

CHAPTER 18. VEHICLES, TRAFFIC, BICYCLES

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CHAPTER 18. VEHICLES, TRAFFIC, BICYCLES.

ARTICLE I. IN GENERAL

18.101. SHORT TITLE.

This Chapter may be cited as the "Traffic Ordinance."

18.102 DEFINITIONS.

For the purposes of this Chapter, the definitions of the 1976 South Carolina Code of Laws, Section 56-5-110 are hereby adopted and made a part of this Code.

18.103. JURISDICTION OF MUNICIPAL COURT.

The Municipal Court may try and determine criminal cases involving violation of the provisions of this Chapter or provisions of the 1976 South Carolina Code of Laws, relating to motor vehicles and traffic occurring within the corporate limits when the penalty prescribed by state law for such violations does not exceed thirty (30) days imprisonment or five hundred dollars (\$500.00) fine. The Court may have trial jurisdiction over such criminal cases the same as magistrates.

(1976 SC Code 14-25-970 and 56-5-6150) (Ord. #101. 9-19-93)

18.104. POWERS OF TOWN COUNCIL.

Pursuant to the 1976 Code of Laws of South Carolina, the Town Council, except as otherwise provided by this Chapter or directed by the Council, shall have the power and is hereby authorized to:

1. Regulate the operation and parking of vehicles within the corporate limits by the erection or placing of proper signs or markers indicating prohibited or limited parking, restricted speed areas, one-way streets, play streets, through or arterial streets, "U" turns, school zones, hospital markers and official traffic-control devices indicating the place or manner of operating or parking vehicles, including "loading zones."

2. Regulate the movement of pedestrians upon the streets and sidewalks by the erection or placement of proper signs or markers indicating the flow of pedestrian traffic.

3. Mark off traffic lanes on streets and parts of streets indicating and directing the flow of traffic, when in the judgment thereof, such action is necessary.

4. Secure all necessary signs, markers or official traffic-control devices to be erected or placed on any street or part of a

street when such action is deemed necessary. The existence of such signs, markers or official traffic-control devices at any place shall be prima facie evidence that such signs, markers or official traffic-control devices were erected or placed by and at the direction of the Council and in accordance with the provisions of this Section.

(1976 SC Code 5-7-30)

18.105. STATE DRIVERS AND VEHICLE LICENSES REQUIRED.

No person shall operate a motor vehicle on any street without a valid driver's license issued by this or another state to operate the vehicle, and said vehicle shall have current license tags.

(1976 SC Code 56-1-20)

18.106. RESPONSIBILITY OF VEHICLE OWNER.

No person shall allow, permit or let any vehicle registered in his name violate any ordinance. All violations of parking ordinances shall be presumed to be with the knowledge of the owner of such vehicle.

(1976 SC Code 56-5-6120)

18.107. "FIXING" TRAFFIC TICKETS.

It shall be unlawful for any official or employee of the town to "fix" or cancel any ticket or summons issued by the police department for a violation of this Article or any other traffic ordinance.

ARTICLE II. MOVING TRAFFIC

Editor's Note. The jurisdiction and authority herein are drawn, in part, from the 1976 South Carolina Code, Sections 56-5-6150 and 5-7-30. Other sections have been added to implement them.

18.201. ADOPTION OF STATE LAWS.

a. All vehicles shall be operated in accordance and conformity with all current state laws and this Code, or amendments thereto enacted, as relating to the operation of vehicles, which provisions are adopted by reference and made a part of this Chapter as if set out herein, except those provisions relating solely to the State Highway Department and those provisions the penalty for which exceeds a fine of five hundred (\$500.00) dollars or imprisonment for more than thirty (30) days. Any person violating these provisions shall be, upon conviction, guilty of a misdemeanor.

b. All requirements of Section 56-5-4410 to Section 56-5-5050 and Section 56-5-5140 of the Code of Laws of South Carolina, 1976, are hereby adopted by reference and made a part of this Chapter as if set out in full herein. All owners of vehicles shall conform with such requirements, and any person failing to conform therewith shall be, upon conviction, guilty of a misdemeanor.

(1976 SC Code 56-3-10) (Ord. #101. 9-19-93)

18.202. USING VEHICLE FOR ADVERTISING.

No person shall operate or park any vehicle on any street for the primary purpose of advertising without the prior approval of the Council.

