

**AN ORDINANCE AMENDING THE TOWN OF BUNN CODE OF ORDINANCES  
REGARDING TRAFFIC VIOLATIONS, PARKING, AND NOISE**

WHEREAS, the Board of Commissioners of the Town of Bunn desires to adopt an ordinance regulating traffic violations, parking, and noise, to ensure and protect the public peace and safety of the community.

WHEREAS, it is necessary to amend the Town Code of Ordinances to clarify its provisions pertaining to traffic violations, parking, and noise, and the penalties that may be assessed for such violation.

NOW THEREFORE, be it ordained by the Board of Commissioners of the Town of Bunn that:

1. The Town Code of Ordinances is hereby amended as follows:

**SPEED LIMITS.**

- (a) Except as otherwise provided in this article or designated by sign, it shall be unlawful to operate a vehicle in excess of thirty-five (35) miles per hour inside the corporate limits.
- (b) Violation of this section shall be an infraction and shall be punishable as provided in G.S. 14-4.

**REDUCED SPEED ZONES.**

- (a) When proper signs have been erected giving notice of speed limits which are other than the generally applicable thirty-five (35) miles per hour limit, it shall be unlawful to operate a vehicle in excess of such speeds.
- (b) The provisions of G.S. 14-4 are inapplicable to this subsection and all such violations of this section will be enforced through issuance of a civil penalty in such amount as set forth in the adopted fee schedule.

**ENGINE COMPRESSION BRAKES PROHIBITED.**

- (a) No person shall use a motor vehicle where the engine compression brake is in any way engaged or activated on such motor vehicle or any unit a part thereof, except for emergency situations for the purpose of avoiding a collision with another object, person or vehicle.
- (b) *Engine compression brake* means a device, primarily on trucks, for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes (commonly referred to as a "jake" brake, engine brake or dynamic braking device).

(c) The provisions of G.S. 14-4 are inapplicable to this subsection and all such violations of this section will be enforced through issuance of a civil penalty in such amount as set forth in the adopted fee schedule.

#### PARKING PROHIBITIONS.

(a) It shall be unlawful for the driver of a vehicle to stop, stand or park such vehicle in any of the following places, except when necessary to avoid conflict with other traffic or with the direction of a police officer or traffic signal:

- (1) Within an intersection;
- (2) On a crosswalk;
- (3) Within 25 feet of the driveway or entrance to any fire station;
- (4) Within 15 feet of any fire hydrant;
- (5) On any sidewalk;
- (6) On any curb;
- (7) On the wrong or opposite side of the street so as to be facing oncoming traffic
- (8) At any place where official traffic signs have been erected prohibiting standing or parking.

(b) No person shall park a vehicle or permit it to stand, whether attended or unattended, upon any public vehicular area, street, highway or roadway in any area designated as a fire lane. This subsection includes designated fire lanes in shopping center or mall parking lots and all other public vehicular areas. The prima facie rule of evidence created by G.S. 20-162.1 is applicable to prosecutions for violation of this section. The owner of a vehicle parked in violation of this subsection shall be deemed to have appointed any state, county or municipal law enforcement officer as his agent for the purpose of arranging for the transportation and safe storage of such vehicle. No law enforcement officer removing such a vehicle shall be held criminally or civilly liable in any way for any acts or omissions arising out of or caused by carrying out or enforcing any provisions of this subsection, unless the conduct of the officer amounts to wanton misconduct or intentional wrongdoing.

(c) Violation of this section shall be an infraction and shall be punishable as provided in G.S. 14-4.

#### LOUD DISTURBING NOISES PROHIBITED.

(a) It shall be unlawful for any person to intentionally produce, intentionally cause to be produced, or intentionally participate in producing any unreasonably loud and disturbing noise in the Town.

(b) In determining whether a noise or sound is unreasonably loud for purposes of this section, factors that may be considered include, but are not limited to: (1) its volume, (2) the volume of background noise, if any, in the area where it is produced, (3) its proximity to residences or other developments where people sleep, (4) the zoning and character of the area where it is produced, (5) the time of day or night that it is produced, (6) its duration, and (7) whether it is recurrent,

intermittent, or constant. The determination of whether a noise or sound is unreasonably loud shall be made without considering the content of any message conveyed by the noise or sound.

(c) This section shall not apply to: (i) the sirens of police or other emergency vehicles, (ii) horns or other warning signals used in a bona fide attempt to avoid an imminent automobile accident, or (iii) any amplified sound or other noise that is produced within an enclosed building and not audible outside of that building.

(d) It shall be no defense to a violation of this section that the noise or sound produced in violation of this section: (1) complied with any other provision of this Code, including any provision authorizing the use of sound amplification equipment or (2) was produced pursuant to any permit issued by the city authorizing the use of sound amplification equipment.

(e) The provisions of G.S. 14-4 are inapplicable to this subsection and all such violations of this section will be enforced through issuance of a civil penalty in such amount as set forth in the adopted fee schedule.

#### ENFORCEMENT.

All civil citations received in violation of the Code of Ordinances shall be presented to the Town of Bunn at 601 Main Street during normal business hours for payment processing or may be paid by mailing the citation and payment to the Town of Bunn at P.O. Box 398, Bunn, NC 27508, within seven (7) days from the time of the offense, except when the time limit expires on a holiday or weekend, and then the time limit will be extended to the next working day. Unpaid civil citations may be collected through the filing of a civil action against the offender or through any other legally available collection method.

#### APPEAL

All civil citations may be appealed within seven (7) days of the date of issuance of the citation. Appeal shall be submitted to the Town Clerk in writing and must contain the basis for why the offender believes that the citation should be rescinded. The Town Clerk shall provide a written decision to the offender within ten (10) days of receipt of the appeal.

2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.
3. If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.
4. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 5<sup>th</sup> day of August, 2024.

Marsha Strawbridge  
Marsha Strawbridge, Mayor

Attest:

Dottie Taylor  
Dottie Taylor, Town Clerk