehicle within such zone shall not sound the horn or any other warning device located on such vehicle, except in an emergency. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 161. Section 20-130 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-130. Number of persons allowed in front seat.**

It shall be unlawful for the driver or the person in charge of any motor vehicle to permit more than three persons, including the driver of such vehicle, to ride in the front seat or driver's seat of such vehicle. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 162. Section 20-131 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-131. Riding on portion of vehicle not intended for passenger use.**

No person shall ride on any portion of any public conveyance or other vehicle not designed or intended for the use of passengers on the public streets. This provision shall not apply to an employee engaged in the necessary discharge of such person's duty, nor to persons riding in truck bodies in spaces intended for merchandise. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

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**Section 163. Section 20-132 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-132. Leaning out of vehicle, etc.**

No person shall allow any part of such person's body to protrude beyond the limits of the vehicle in which such person is riding, except to give such signals as required by law, and no person shall hang onto any vehicle whatsoever. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 164. Section 20-140 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-140. Riding on handlebars.**

The operator of a motorcycle or bicycle, while operating such vehicle upon the public streets, shall not carry any person upon the handlebars, frame or tank of such vehicle, nor shall any person so ride upon any such vehicle. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 165. Section 20-141 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-141. Operating without hands on handlebars.**

No person shall operate a bicycle or motorcycle on the public streets without having at least one hand on the handlebars at all times. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 166. Section 20-142 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-142. Riding more than two abreast.**

It shall be unlawful for persons operating motorcycles or bicycles on the public streets to travel more than two abreast. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

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**Section 167. Section 20-143 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-143. Riding bicycles, scooters and skateboards on sidewalk.**

No person shall ride a bicycle, scooter or skateboard on any public sidewalk without due caution and shall yield the right-of-way to all pedestrians and persons on other permitted devices using said sidewalks. Speed shall be limited to ten miles per hour on sidewalks and paths of five feet or less in width and when crossing the intersection of a public street or driveway along any sidewalk or path. No person shall ride a bicycle, scooter or skateboard on the sidewalks along North Salem Street between Chatham Street and Templeton Street or along Chatham Street between Seaboard Street and Commerce Street. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 168. Section 20-144 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-144. Helmets for riders on motorcycles.**

No motorcycle shall be operated on a public street unless the operator and all passengers thereon wear safety helmets of a type approved by the commissioner of motor vehicles. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

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**Section 169. Section 20-145 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-145. Number of persons permitted on motorcycles.**

No person shall operate a motorcycle upon the public streets when the number of persons upon such motorcycle, including the operator, shall exceed the number of persons for which it was designed to carry. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 170. Section 20-146 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-146. Attaching bicycles, coasters, etc., to moving vehicle.**

Any person riding upon any bicycle, skateboard, motorcycle, coaster, sled, roller skates, toy vehicle or any other such vehicle shall not attach such vehicle or such person's self to any moving vehicle upon any public street. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 171. Section 20-150 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-150. Stopping, standing or parking prohibited in certain places.**

No person shall stop, stand or park a vehicle, attended or unattended, 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. For the purpose of this subsection the sidewalk will be deemed to continue in front of all businesses and residences from a direct line of the sidewalk on each side of such business or residence.
- (2) Within 15 feet of a residential driveway unless permitted by the owner(s) of the property for which the driveway accesses.
- (3) On a crosswalk or within 15 feet of a crosswalk.
- (4) Within 30 feet of any crossing roadway, flashing beacon, stop sign, yield sign, or traffic control signal.
- (5) On either side of any street approaching an underpass or overhead bridge or within 50 feet in any direction of the outer edge of such underpass or overhead bridge.

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- (6) On either side of any street approaching a railroad grade crossing within 50 feet of the closest rail; provided, that where existing permanent structures are located along the street which are closer than 50 feet, parking may be permitted in front of such structures, unless otherwise prohibited, if such parking does not interfere with the view in either direction of an approaching railroad train.
  - (7) Within 30 feet of a street excavation or temporary obstruction in such manner that would obstruct the flow of traffic.
  - (8) Upon any bridge or other elevated structure or within an underpass, except to repair such place.
  - (9) Within 15 feet of a public facility driveway, commercial driveway, or alley.
  - (10) Along any portion of a street without marked parking spaces where the clear distance from the side of the parked vehicle to the marked street centerline or to the edge of a left turn lane is less than ten feet.
  - (11) In any area designated as a fire lane including designated fire lanes in shopping center or mall parking lots and all other public vehicular areas. Provided, however, persons actively engaged in loading or unloading supplies or merchandise may park temporarily in a fire lane located in a shopping center or mall parking lot as long as the vehicle is not left unattended.
  - (12) Within 15 feet of a fire hydrant.

