

## Chapter 155

### VEHICLES AND TRAFFIC

**[HISTORY: Adopted by the Town Council of the Town of Grottoes 2-3-1970 as Title 18 of the 1970 Ordinances of the Town of Grottoes. Amendments noted where applicable.]**

#### GENERAL REFERENCES

Streets and sidewalks — See Ch. 139.

Taxicabs — See Ch. 147.

#### ARTICLE I

##### General Provisions

**§ 155-1. Adoption of statutory provisions.** [Amended 7-14-1987; 7-12-1988; 7-11-1989; 11-14-1989; 8-12-1991; 8-9-1993; 7-8-1996; 12-8-2008; 7-9-2009]

It is the intent of the governing body of the Town of Grottoes that certain provisions of Title 46.2 of the Code of Virginia, as amended, be incorporated into this chapter by reference, pursuant to § 46.2-1313 of the Code of Virginia. This incorporation is for the purpose of ensuring uniformity between the Code of the Town of Grottoes and state law. Therefore, the following sections of the Code of Virginia are hereby adopted by reference as fully as though completely set out herein, unless otherwise indicated:<sup>1</sup>

##### Code of Virginia Section Number and Title

§ 46.2-100, Definitions.

§ 46.2-103, Stopping vehicles for inspection.

§ 46.2-104, Possession of registration and license cards.

§ 46.2-113, Violations and penalties.

§ 46.2-300, Driving without license prohibited; penalties.

§ 46.2-301, Driving while license, permit, or privilege to drive suspended or revoked.

§ 46.2-346, Prohibited uses of driver's license.

§ 46.2-349, Unlawful to permit violations.

§ 46.2-392, License suspension for reckless driving, generally.

§ 46.2-393, License suspension for conviction of reckless driving.

§ 46.2-394, License revocation for fourth conviction.

§ 46.2-398, Disposition of surrendered licenses.

§ 46.2-613, Offenses relating to registration, licensing and title.

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<sup>1</sup>. Editor's Note: The following former sections, which referenced provisions of Title 46.2 of the Code of Virginia, were deleted 7-8-1996: §§ 18-4 through 18-6; §§ 18-14 through 18-16; §§ 18-18 through 18-25; §§ 18-28 through 18-31; §§ 18-33 through 18-74; §§ 18-76 through 18-80; §§ 18-88 through 18-90; §§ 18-102 through 18-114; §§ 18-117 through 18-118; and 18-131 through 18-169.

§ 46.2-716, Fastening of license plates.

§ 46.2-724, Vehicles displaying not-for-hire plates.

§ 46.2-800, Riding bicycles, mopeds or animals.

§ 46.2-801, Applicability.

§ 46.2-802, Drive on right side of highways.

§ 46.2-803, Keep to the right at intersections and railroad crossings.

§ 46.2-804, Special highway regulations.

§ 46.2-806, One-way roads.

§ 46.2-807, Rotary traffic islands.

§ 46.2-811, Coasting prohibited.

§ 46.2-816, Following too closely.

§ 46.2-817, Disregarding signal by police officer.

§ 46.2-820, Right-of-way at intersections.

§ 46.2-821, Stop or yield right-of-way.

§ 46.2-822, Right-of-way at traffic circles.

§ 46.2-823, Forfeiture of right-of-way.

§ 46.2-825, Left turn traffic to yield right-of-way.

§ 46.2-826, Stop before entering highway.

§ 46.2-827, Right-of-way to U.S. forces.

§ 46.2-829, Right-of-way to emergency and law enforcement vehicles.

§ 46.2-830, Uniform marking and signing of highways.

§ 46.2-831, Unofficial signs prohibited.

§ 46.2-832, Injuring signs.

§ 46.2-833, Traffic lights.

§ 46.2-834, Signals by law enforcement officers.

§ 46.2-835, Right turn on red.

§ 46.2-836, Left turn on red.

§ 46.2-837, Passing vehicles proceeding in opposite direction.

§ 46.2-838, Passing when overtaking a vehicle.

§ 46.2-840, Horn signal when overtaking vehicle. Editor's Note: Section 46.2-840 of the Code of Virginia was repealed by Acts 1996, c. 147.

§ 46.2-841, Pass on right when overtaking.