18.203. DRIVING ACROSS PRIVATE PROPERTY TO MAKE TURNS.

It shall be unlawful for any person driving a vehicle to use a sidewalk area or any driveway, parking lot or business entrance at any intersection to "cut a corner" purposely. It is the intention of this Section to prohibit corner cutting by driving a vehicle from one street into another across any sidewalk and/or driveway and/or through any driveway.

18.204. RESERVED.18.205. STOP SIGNS. ENTERING A THROUGH STREET.

When stop signs are erected at streets intersecting a through street, at the entrances thereto or at the entrance to any intersection,

Every driver of a vehicle shall stop at every such sign or at a clearly marked stop line before entering the intersection except when directed to proceed by a police officer or traffic control signal.

18.206. DISPLAY FOR SALE, WASHING, GREASING, ETC., BESIDE ROADWAY.

No person shall stand or park vehicles within any public right-of-way for the principal purpose of displaying it for sale or washing, greasing or repairing such vehicle except repairs necessitated by an emergency, without prior approval of the Chief of Police.

18.207. GENERAL RULE AS TO SPEED RESTRICTIONS.

No person shall drive a vehicle on any street at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the street in compliance with legal requirements and the duty of all persons to use due care.

(1976 SC Code, 56-5-1520, et seq.)

18.208. PRIMA FACIE SPEED LIMITS.

Where no special hazard exists that requires a lower speed for compliance with this Article, the speed of any vehicle not in excess of the limits specified in this Article shall be lawful, such limits established in this Section being:

1. Twenty-five miles per hour in any business district; and
2. Thirty-five miles per hour in any residence district.

Any speed in excess of such limits shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful.

(1976 SC Code 56-5-1530)

18.209. WHEN LOWER SPEEDS REQUIRED.

The driver of every vehicle shall, consistent with the requirements of this Article, drive at an appropriate reduced speed when approaching and crossing an intersection, when approaching a hill crest, when traveling upon any narrow or winding roadway and when any special hazard exists with respect to pedestrians or other traffic or by reason of weather or street conditions.

(1976 SC Code 56-5-1540)

18. "U" TURNS UNLAWFUL.

It shall be unlawful for any person driving a vehicle to make a "U" turn or other prohibited turn at any point where such turn is prohibited by posted signs or to accomplish a "U" turn by deviously going into or through private property adjoining a street where such turn is prohibited.

18.219. OPERATION ON STREETS UNDER REPAIR, CLOSED TO TRAVEL.

No person shall ride or drive or cause to be ridden or driven any horse or vehicle over that part of any street which is being repaired or paved, or over any part of a street wholly closed to travel.

18.220. DRIVING ON SIDEWALKS.

It shall be unlawful for anyone to ride or drive any motor vehicle on the sidewalks of any public streets of the town, except for the purpose of crossing the same when necessary.

18.221. NO-PASSING ZONES.

The Town Council may determine those portions of any street where overtaking and passing a vehicle proceeding in the same direction or driving to the left of the roadway would be especially hazardous and may, by appropriate signs or markings on the roadway, indicate the beginning and end of such zones, and when such signs or markings are in place and clearly visible to an ordinarily observant person, every driver of a vehicle shall obey the directions thereof.

18.222. RECKLESS DRIVING.

Any person who drives any vehicle in such a manner as to indicate either a wilful or wanton disregard for the safety of persons or property shall be guilty of reckless driving and of a violation of this Section.

(1976 SC Code, 56-5-2920)

18.223. FOLLOWING TOO CLOSELY.

The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicle and the traffic upon and the conditions of the street.

18.224. SPILLING LOADS.

No vehicle shall be driven or moved on any street unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom.

18.225. USE OF HORN IN QUIET ZONES.

Whenever authorized signs are erected indicating a zone of quiet, no person operating a motor vehicle within any such zone shall sound the horn or other warning device of the vehicle, except in an emergency.

18.226. OPENING DOORS INTO TRAFFIC.

No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so; nor shall any person leave a door open on the side of a motor vehicle available to traffic for a period of time longer than necessary to load or unload passengers.