**A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 172. Section 20-151 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-151. Moving another's vehicle into a prohibited position.**

No person shall move a vehicle, not owned by such person or without the consent of the owner of such vehicle, into any prohibited area or sufficiently away from the curb to make such distance unlawful. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

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**Section 173. Section 20-152 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-152. Obstructing passage of other vehicles, etc.**

No person shall park a vehicle, whether attended or unattended, so as to interrupt or interfere with the passage of public conveyances or other vehicles. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 174. Section 20-153 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-153. Double parking and parking within traffic lane.**

No person shall park a vehicle, whether attended or unattended, on the roadway side of another vehicle parking at the edge of the roadway or curb or on the main traveled portion of any street unless so directed by competent authority or when a special hazard exists. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 175. Section 20-154 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-154. Prohibited purposes—Generally.**

No person shall stand or park a vehicle upon any street or in any parking space along such street for principal purposes of:

- (1) Displaying it for sale.
- (2) Washing, greasing or repairing it, except repairs necessitated by an emergency.
- (3) Storage thereof by garages, dealers or other persons when such storage is not incidental to the bona fide use and operation of such vehicles.
- (4) Storage of any detached trailer or van when the towing unit has been disconnected, or for the purpose of transferring merchandise or freight from one vehicle to another.

**A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

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**Section 176. Section 20-155 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-155. Parallel parking.**

Where not otherwise indicated by this chapter and where the street is not marked to show how vehicles shall park, all vehicles shall park parallel to the curb or edge of pavement when curb is not present and not more than 12 inches therefrom. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 177. Section 20-156 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-156. Setting brakes and stopping motor.**

No person having control or charge of a vehicle shall allow such vehicle to stand on any highway or public street without first effectively setting the brakes thereon and stopping the motor of such vehicle. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 178. Section 20-157 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-157. Turning wheels on grades.**

Any person having control or charge of a vehicle shall, when such vehicle is standing on a grade, turn the front wheels of such vehicle into the curb or shoulder of the road. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 179. Section 20-159 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-159. Backing to curb.**

No vehicle shall be parked by backing the vehicle to a curb unless in the actual process of loading or unloading provided such vehicle does not block the flow of traffic. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**



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**Section 180. Section 20-160 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-160. Side of vehicle to curb.**

No vehicle shall be parked either attended or unattended with its left side to the curb except on one-way streets where parking is permitted on the left side. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 181. Section 20-161 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-161. Alleys.**

No person shall park a vehicle within any alley or entrance thereto so as to block the alley from the free movement of other traffic. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 182. Subsection (d) of Section 20-162 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-162. Parking within lines of designated parking spaces; duration.**

**(d) A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 183. Subsection (a) of Section 20-163 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-163. Reserved parking zones.**

(a) No person except authorized personnel shall park a vehicle in a zone or parking space designated by a sign or signs indicating such areas to be for reserved parking only. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

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**Section 184. Section 20-164 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-164. No parking zones.**

No person shall park a vehicle, whether attended or unattended, within a zone designated as no parking by signs or yellow markings. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.** Signs or yellow markings shall be erected or applied designated "no parking at any time" in the following areas:

...

**Section 185. Subsection (e) of Section 20-165 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-165. No parking in school zones and time designated zones.**

(e) **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 186. Subsection (a) of Section 20-166 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-166. Loading zones.**

(a) No person shall park a vehicle in a loading zone designated by a sign or signs indicating such area to be a loading zone, except for the express purpose of loading and unloading only of such vehicle. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

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**Section 187. Subsection (a) of Section 20-167 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-167. Time-limited areas during certain hours.**

- (a) When official signs are placed, erected or installed giving notice thereof, no person shall park a vehicle for longer than the limits stated on the signs, as set out in the following subsections at any time between the hours of 8:00 a.m. and 6:00 p.m., on any day, except Sunday and public holidays, upon any of the areas so posted. The changing of the position of a vehicle from one point directly to another point within the same block shall be deemed one continuous parking period, and shall not defeat the application of this section. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 188. Section 20-168 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-168. Designation of parking for persons with disabilities.**

