

ORDINANCE NO. 2024-0910-__

AN ORDINANCE AMENDING ARTICLE VIII OF CHAPTER 20 OF THE CODE OF ORDINANCES OF THE TOWN OF APEX

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Apex as follows:

Section 1. Section 20-162 of the Code of Ordinances of the Town of Apex is hereby amended to read as follows, with deletions shown as bold, strikethrough text and additions shown as bold, underlined text:

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

- (a) Where parking spaces are marked with lines indicating parking spaces, vehicles shall be parked within the lines of a parking space. No person shall park a vehicle in a marked parking space on a street for a continuous period of time longer than the time that applies to such **parking space, parking lot,** street or portion thereof pursuant to this chapter. Parking in two or more parking spaces by moving a vehicle from one marked parking space directly to another marked parking space on a street in the same block shall be deemed one continuous parking event and shall not defeat the application of this section.
- (b) Where parking spaces are marked with lines indicating parking spaces in a parking lot **or space** owned, ~~or~~ leased, **or maintained** by the town, vehicles shall be stopped or parked only within the lines of a single marked parking space. No person shall park a vehicle on or along the entranceway, driveway, or access route to a town owned or leased parking lot at any time except in a designated parking space. Except for town owned vehicles, no person shall park a vehicle in any spot designated for town vehicles or personnel. ~~Except for town owned vehicles and equipment or by direction of the police chief or his designee, no~~ **No vehicle,** RV, trailer, **or** boat, ~~or device by which any person or property may be transported~~ shall be stopped or parked overnight in any parking lot owned or leased by the town, whether parking spaces are marked with lines or not. For the purposes of this subsection, overnight is defined as the hours between 11:00 p.m. and 6:00 a.m. This subsection shall not apply to vehicles and trailers owned by vendors participating in town council approved special events in which the parking lot is closed to general parking or to vehicles used by town employees and officials in the prosecution of town business or in the course of their employment.
- (c) In a town owned, ~~or~~ leased, **or maintained** parking lot **or parking space**, when necessary to **accommodate a special event or** maintain safe access, movement, ingress or egress for emergency vehicles, the chief of police, or ~~his~~ designee, is authorized to prohibit on a temporary basis the parking of any vehicle, trailer, boat, or device by which any person or property may be transported.

Section 2. Section 20-167 of the Code of Ordinances of the Town of Apex is hereby amended to read as follows, with deletions shown as bold, strikethrough text and additions shown as bold, underlined text:

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

- (a) When official signs are placed, erected or installed **adjacent to parking spaces or parking lots** giving notice thereof, no person shall park a vehicle for longer than the limits stated on the signs, as **the same are** set out in the ~~following subsections at any time between the hours of 8:00 a.m. and 6:00 p.m.~~ **official Traffic Schedule III, "Parking Time Limits."**; **Parking Time Limits shall be enforced upon any of the areas so posted in accordance with Traffic Schedule III** on any day, except Sunday and **public town** 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.
- (b) It shall be a separate violation for each interval of time a vehicle remains beyond the legal time interval designated for a limited time parking zone. For example, each hour or part of an hour that a vehicle remains past the first hour in a one-hour parking zone shall constitute a separate violation.**
- (c) In a time-limited area, when necessary to maintain safe access, movement, ingress or egress for emergency vehicles, the chief of police, or designee, is authorized to prohibit or allow on a temporary basis the parking of any vehicle, trailer, boat, or device by which any person or property may be transported.**
- ~~(b) Official signs shall be erected designating one-hour parking zones in the following areas:~~
 - ~~(1) In the first four marked parking spaces not designated as handicap accessible spaces on the west side of Town Side Drive north of its intersection with Heritage Village Lane, which are the two spaces to the south of the handicap accessible spaces and two spaces to the north of the handicap accessible spaces.~~

(e) ~~Official signs shall be erected designating three-hour parking zones in the following areas:~~

- (1) ~~In all areas of Salem Street designated for parking from Center Street southwardly on both sides of said street to E. Williams Street; and~~
- (2) ~~In all areas of Chatham Street designated for parking from Salem Street easterly on both sides of said street to Seaboard Street, and from Salem Street westerly on both sides of said street to Commerce Street, and including the two existing parking spaces located at 104 W. Chatham Street.~~

Section 3. Section 20-171 of the Code of Ordinances of the Town of Apex is hereby amended to read as follows, with deletions shown as bold, strikethrough text and additions shown as bold, underlined text:

Sec. 20-171. Removal of certain illegally parked vehicles.

- (a) Any vehicle found parked in a time limiting area, loading zone or other prohibited zone for a period of 24 hours ~~shall~~may be removed to a place of storage and safety, except in the case of publicly sanctioned events or emergencies a police officer may order immediate removal of such vehicle.
- (b) Any vehicle parked in a position or location so as to cause a danger to other users of the public streets shall be removed to a place of storage and safety.
- (c) Removal of vehicles for any of the above-listed reasons shall be at the registered owner's expense as well as whatever storage fee there might be incurred.

Section 4. The Town Clerk and/or Town Manager are hereby authorized to renumber, revise formatting, correct typographical errors, to verify and correct cross references, indexes and diagrams as necessary to codify, publish, and/or accomplish the provisions of this Ordinance as long as doing so does alter the terms of this Ordinance.

Section 5. 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 6. 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 7. Effective Date. This ordinance becomes effective January 2, 2025.

Introduced by Council Member: _____

Seconded by Council Member: _____

This the ____ day of _____, 2024.

Attest:

TOWN OF APEX, NORTH CAROLINA

Allen Coleman, CMC, NCCCC
Town Clerk

Jacques K. Gilbert
Mayor

Approved As To Form:

Laurie L. Hohe,
Town Attorney