18.227. SPEED LIMITS; AUTHORITY TO ESTABLISH.

The Town Council may, from time to time, establish speed limits different from those set out in this Article on particular streets or parts of streets, or in particular areas. When signs or markings are installed giving notice of such speed limits, it shall be unlawful to exceed the indicated speed.

18.228. SAME. TRUCKS, TRUCK TRACTORS.

Where no special hazards exist, motor trucks and motor truck tractors of a size greater than one and one-half tons shall obey signs posted giving notice of special conditions.

18.228.1. CARELESS OPERATION OF A MOTOR VEHICLE.

a. It shall be unlawful for any person to operate a motor vehicle within the town limits, without care, prudence, caution and without full regard for the safety of persons or property.

b. Any person failing to do so shall be guilty of the offense of careless operation of a motor vehicle.

c. The operation of a motor vehicle, when the same or any of its components is not in proper or safe condition, shall be prima facie evidence of a violation of this section and shall subject the violator to a fine of not less than \$25.00 nor more than \$500.00.

(Ord. #70. 12-13-90) (Ord. #101. 9-19-94)

18.229. SAME. RACING OR DRAG RACING PROHIBITED.

It shall be unlawful for any person to engage in a motor vehicle race or contest for speed or acceleration on any public road, street or highway in the town, or to aid, abet or assist in any manner whatsoever in any such race or contest. It shall be unlawful also for any owner of a motor vehicle to acquiesce in or permit his car to be used by another in any motor vehicle race or contest for speed.

18.230. SAME. AUTHORIZED EMERGENCY VEHICLES.

a. The speed limitations set forth herein shall not apply to authorized emergency vehicles when responding to emergency calls and the drivers thereof sound an audible signal by siren, bell or exhaust whistle capable of emitting sound audible under normal conditions from a distance of not less than five hundred feet.

b. This provision shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the street, nor shall it protect the driver of any such vehicle from the consequence of a reckless disregard of the safety of others.

18.231. TOWN VEHICLES; RIDING IN/ON UNLAWFUL.

It shall be unlawful for any unauthorized person, or persons, to ride in or on any vehicle owned by the town, without official authority to do so.

18.232. PARKING LIMITED ON MAIN STREET.

It shall be unlawful for any person to park a motor vehicle on Main Street between the hours of 8:00 a.m. and 6:00 p.m., with the exception of Sundays and legal holidays, between S. C. Highway #145 on the West and Green Street and Scotch Road on the East and to leave such motor vehicle parked for a period of time in excess of two (2) hours.

(Ord. 12-5-74)

ARTICLE III. PROCESSIONS

18.301. PERMITS REQUIRED. FUNERAL EXCEPTED.

No procession, or parade containing one hundred (100) or more persons or twenty-five (25) or more vehicles, excepting the armed forces of the United States, or of this state and forces of the Police or Fire Departments, shall occupy, march or proceed along any street except in accordance with a permit issued by the Town Council and such other regulations as are set forth herein which may apply; provided, that funerals are exempt from this requirement.

(Editor's Note. See Section 14.411 of this Code for cross-reference as to South Carolina Code reference and Court rulings.)

18.302. DRIVING INTO FUNERAL, PARADE OR PROCESSION PROHIBITED.

No driver of a vehicle shall drive between vehicles comprising a funeral, parade or other authorized procession while same are in motion and when such vehicles are conspicuously designated as required herein. This provision shall not apply at intersections where traffic is controlled by traffic signals or police officers.

18.303. DRIVERS IN PROCESSIONS TO FOLLOW CLOSELY.

Each driver in a funeral, parade or similar procession shall drive as near to the right-hand edge of the roadway as practical and follow the vehicle ahead as close as is practical and safe.

18.304. IDENTIFICATION.

A parade or procession, including funerals, composed of a procession of vehicles, shall be identified as such by the display upon the outside of each vehicle as may be designated by the Chief of Police.