It shall be unlawful to park or leave standing any vehicle in a space designated with a sign displaying "Reserved Parking" for handicapped persons in conformance with G.S. 20-37.6(d), when the vehicle does not display the distinguishing license plate or placard as required by state statute. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

Section 189. Section 20-170 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

**Sec. 20-170. Processing of parking violation citations; fines and penalties for parking violations.**

- (b) The following parking violations shall be subject to fines as indicated:
- (1) No parking zones\$30.00
  - (2) Spaces reserved for handicapped parking\$100.00
  - (3) Too close to an intersection\$30.00
  - (4) Too far from curb or street edge\$30.00
  - (5) Double parked\$30.00
  - (6) Fire lane\$50.00

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- (7) Restricted time zones\$30.00
  - (8) Wrong side of the street\$30.00
  - (9) Blocking fire hydrant\$50.00
  - (10) All other\$30.00

All violations of the requirements of this ~~section~~ article shall be prosecuted as violations of a town ordinance, pursuant to G.S. 160A-175, but violations shall not be subject to civil penalties in the nature of a debt, as allowed in G.S. 160A-175(c). Violations shall be ~~misdemeanors or~~ infractions pursuant to G.S. 14-4.

**Section 190. Subsection (c) of Section 20-173 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-173. Electric vehicle charging stations**

**(c) A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 191. Section 20-190 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-190. Blocking certain crossings.**

No railroad company shall allow any of its trains to obstruct crossings at any street or road in the town for a longer time than five minutes. **A violation of this section is punishable as an infraction as provided by G.S. 14-4.**

**Section 192. Section 20-197 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-197. Permit—Required.**

It shall be unlawful for any person to organize, conduct or participate in any parade, picket line or group demonstration in or upon any street, sidewalk or other public place within the town unless a permit therefor has been issued by the town in accordance with the provisions of this article. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

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**Section 193. Section 20-201 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-201. Prohibited acts—Carrying firearms; taking or keeping vicious animal.**

The following acts or activities, when performed or undertaken in conjunction with or as a part of any parade, picket line or group demonstration are hereby prohibited and declared unlawful:

- (1) The carrying on or about the person any firearm or any weapon or article, including, but not limited to, blackjacks, nightsticks or flashlights, which by their use might constitute a deadly weapon.
- (2) The taking or keeping of any vicious animal, whether leashed or unleashed.
- (3) Disrupting, blocking, obstructing, or interfering with pedestrian or vehicular traffic into any driveway, pedestrian entrance, or other building access which abuts the public sidewalk.

**A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 194. Section 20-202 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-202. Same—Interference with permitted activity.**

No person shall hamper, obstruct, impede or interfere with any parade, picket line or group demonstration being conducted under authority of a permit duly issued by the chief of police. **A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 195. Section 20-203 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:**

**Sec. 20-203. Regulation and conduct of picketing.**

Picket lines and picketing shall be subject to the following additional regulations:

- (1) Picketing may be conducted only on the sidewalks reserved for pedestrian movement and may not be conducted on the portion of a street used primarily for vehicular traffic.

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- (2) If more than one group of picketers, promoting different objectives, desires to picket at the same time or near the same location, the chief of police may, without regard to the purpose or content of the message, assign each group a place to picket so as to maintain the public peace. Members of one group assigned to a specific location shall not enter the area assigned to another group. Priority of location shall be determined by which group arrived first.
  - (3) Pickets may carry written or printed placards or signs not exceeding two feet in width and two feet in length promoting the objective for which the picketing is done. Placards, flags, or signs shall not be of a size or displayed in a nature that would obstruct passage of pedestrian or vehicular traffic.
  - (4) Spectators of pickets shall not physically interfere with any individuals engaged in picketing. Neither picketers nor spectators shall speak fighting words or make threats that would tend to provoke a reasonable person to a breach of the peace.

**A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.**

**Section 196. It is the intention of the governing body, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances and the sections of this ordinance may be renumbered to accomplish such intention.**

**Section 197. Severability, Conflict of Laws. If this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.**

**Section 198. Effective Date. This ordinance shall be effective upon adoption.**

Introduced by Council Member: \_\_\_\_\_

Seconded by Council Member: \_\_\_\_\_

This the 23rd day of November 2021.

\_\_\_\_\_  
Jacques K. Gilbert  
Mayor

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ATTEST:

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Donna B. Hosch, MMC, NCCMC  
Town Clerk

APPROVED AS TO FORM:

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Laurie L. Hohe  
Town Attorney