§ 46.2-842, Right-of-way to overtaking vehicle.

§ 46.2-843, Limitations on overtaking and passing.

§ 46.2-845, Limitation on U-turn.

§ 46.2-848, Required signals.

§ 46.2-849, How signals given.

§ 46.2-850, Change of course after signal.

§ 46.2-851, Signals prior to moving.

§ 46.2-852, Reckless driving generally.

§ 46.2-853, Driving vehicle not under control.

§ 46.2-854, Passing on a curve.

§ 46.2-855, Driving with obstructed view or impaired control.

§ 46.2-856, Passing two vehicles abreast.

§ 46.2-857, Driving two abreast in single lane.

§ 46.2-858, Passing at a railroad crossing.

§ 46.2-859, Passing a stopped school bus.

§ 46.2-860, Failure to signal properly.

§ 46.2-861, Driving too fast for conditions.

§ 46.2-862, Exceeding speed limit.

§ 46.2-863, Failure to yield right-of-way.

§ 46.2-864, Reckless driving on parking lots.

§ 46.2-865, Racing penalty.

§ 46.2-868, Reckless driving penalty.

§ 46.2-869, Improper driving penalty.

§ 46.2-874, Maximum speed limit in business and residential districts.

§ 46.2-879, Conspicuous speeding marker.

§ 46.2-882, Speed detection devices.

§ 46.2-883, Signs indicating speed limit and use of radar.

§ 46.2-884, Railroad warning signals to be obeyed.

§ 46.2-885, Stopping at railroad crossings.

§ 46.2-890, Stopping in vicinity of fire or emergency.

§ 46.2-891, Exemption for highway construction and maintenance vehicles.

§ 46.2-892, Rural mail carriers stopping.

§ 46.2-894, Duty of driver involved in an accident to stop.

§ 46.2-895, Duty of persons to report accidents.

§ 46.2-896, Duty of driver involved in an accident with unattended property.

§ 46.2-897, Duty of persons accompanying driver in an accident with unattended property.

§ 46.2-898, Additional accident reports.

§ 46.2-899, Applicability to accidents on private or public property.

§ 46.2-900, Penalty.

§ 46.2-902, Leaving scene of an accident when directed by officer.

§ 46.2-903, Driving vehicles other than bicycles on sidewalks.

§ 46.2-909, Riding motorcycles, generally.

§ 46.2-910, Motorcyclists to wear helmets.

§ 46.2-918, School bus routing.

§ 46.2-920, Emergency vehicles exempt in certain situations.

- § 46.2-921, Following or parking near fire apparatus or rescue vehicle.
- § 46.2-921.1, amended, to provide that the driver of a motor vehicle approaching a stationary emergency vehicle displaying emergency lights must move to a lane not adjacent to the emergency vehicle if the road is two lanes wide in the driver's direction, if safe to do so.
- § 46.2-922, Driving over fire hose.
- § 46.2-923, Pedestrians crossing highways.
- § 46.2-924, Pedestrian right-of-way.
- § 46.2-926, Pedestrians obstructed from view of drivers.
- § 46.2-927, Boarding or alighting from buses.
- § 46.2-928, Pedestrians not to use roadways.
- § 46.2-929, Pedestrians soliciting rides.
- § 46.2-930, Loitering on bridges.
- § 46.2-933, Vehicles to stop for blind pedestrians.
- § 46.2-936, Arrest for misdemeanor, procedures.
- § 46.2-940, Arrested person taken before issuing authority.
- § 46.2-1010, Required lights.
- § 46.2-1011, Headlights on motor vehicles.
- § 46.2-1012, Headlights on motorcycles.
- § 46.2-1013, Tail lights.
- § 46.2-1015, Lights on bicycles and mopeds.
- § 46.2-1016, Lights on other vehicles.
- § 46.2-1017, Dimension or marker lights.
- § 46.2-1018, Marker lights on vehicles or loads exceeding thirty-five feet.
- § 46.2-1019, Spotlights.
- § 46.2-1020, Other permissible lights.
- § 46.2-1021, Additional lights permitted on commercial vehicles.
- § 46.2-1022, Flashing blue or red and blue warning lights.
- § 46.2-1023, Flashing red or red and white warning lights.
- § 46.2-1024, Flashing or steady-burning red or red and white warning lights.
- § 46.2-1025, Flashing amber warning lights.
- § 46.2-1026, Flashing high-intensity amber warning lights.
- § 46.2-1027, Warning lights on certain demonstrator vehicles.
- § 46.2-1030, Use of warning lights.
- § 46.2-1031, Single-beam headlights.
- § 46.2-1032, Multiple-beam headlights.
- § 46.2-1033, Indicator light required.
- § 46.2-1034, Dimming headlights.
- § 46.2-1035, Dimming headlights on parked vehicles.
- § 46.2-1036, Acetylene lights on antique motor vehicles.