~~18.305. THROWING OF CANDY PROHIBITED.~~

~~The throwing of candy from a vehicle of any kind is part of a parade is prohibited.~~
(Ord. #191. 11-12-98) RESCINDED (Ord #2007-4)

ARTICLE IV. STANDING, STOPPING, PARKING

18.401. LOADING AND UNLOADING MERCHANDISE. DAMAGES TO STREET.

a. It shall be unlawful for any person to load or unload merchandise from trucks or other vehicles in front of any business houses in the town in the improved one block of Main Street. Said loading and unloading shall be from the rear of said business house, except where unable to do so because of unusual conditions and front door loading or unloading does not constitute a traffic hazard.

b. Damages to streets, sidewalks, trees and other improvements shall constitute a misdemeanor and, upon conviction shall subject the violator to a fine not exceeding actual cost of repairs, as may be determined by the Municipal Court.

(Ord. 128. 11-10-94)

18.402. BLOCKING STREETS AND ALLEYS. PARKING ON NARROW STREETS.

a. No person shall stop, stand or park any vehicle upon a street or alley in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic, except that a driver may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations, traffic signs or a police officer.

b. When signs prohibiting parking are erected on narrow streets, no person shall park a vehicle in any such designated place.

18.403. MANNER OF PARKING.

No person shall park a vehicle in a roadway other than parallel thereto, headed in the direction of traffic and with the curbside wheels of the vehicle within twelve inches of the edge of the roadway, unless otherwise provided by ordinance.

(Editor's Note. As to laws relating to parking, etc., see Section 56-5-2510 et seq., of the South Carolina Code of Laws, 1976.)

18.404. SPECIAL PARKING PLACES.

The Council, in its discretion, may designate special parking areas or places for which sufficient cause is shown.

18.405. PARKING IN DESIGNATED PLACES. BUS PARKING. PARKING AT FIRE HYDRANTS UNLAWFUL.

a. When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets whereon such signs are erected.

b. All vehicles parked in areas in which parking spaces have been marked off or designated shall be parked entirely within a single space.

c. It shall be unlawful to park adjacent to fire hydrants in such manner as to interfere with emergency situations.

d. It shall be unlawful for the driver of any bus to park or to stop the bus he is driving on a public street in the town other than those places designated as bus stops by resolution of the town, and indicated and marked for that purpose.

18.405.1. TRUCK PARKING RESTRICTED. EXCEPTIONS.

a. It shall be unlawful for any person to park a commercial or an industrial vehicle with dual rear wheels or with tandem or triple axles on the residential streets of The Town of Chesterfield, except for the purpose of loading and unloading; providing, however, that this section shall not apply to said vehicles transiting through the town and remaining on S.C. No. 9, S.C. No. 102 and S.C. No. 145.

b. Exceptions to this section may be made by the Chief of Police, when it is in the public interest to do so.

(Ord. #66. 10-18-90)

18.405.2. NO THRU TRUCKS.

It shall be unlawful for any person to drive a truck as defined below on the residential streets of the Town of Chesterfield, except for the purpose of loading or unloading. All trucks shall use Highway #9, Highway 102 and 145 for transit. *Truck* means a vehicle which either has six or more tires and that has a gross weight of 20,000 pounds or more.

(Ord. # 2011-16. 10-13-11)

Sec. 18.405.3. ENGINE COMPRESSION BRAKES PROHIBITED.

(a) Definitions. Engine compression brakes means the use of the engine and transmission to retard the forward motion of a vehicle by compression of the engine. Engine compression brakes are also referred to as "jake brakes".

(b) No person shall use engine compression brakes anywhere within the Town of Chesterfield unless the brakes are muffled. It shall be an affirmative defense that said unmuffled engine compression brakes were applied in an emergency to protect persons and/or property.

(c) This section will not apply to fire engines, ambulances, aid trucks, police vehicles, and any other emergency vehicles. (Ord. #2015-2. 3/12/15)

18.406. HANDICAPPED PERSONS. SPECIAL PROVISIONS.

The Police Department shall be responsible for marking spaces for handicapped persons, and

a. It shall be unlawful to park any vehicle in a parking place clearly designated for handicapped persons, unless the vehicle bears the distinguishing license plate or placard provided in Section 56-3-1960 of the 1976 South Carolina Code of Laws, as amended, and

b. It shall be unlawful for any person who is not handicapped or who is not transporting a handicapped person to exercise the parking privileges granted handicapped persons pursuant to said Section.

c. Any person violating the provisions of this Section is guilty of a misdemeanor and, upon conviction, must be fined not less than \$25.00 nor more than \$100.00 or imprisoned for not more than 30 days for a first offense;

(1) Not less than \$50.00 nor more than \$100.00 or imprisoned for not more than 30 days for a second offense; and

(2) Not less than \$100.00 or imprisoned for not more than 30 days for a third or subsequent offense.

(3) These penalties are imposed pursuant to Section 56-3-1970 of the 1976 Code of Laws of South Carolina, as amended.

(Ord. #96. 06-10-93)

18.407. STOPPING OR PARKING PROHIBITED NEAR DESIGNATED HAZARDOUS OR CONGESTED PLACES.

When signs are erected at an approach to hazardous or congested places no person shall stop, stand or park a vehicle in any such designated place.

18.408. PARKING PROHIBITED IN DESIGNATED AREA ADJACENT TO SCHOOL.

When signs are erected indicating no parking upon that side of the street adjacent to any school property, no person shall park a vehicle in any such designated place.

18.409. ABANDONED VEHICLES.

- a. It shall be unlawful for any person to park a vehicle upon the streets or highways of the town for a period of time longer than twenty-four hours in excess of the time allowed for such parking by any provision of this Chapter.
- b. A vehicle parked in violation of this Section shall be deemed to be an abandoned vehicle.
- c. If any vehicle is found by any police officer parked in violation of this Code or other ordinances of the town, or abandoned on the streets of the town, it shall be the duty of the officer to cause such vehicle to be removed and conveyed to a garage designated by the Chief of Police. The owner or person in whose name such vehicle is registered shall be given immediate personal notice, if he is a resident of the town, but if he is a nonresident of the town he shall be given notice by certified mail, if his address can be ascertained. If the address of such owner cannot be ascertained, then the Chief of Police shall advertise that such car has been abandoned and impounded, giving an accurate description thereof, the name of the person licensed to operate it and the circumstances under which the same was found and removed and calling upon the owner to reclaim the same within thirty days. Such notice shall be published once a week for four consecutive weeks in any newspaper published in town. If such vehicle is not reclaimed after such advertisement, then the same shall be sold for cash to the highest bidder in front of the Town Hall or such other place as may be designated therefor. The expenses of removing, keeping, advertising, and selling the vehicle shall be paid from the proceeds of such sale, and the balance, if any, deposited with the Town Clerk and Treasurer, subject to the claim of the owner to be filed and proven within twelve months thereafter. If no such claim is filed and proven within that time, such proceeds shall be forfeited to the town. The Chief of Police shall keep a record of such vehicle, the name of the registered owner, the license tag and the circumstances under which it was found, impounded, stored and sold.

18.410. JUNKED, UNOPERATIONAL VEHICLES.

a. Definitions: A "junk automobile," for the purposes of this Section shall be any vehicle with such present value that it would not be economical to repair or restore it. An "unoperational automobile," for the purpose of this Section, shall be an automobile incapable of moving under its own power without repair.

b. Prohibition: It shall be unlawful of any owner of any property in the town to permit a vehicle not having current motor vehicle license, and upon which property taxes have not been paid to be