§ 46.2-1037, Lights on parked vehicles.

§ 46.2-1041, Restrictions on solid rubber tires.

§ 46.2-1043, Tire tread depth.

§ 46.2-1044, Tires with cleats, chains or studs.

§ 46.2-1047, Illegal mufflers.

§ 46.2-1049, Exhaust system.

§ 46.2-1052, Signs, decals and stickers on windshields.

§ 46.2-1052L, amended. The provisions of this section shall not apply to the rear windows or rear side windows of any ambulance, rescue squad vehicle, or any other emergency medical vehicle used to transport patients.

§ 46.2-1054, Obstruction of driver's view.

§ 46.2-1055, Windshield wipers.

§ 46.2-1059, Horns.

§ 46.2-1065, Steering gear.

§ 46.2-1066, Brakes.

§ 46.2-1067, Stopping distance.

§ 46.2-1068, Emergency or parking brakes.

§ 46.2-1070, Brakes on trailers.

§ 46.2-1079, Radar detectors.

§ 46.2-1082, Mirrors.

§ 46.2-1083, Rear fenders, flaps or guards.

§ 46.2-1121, Flag or light at end of load.

§ 46.2-1155, Fastening loads.

§ 46.2-1156, Load covers.

§ 46.2-1220, Parking, stopping, and standing regulations in counties, cities, or towns; parking meters; presumption as to violation of ordinances; penalty.

§ 46.2-1230, Authority of counties, cities, and towns to issue parking permits.

§ 46.2-1231, Ticketing, removal, or immobilization of trespassing vehicles by owner or operator of parking or other lot or building; charges.

§ 46.2-1232, Localities may regulate removal or immobilization of trespassing vehicles.

§ 46.2-1233, Localities may regulate towing fees.

§ 46.2-1233.1, Limitation on charges for towing and storage of certain vehicles.

§ 46.2-1233.2, Advisory board.

§ 46.2-1239, Parking in certain locations; penalty.

§ 46.2-1300, Powers of local authorities generally; erection of signs and markers; maximum penalties.

§ 46.2-1301, Designation of stop and yield right-of-way intersections.

§ 46.2-1302, Regulation of operation of vehicles in snow, sleet, etc.; designation of play areas; penalties.

§ 46.2-1303, Issuance of permits to perform construction or repair work within right-of-way lines of public roadways.

§ 46.2-1304, Local regulation of trucks and buses.

- § 46.2-1304.1, Localities may regulate construction and parking of commercial motor vehicles used to transport municipal solid waste; penalty.
- § 46.2-1305, Regulation of vehicular and pedestrian traffic on roadways and parking areas in residential subdivisions.
- § 46.2-1306, Prohibiting parking near certain fire hydrants.
- § 46.2-1306.1, Prohibiting parking so as to prevent the use of curb ramps.
- § 46.2-1307, Designation of private roads as highways for law-enforcement purposes.
- § 46.2-1308, Disposition of fines in traffic cases; failure or neglect to comply with section.
- § 46.2-1309, Officers may direct traffic; signals.
- § 46.2-1311, Applicability of county ordinances within towns.
- § 46.2-1312, Size, design, and color of signs, signals, and markings erected by local authorities.
- § 46.2-1313, Incorporation of provisions of this title, Article 9 (§ 16.1-278 et seq.) of Chapter 11 of Title 16.1 and Article 2 (§ 18.2-266 et seq.) of Chapter 7 of Title 18.2 in ordinances.
- § 46.2-1314, Traffic schools; requiring attendance by persons convicted of certain violations.