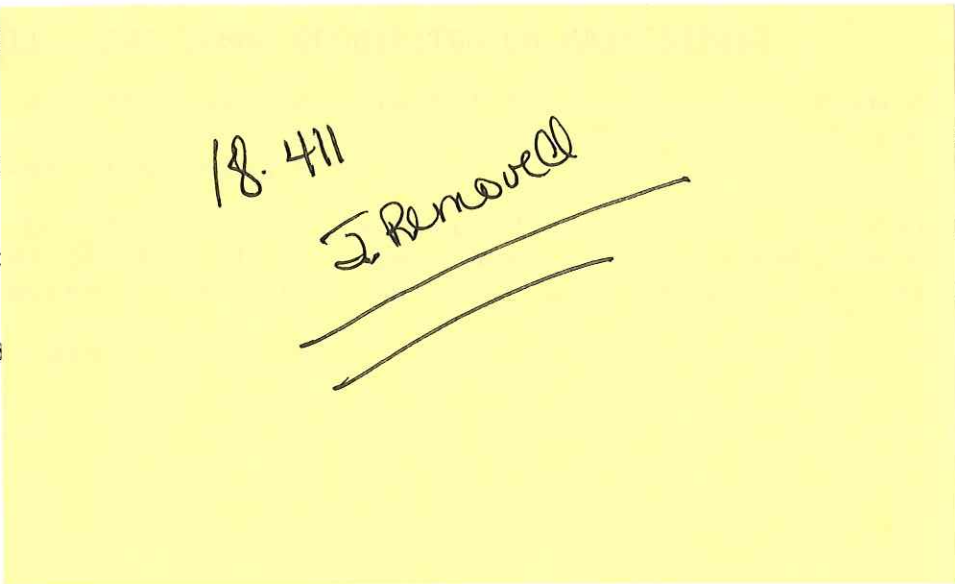
brought upon or remain upon his property other than a licensed new car, used car dealer, garage or wrecking yard, upon property operated for such business and provided such vehicle is covered or sheltered in such fashion to be adequate to prevent moisture from accumulating there in and to prevent the infestation of such vehicle by mosquitoes and other insects or rats and other vermin. No person shall salvage or otherwise maintain upon his property any unoperational vehicle for the purpose of taking parts therefrom, the purpose of storage, or repair without said motor vehicle having a current motor vehicle license unless said motor vehicle is covered or sheltered in such a fashion as to be adequate to prevent moisture from accumulating therein and to prevent the infestation of such vehicle by mosquitoes and other insects or rats and other vermin.

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ARTICLE V. MISCELLANEOUS TRAFFIC OFFENSES

Editor's Note: These particular ordinances are based upon the general powers of the Code of Laws of South Carolina, 1976, Section 5-7-30.

18.501. PASSING UNLAWFULLY.

It shall be unlawful for any vehicle to pass another vehicle proceeding in the same direction when the passing vehicle is within one hundred (100') feet of an intersection, approaching a curve, when a solid yellow line is located in the lane of the passing vehicle or upon a hill or grade.

18.502. FAILURE TO DIM LIGHTS.

It shall be unlawful for the driver of any vehicle, from dusk to dawn, when approaching another vehicle from an opposite direction, to fail to dim the lights of his vehicle when it is within three hundred (300') feet of the approaching vehicle.

18.503. SHIFTING LANES WITHOUT SAFETY PRECAUTION.

It shall be unlawful for the driver of any vehicle to shift lanes of traffic without first ascertaining that a shift in lanes of traffic by his vehicle will not impede or interfere with the movement of any other vehicle upon the public right-of-way.

18.504. UNATTENDED MOTOR VEHICLE.

No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key and effectively setting the brake thereon and, when standing upon any grade, turning the front wheels to the curb or side of the highway or street.

18.505. USE OF STREETS FOR SALES AND DISTRIBUTION PROHIBITED.

It shall be unlawful for any person or group of persons to sell, solicit sales, or offer for distribution any merchandise, publication, handbill, or pamphlet while such person is standing in the street, areas reserved for parking spaces, the areas reserved for loading and unloading or to enter any of said areas for the purpose of sale and/or delivery of any of said items.

18.506. RESERVED.

18.507. RECKLESS OPERATION OF MOTORCYCLES.

It shall be unlawful for any person to operate a motorcycle in a reckless or dangerous manner on any public right-of-way.

18.508. DRIVING WHILE INTOXICATED/UNDER INFLUENCE OF DRUGS. PENALTY.

a. It shall be unlawful for any person under the influence of intoxicating liquors, narcotic drugs, barbiturates, paraldehydes or drugs, herbs or any substance of like character, whether synthetic or natural, to drive any vehicle within the town.

b. The first offense for violating this Section shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00), or imprisonment for not less than ten (10) days nor more than thirty (30) days. Town officers shall prosecute all second and subsequent offenses in the court of general sessions pursuant to state statutes.

18.509. ACCIDENTS. ASSISTANCE REQUIRED.

Every person driving a vehicle of any kind which strikes or hits any person or another vehicle shall stop such vehicle at once and render such assistance as he can, give his name, post office address, license number and serial number of his vehicle to the other person or driver, shall assist in calling a police officer and remain at the scene until a police officer arrives.