#### **§ 155-2. Conflicts with other provisions.**

If the section of the Code of Virginia which is incorporated by reference is in conflict with an ordinance of the Town of Grottoes which is fully set out in this chapter, the latter shall prevail, unless its provisions shall exceed powers of local authorities to adopt ordinances, as set out in § 46.2-1300 of the Code of Virginia 1950, as amended.

#### **§ 155-3. Copies of Code of Virginia.**

At least one copy of Title 46.1, Code of Virginia 1950, with all current amendments, shall be kept with each copy of the Code of the Town of Grottoes which is required to be kept in the office of the Town Clerk, Council Room or any other designated place.

### **ARTICLE II Administration**

#### **§ 155-4. Powers and duties of Chief of Police.**

- A. The Chief of Police, except as otherwise provided by this and except as otherwise directed from time to time by the Council, shall have power and is hereby authorized to regulate the operation and parking of vehicles within the corporate limits of the Town by the erection or placing of proper signs or markers indicating prohibited or limited parking, angle parking, the parking of buses, trucks and other vehicles of various weights, U-turns, turning at intersections, hazardous intersections, school zones, hospital zones, loading and unloading zones, quiet zones, traffic-control signals exhibiting colored lights or the words "go," "caution" or "stop" and other signs or markers indicating the place and manner of operating or parking vehicles in the Town. The Chief of Police, upon declaration of a weather emergency by the Town Superintendent of the Town, shall have the authority and is hereby authorized to regulate the parking of vehicles, including the prohibition of

parking vehicles on such routes as the Chief of Police may designate in order to provide for the safe and orderly removal of ice, snow, floodwaters or other obstructions on the streets and alleys so designated. Said authority shall include the authority to remove vehicles in violation of said prohibition. [Amended 11-12-1990]

- B. The Chief of Police, except as otherwise provided by this chapter and except as otherwise directed from time to time by the Council, shall also have power and is hereby authorized to regulate the movement of pedestrians upon the streets and sidewalks of the Town by the erection or placing of proper signs or markers indicating the flow of pedestrian traffic.
- C. The Chief of Police, except as otherwise provided by this chapter and except as otherwise directed from time to time by the Council, shall also have power and is hereby authorized to designate bus stops and to erect signs prohibiting the parking of vehicles other than buses at such stops.
- D. The Chief of Police, except as otherwise provided by this chapter and except as otherwise directed from time to time by the Council, is further empowered and authorized to mark off traffic lanes on streets and parts of streets indicating and directing the flow of traffic.
- E. The Chief of Police shall further have power and is hereby authorized to secure all such necessary signs, signals or markers to be erected or placed on any street or part of a street.
- F. The existence of such signs, signals or markers at any place within the corporate limits of the Town shall be prima facie evidence that such signs, signals or markers were erected or placed by and at the direction of the Chief of Police in accordance with the provisions of this section.
- G. The Chief of Police, except as otherwise provided by this chapter and except as otherwise directed from time to time by the Council, may designate intersections, other than intersections at which one or more of the intersecting streets has been designated as a part of the state highway system, at which vehicles shall come to a full stop or yield the right-of-way.
- H. The Chief of Police shall further have power and is hereby authorized to secure all such necessary signs, signals or markers to be erected or placed on or at any such intersection, so that an ordinarily observant person, who may be affected by such regulation, may be aware of such regulation.
- I. The existence of such signs, signals or markers at any place within the corporate limits of the Town shall be prima facie evidence that such signs, signals or markers were erected or placed by and at the direction of the Chief of Police in accordance with the provisions of this section.

**§ 155-5. Compliance with signs required.**

It shall be unlawful for any person to fail or refuse to comply with the directions indicated on any sign, signal or marker erected or placed in accordance with the

provisions of § 155-4 when such sign, signal or marker so placed or erected is visible and legible.

**§ 155-6. Notices; violations and penalties.**

- A. Traffic violation notices shall be issued to violators of parking regulations and all other nonmoving regulations unless circumstances warrant other action, in which event the usual procedure of summons or arrest shall apply.
- B. Traffic violation notices may be settled by a payment within a period of five days after issuance, of a maximum penalty as provided in Title 46.2 and Rule 3B:2 of the Code of Virginia, which payment shall be in complete satisfaction of the offense. Payment shall be made to such person at the Town office as from time to time shall be designated by the Chief of Police to receive such payment. Failure to settle a traffic violation notice as above provided shall be unlawful. [Amended 7-8-1996]
- C. The Chief of Police shall set up and establish a full and complete procedure for handling traffic violation notices.
- D. All amounts paid in under this section shall be credited to and become a part of the general fund of the Town.

**§ 155-7. Permits for parades and processions.**

No funeral procession or parade, excepting the forces of the United States Army or Navy, the military forces of the state and the forces of the Police and Fire Departments of the Town, shall occupy or march or proceed along any street, except in accordance with a permit issued by the Chief of Police.

**§ 155-8. Valid license plates and inspection stickers required.**

- A. It is unlawful for any person to drive, stop, park or leave unattended any motor vehicle upon the streets, alleys or highways within the Town of Grottoes without valid license plates displayed thereon and attached thereto or without a valid inspection sticker display thereon and attached thereto as provided for and required under the statutory law of the Commonwealth of Virginia for persons operating said motor vehicles upon the highways of the Commonwealth of Virginia and as provided by the ordinances of the Town of Grottoes.
- B. Any person violating the provisions of this section shall be punished by a fine of not less than \$20 nor more than \$200. [Amended 7-8-1996]

**§ 155-9. Fees for benefit of police officers prohibited.** [Amended 7-8-1996]

No court sitting in the Town of Grottoes shall in any case in which a fine is assessed for the violation of any ordinance of the Town assess as a part of the cost of the case any fee for arrest or as a witness for the benefit of any police officer of the Town; nor shall any such police officer receive any such fee.



ARTICLE III  
**Miscellaneous Provisions**

**§ 155-10. Authority of police to direct traffic.**

- A. Every police officer of this Town is authorized to act as a traffic officer in the direction of traffic on any highway where traffic is heavy or continuous and the direction by such traffic officers shall take precedence over any lights or semaphores.
- B. Officers and members of the Fire Company may direct or assist the police in directing traffic at or in the immediate vicinity of a fire and while so doing shall have all the authority of peace officers.

**§ 155-11. Signs required for enforcement.**

No provision of this chapter or regulation of the Chief of Police for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section of this chapter does not state that signs are required, such section shall be effective even though no signs are erected or in place.

**§ 155-12. Opening vehicle doors; emerging from vehicles.**

No person shall open the door of or emerge from or enter any vehicle in the path of any approaching vehicle without due regard for other persons and property.

**§ 155-13. Funeral and other processions.**

- A. No operator of a vehicle shall drive between the vehicles, persons or animals comprising a funeral or other authorized procession, except when otherwise directed by a police officer.
- B. Each driver in a funeral procession shall drive as near to the right-hand edge of the roadway as is practicable and shall follow the vehicle ahead as close as is practicable and safe. The headlights of each car in a funeral procession shall be turned on.<sup>2</sup>

**§ 155-14. Parking restrictions.**

- A. No vehicle shall be left parked on any street or alley of the Town for more than 96 hours. Any person violating this section shall be fined not less than \$5 nor more than \$25.
- B. No vehicle shall be backed up to a curb, except during the time actually engaged in loading or unloading merchandise therefrom.

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<sup>2</sup>. Editor's Note: Original Part 5, Driving Automobile, Engine, Etc., While Under the Influence of Whiskey, Drugs, Etc., as amended, which immediately followed this subsection, was deleted 7-8-1996. See now Chapter 121, Peace and Good Order.

- C. It shall be unlawful for any person to park any vehicle other than a taxicab in a properly designated taxicab stand.
- D. It shall be unlawful for any person to park any vehicle so as to block any driveway of any filling station or other like establishment.
- E. No lights need be displayed upon any vehicle when parked in the Town in accordance with this chapter.
- F. No vehicle shall be parked or stopped on any street or alley in such manner as to impede or interfere with or render dangerous the use of such street or alley by another. [Added 12-8-2008]
- G. Except upon one-way streets, no vehicle shall be stopped or parked except close to the right-hand curb and, except upon one-way streets, no vehicle shall be stopped or parked with its left side to the curb. [Added 12-8-2008]
- H. Except in an emergency or to allow another vehicle or a pedestrian to cross, no vehicle shall be stopped or parked in any street, except close to and parallel with the curb. In no case shall any vehicles be parked less than four feet apart nor with the curbside wheels further than six inches from the curb, except where parking regulations provide for parking at an angle to the curb. [Added 12-8-2008]
- I. No vehicle shall be stopped or parked within 15 feet of the ends of any obstruction opposite such vehicle. [Added 12-8-2008]
- J. Vehicles shall not be parked two or more abreast parallel with the curb. [Added 12-8-2008]