18.510. WRITTEN REPORTS OF ACCIDENTS.

The driver of a vehicle involved in an accident resulting in an injury to or the death of any person or total property damage to an apparent extent of fifty dollars (\$50.00) or more shall, within twenty-four (24) hours after such accident, forward a written report of such accident to the police department, which report may be a copy of the accident report required to be filed with the State Highway Department under Section 56-5-1270, 1976 S. C. Code. The Police Chief may require any such driver to file supplemental reports whenever, in his opinion, the original report is insufficient and also may require witnesses of accidents to render reports to him.

(Editor's Note. As to state laws relating to accidents, see Section 56-5-1210 et seq., South Carolina Code, 1976.)

18.511. INTERFERING WITH SIGNS, SIGNALS OR DEVICES.

No person shall, without lawful authority, attempt to or in any way alter, deface, injure, knock down or remove any official traffic-control device or any railroad sign or signal of any description, shield or insignia thereon or any other part thereof.

ARTICLE VI. PEDESTRIANS

18.601. OBEDIENCE TO TRAFFIC-CONTROL SIGNALS REQUIRED.

Pedestrians shall strictly comply with the directions of any official traffic-control signal, device, marking, etc., or police officer.

18.602. USE OF RIGHT HALF OF CROSSWALKS.

Pedestrians shall move, whenever practicable, upon the right half of a crosswalk.

18.603. WALKING ON STREETS AND ROADWAYS.

Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway. Where sidewalks are not provided, any pedestrian walking along and upon a street shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

18.604. HITCHHIKING PROHIBITED.

No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any vehicle.

18.605. DRIVERS TO EXERCISE DUE CARE WITH REGARD TO PEDESTRIANS.

Every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any street and shall give warning by sounding the horn, when necessary, and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a street.

(Editor's Note. See Section 18.209, this Code, for related requirements as to when lower speeds are required with respect to pedestrians.)

ARTICLE VII. BICYCLES

18.701. REGULATIONS APPLICABLE TO BICYCLES.

This Article shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles, subject to those exceptions stated herein.

18.702. APPLICABILITY OF TRAFFIC LAWS.

Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this Code of Ordinances, except as to special regulations herein and except as to those provisions of this Code which by their nature can have no application.

18.703. DUTY TO KEEP TO RIGHT.

Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable.

18.704. RIDING ABREAST.

It shall be unlawful for more than two persons on bicycles to ride abreast.

18.705. BICYCLE PATHS TO BE USED.

Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use such roadway.

18.706. RIDING BICYCLES ON SIDEWALKS.

It shall be unlawful for anyone to ride a bicycle on a sidewalk of any of the public streets of the town, except for the purpose of crossing the same when necessary; provided, however, that this Section shall not apply to tricycles operated in residential districts by children under twelve (12) years of age.

18.707. CLINGING TO VEHICLES.

No person riding upon a bicycle, coaster, roller skates, sled or toy vehicle shall attach it or them or himself to any vehicle on a roadway.

18.708. RIDING "NO HANDS"; GENERAL CONTROL.

It shall be unlawful to operate a bicycle without having at least one hand on the handlebars at all times, or to fail to have control of the bicycle at all times.

18.709. LIGHTS.

Every bicycle, when in use after dark, shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet to the front and with a red reflector on the rear which shall be visible from all distances from fifty feet to three hundred feet to the rear when directly in front of the lawful upper beams of head lamps on a motor vehicle. A red lamp emitting a red light visible from a distance of five hundred feet to the rear may be used in addition to the red reflector.

18.710. WARNING DEVICES.

No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred feet, except that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.

18.711. BRAKES.

No person shall operate a bicycle unless it is equipped with a brake which will enable the operator to make the braked wheels skid on dry, level and clean pavement.

ARTICLE VIII. VEHICLE USE POLICY

18.501. GENERAL PROVISIONS.a. Acquisition and administrative requirements:

1. Vehicles for town use shall be acquired on the basis of justified need upon the recommendation of the department head and the approval of the Mayor and Council during the annual budget sessions, except in cases of emergency, when the dictates of the emergency shall require otherwise.

2. As used herein, the word "vehicle" shall mean vehicles owned and operated by The Town of Chesterfield.

3. All necessary administrative requirements, including but not limited to, the assignment of a vehicle identification number, shall be completed prior to placing a vehicle into service.