**§ 155-14.1. Handicapped parking.** [Added 1-13-1997]

- A. It shall be unlawful for a vehicle not displaying disabled parking license plates, an organizational removable windshield placard, a permanent removable windshield placard or a temporary removable windshield placard issued under 46.2-731 or DV disabled parking license plates issued under Subsection B of 46.2-739 to be parked in a parking space reserved for persons with disabilities that limit or impair their ability to walk or for a person who is not limited or impaired in his ability to walk to park a vehicle in a parking space so designated except when transporting a person with such a disability in the vehicle.
- B. A summons or parking ticket for the offense may be issued by the Grottoes Police Department to enforce parking regulations with the necessity of a warrant being obtained by the owner of private parking areas. Violation of this section shall constitute a Class 4 misdemeanor, with a fine not to exceed \$500. [Amended 12-8-2008]

**§ 155-14.2. Parking in fire lanes.** [Added 6-13-2005]

- A. It shall be unlawful for any person to park a motor vehicle in any space or zone designated by placard, sign, yellow curb marker or road marker indicating "FIRE LANE."

- B. For the purpose of this section, a vehicle shall be considered parked if it is not moving, notwithstanding whether the vehicle is running or not running, and further notwithstanding whether the vehicle is occupied or unoccupied.
- C. The Grottoes Police Department shall have full power to issue a summons or parking ticket for a violation of this section, notwithstanding the absence of a warrant obtained by the owner of a vehicle violating this section in a private parking area.
- D. Any person who parks a motor vehicle in violation of this section shall be guilty of a Class 4 misdemeanor and upon conviction thereof shall be fined an amount not to exceed \$50. Each calendar day that a vehicle is parked in violation of this section shall constitute a separate offense.

**§ 155-14.3. (Reserved)**

**§ 155-14.4. Parking where lines indicate parking spaces.** [Added 12-8-2008]

On all streets marked with lines on the pavement indicating spaces for the parking of vehicles, the spaces between each two lines shall constitute parking room for only one four-wheeled vehicle or two motorcycles. No vehicle parked in such space shall be parked with wheels across the lines indicating the boundaries of the space.

**§ 155-14.5. Parking on sidewalk, pedestrian crossing or driveway prohibited.** [Added 12-8-2008]

- A. It shall be unlawful for any person to park a vehicle on a sidewalk or pedestrian crossing.
- B. It shall be unlawful for any person to park a vehicle in such a manner as to block, in whole or in part, any driveway or entryway.

**§ 155-14.6. Parking on incline.** [Added 12-8-2008]

Whenever a motor vehicle is left standing on an incline, it shall be so parked that when the brake is released the curb will act as a check to prevent its movement, except under its own power, or so arranged as to prevent movement upon release of the brake.

**§ 155-14.7. Stopping or parking for advertising purposes prohibited.** [Added 12-8-2008]

It shall be unlawful to stop or park a vehicle at any time upon any street, Town right-of-way or setback for the purpose of advertising for sale any article or service, including, without limitation, the sale of the vehicle itself.

**§ 155-14.8. Parking by curb painted yellow prohibited.** [Added 12-8-2008]

It shall be unlawful for any person to park any vehicle alongside any curb painted yellow.

**§ 155-14.9. Backing to curb.** [Added 12-8-2008]

No vehicle shall be backed up to a curb, except during the time merchandise is actually being loaded or unloaded.

**§ 155-14.10. Unlawful opening of doors.** [Added 12-8-2008]

It shall be unlawful for any person to open the door of any vehicle parked in any street in the Town in such manner as to interfere with the lawful use of any other vehicle.