4. A comprehensive list of all vehicles shall be maintained in the office of the Municipal Clerk. It shall include the year, make, serial number, department assignment of the vehicle and, when applicable, the driver/employee assignment.

5. Department heads shall submit a list to the Mayor on a semi-annual basis which detail the current condition and mileage of each vehicle assigned to his department.

b. Responsibilities for and use of vehicles.

1. Department heads shall be responsible for the use and maintenance of vehicles assigned to his department.

2. The use of vehicles shall be restricted to town employees who shall possess a valid South Carolina driver's license.

3. Vehicles shall be operated according to the laws of this state and The Town of Chesterfield; continued use otherwise shall be a valid cause for dismissal.

4. Blatant abuse of a vehicle shall constitute cause for immediate dismissal.

(Editor's Note. This article derives from an ordinance adopted December 8, 1994.)

c. Insurance coverage and accidents.

1. Insurance coverage of vehicles shall be primarily for the protection of the town.

2. If an employee is charged as being at-fault in an accident, the employee shall be held personally responsible for any and all damage to a vehicle operated by him that is not covered by the town's insurance policy.

3. Any accident in which a vehicle is involved shall be reported immediately to the responsible department head who shall inform the Mayor as soon as is practical to do so.

4. The South Carolina Highway Patrol shall be notified in all cases of accidents involving town police vehicles for impartial investigation thereof by said Patrol.

18.502. ASSIGNMENT POLICY FOR VEHICLES.

There shall be two categories of vehicle assignment: (1) departmental and (2) individual. These shall be determined on the basis of legitimate need to conduct town business and as otherwise deemed appropriate within this policy.

1. Departmental. Vehicles assigned to a department with no particular designated operator, except as may be designated during working hours only.

2. Individual. A vehicle assigned to a particular designated operator and/or driver on a twenty-four hour basis.

The assignment of vehicles shall be at the discretion of the Mayor, or as he may designate for department head assignment for his respective department.

18.503. USE POLICY FOR VEHICLES.

1. The use of vehicles shall be restricted to those employees of the town who have a legitimate need for the use of a vehicle to effectively conduct town business and to meet the overall objectives and goals of the Mayor and Council.

2. Only those employees with a valid South Carolina driver's license and a safe driving record shall be authorized to operate a vehicle.

3. The categories of vehicle use shall be as follows:

a. Department head use. Vehicles assigned to department heads on a permanent basis are for his use to conduct town business on a twenty-four hour basis. He may drive a vehicle to and from work and conduct personal business on an a limited basis and shall not be used outside the immediate town environs, without permission from the Mayor. No such vehicle shall be used anywhere in conjunction with secondary employment or for the transport of unauthorized passengers.

b. Department use. Vehicles assigned to a particular department for use at the discretion of the department head. In no case shall a vehicle thus assigned be used on a twenty-four basis. Such vehicles shall be parked on town property at the end of the work day and the means of access into the vehicle shall be secured, as may be determined by the department head.

c. Individual use. (1) Vehicles assigned to individual employees below the department head level on a permanent basis are for the use of that employee to conduct town business on a twenty-four hour basis. (2) Vehicles thus assigned may be driven home by those employees who reside within ten (10) miles of the town limits. (3) Such employee may stop while enroute to and from work to conduct personal business; provided, however, when such stop is made, he shall so designate by radio communication (sign off and on). If radio communication cannot be established, he shall enter into a log the date, time and place and the purpose for which the stop is made. (4) Vehicles shall not be used in conjunction with secondary employment or for the transport of unauthorized passengers.

18.504. IDENTIFICATION OF VEHICLES.

All vehicles shall be clearly identified by a seal of the town placed on both sides of the vehicle or by other acceptable means in a clear and recognizable manner; provided, however, police vehicles may be exempted herefrom, for stakeout and related purposes, with the approval of the Mayor.

18.505. PREVENTATIVE MAINTENANCE OF VEHICLES.

1. All town vehicles shall be maintained and serviced in accordance with the manufacturer's specifications at recommended intervals and in accordance with regulations as may be established by department heads and approved by the Mayor.

2. Department heads shall be responsible for implementing and ensuring a preventative maintenance program of all vehicles assigned to their departments.

(Editor's Note. This article derives from an ordinance adopted December 8, 1994.)