**§ 155-14.11. Allowing vehicle to remain parked more than five days continuously prohibited.** [Added 12-8-2008]

It shall be unlawful for the owner of any motor vehicle to allow such vehicle to remain parked continuously upon any street of the Town or in the municipal parking lot for a period of more than five days.

**§ 155-14.12. Parking of commercial vehicles near residences.** [Added 12-8-2008]

It shall be unlawful for the owner, operator or driver of any motor passenger bus, for-hire car, truck, trailer or semitrailer to park such vehicle or to permit such vehicle to be parked on any of the streets, alleys or other public ways in the Town in front of or adjacent to any portion of any lot upon which any residence is constructed for a period longer than 30 minutes, unless such owner, operator or driver has the written consent of the owner or tenant of such lot to do so, provided that the provisions of this section shall not apply to any vehicle while actually engaged in loading or unloading.

**§ 155-14.13. Nighttime parking of passenger cars near residences.** [Added 12-8-2008]

It shall be unlawful for the owner, operator or driver of any motor passenger car or automobile to park such vehicle or to permit such vehicle to be parked for a continuous period of more than three hours on any of the streets, alleys or public ways of the Town in front of or adjacent to any portion of any lot on which a residence is constructed and located in an R-1 single-family residential zone for the period between one hour after sunset and one hour before sunrise of the following day, unless such person so parking such vehicle is the owner or tenant of the residence and lot in front of any part of which such vehicle is so parked, or unless the owner, operator or driver of the vehicle has first obtained the consent of the owner or tenant of the lot in front of which, or any part of which, such vehicle is so parked during the nighttime.

**§ 155-14.14. Daytime parking of passenger cars near residences.** [Added 12-8-2008]

It shall be unlawful for the owner, operator or driver of any motor passenger car or automobile to park such vehicle or to permit such vehicle to be parked between one hour before sunrise and one hour after sunset of any day on any street, alley or other public way in the Town in front of or adjacent to any portion of any lot on which a residence is constructed and located in an R-1 single-family residential zone for a period longer than two hours, unless such person so parking such vehicle is the owner or tenant of the residence and lot in front of any part of which such vehicle is so parked, or unless the

owner, operator or driver of such vehicle has first obtained the consent of the owner or tenant of the lot in front of which, or any part of which, such vehicle is so parked.

**§ 155-14.15. Additional parking violations and fines.** [Added 12-8-2008]

Any person, firm or corporation violating any of the provisions of this article shall be required to pay the following fines:

- A. Double-parking: \$15.
- B. Parking in loading zone: \$15.
- C. Parked left side to curb: \$15.
- D. Violation of highway sign: \$20.
- E. Parked within 20 feet of a corner: \$20.
- F. Parked within 30 feet of a stop sign: \$20.
- G. Parked within 15 feet of a fire hydrant: \$50.
- H. Parked in a no-parking zone/painted curb: \$20.
- I. Parked within 15 feet of a fire station entrance: \$25.
- J. Blocking establishment/driveway: \$20.
- K. Parked in fire lane: \$50.
- L. Failing to display current Town decal, inspection sticker: \$25.
- M. Failing to display current state license plates: \$25.
- N. Other: \$20.
- O. Failure to pay parking citation within 10 days will result in an additional penalty of \$15.
- P. Parked in a handicapped space: \$100.

**§ 155-14.16. Parking vehicle without state license, inspection sticker or Town decal prohibited.** [Added 12-8-2008]

It shall be unlawful for any person to park any vehicle within the Town on any public street or property, or any privately owned shopping center, business office or apartment complex open to the public, that lacks a current state license, inspection sticker or, if a vehicle requiring the same, a current Town decal. It is provided further that officers of the Grottoes Police Department may enter upon the parking lots of privately owned shopping centers, business offices and apartment complexes open to the public for the purpose of enforcing this section without having received a formal complaint, either written or otherwise, from the owners thereof.

**§ 155-14.17. Issuance of summons.** [Added 12-8-2008]

If any person fails to pay such fine within 10 days of receipt of such violation, the police officer or person having issued the original written notice of violation shall, at his or her own discretion, thereupon issue a summons for the prosecution of that person so notified for that violation.

**§ 155-14.18. Compliance required; violations and penalties.**

- A. It shall be unlawful for any person to refuse, fail or neglect to comply with any of the provisions of this article or any rule or regulation promulgated pursuant thereto.
- B. Every person convicted of a violation of any of the provisions of this article or any rule or regulation promulgated pursuant thereto for which no other penalty is provided shall be punished by a fine of not more than \$50.

**§ 155-15. Through truck travel and parking prohibited.** [Amended 10-7-1980]

- A. It is unlawful for through trucks to travel on Elm Avenue (formerly Fifth Avenue) and Gum Avenue (formerly Seventh Avenue) and on Forest Avenue (formerly Sixth Avenue south of Nineteenth Street) and Holly Avenue (formerly Eighth Avenue between Route 256 and Fourteenth Street) and Fourteenth Street between Dogwood Avenue (formerly Fourth Avenue) and Holly Avenue, and Tenth Street between Dogwood Avenue and Riverside Avenue (formerly Ninth Avenue) in the Town of Grottoes, except for the purpose of delivery to residences on said streets or for delivery to other points impossible to reach except by way of said street.
- B. It shall be unlawful for the owner, operator or driver of any vehicle of over 3/4 ton capacity, including but not limited to a motor passenger bus, truck, trailer or semitrailer, to park such vehicle or to permit such vehicle to be parked in such areas zoned R-1 and R-2 on any of the streets, alleys or other public ways in such areas of the Town, provided that the provisions of this section shall not apply to any vehicle while actually engaged in loading and unloading.
- C. Any person found guilty of violating this section shall be fined \$10 for the first offense and shall be fined \$25 for any subsequent offense.

**§ 155-16. Removal of injurious substances from street.**

Any person removing a wrecked or damaged vehicle from a street or highway shall remove any glass or other injurious substance dropped upon the street or highway from such vehicle.

**§ 155-17. Street obstructions; railroad track obstructions.** [Amended 7-8-1996]

It shall be unlawful for any railroad company or any receiver or trustee operating a railroad to obstruct for a longer period than five minutes the free passage on any street or road by standing cars or trains to cross the same, except a passenger train while receiving or discharging passengers, but a passway shall be kept open to allow normal flow of traffic; nor shall it be lawful to stand any wagon or other vehicle on the track of any railroad which will hinder or endanger a moving train, provided that when a train has

been uncoupled so as to make a passway, the time necessarily required, not exceeding three minutes, to pump up the air after the train has been recoupled shall not be included in considering the time such cars or trains were standing across such street or road.

**§ 155-18. Use of amusement devices on streets and highways.** [Amended 7-11-1989; 3-13-2006; 12-11-2006]

- A. Items prohibited on sidewalks when used in such a way as to impede or obstruct pedestrian traffic. No person shall use on the sidewalks or walkways or on any Town property any of the following devices in such a way as to impede pedestrian traffic:
  - (1) Roller skates.
  - (2) Toys.
  - (3) Bicycles.
  - (4) Scooters (unmotorized).
  - (5) Other devices operated in a way to impede pedestrian traffic.
  - (6) Skateboards.
- B. Items absolutely prohibited on sidewalks. No person shall use on the sidewalks or walkways or on any Town property any of the following devices, except as may be explicitly permitted by signage posted:
  - (1) Motorized bicycles.
  - (2) Mopeds, motorized and unmotorized.
  - (3) Motorized scooters.
- C. Items prohibited on streets. No person shall use on any highway or street any of the following devices:
  - (1) Roller skates.
  - (2) Toys.
  - (3) Skateboards.
- D. Items permitted on streets. Bicycles, motorcycles, scooters, and mopeds, motorized and unmotorized, shall be permitted on the streets and highways in accordance with this section.
- E. No person riding upon any bicycle, moped, roller skates, skateboard, toy, scooter, or other device on wheels or on runners shall attach the same or himself or herself to any vehicles upon a roadway.
- F. No person shall operate a moped, motorized scooter, motorcycle, or motorized bicycle upon the streets and highways of the Town without the proper use of a

helmet approved by the Virginia Department of Transportation. In addition, all such riders shall obey all other traffic laws.

- G. Notwithstanding any provision of this section, the use of unmotorized bicycles shall be permitted on the walking trail in the Town park and on the bike path.
- H. Any person who violates this section shall be punishable by a civil penalty of not more than \$50.

#### ARTICLE IV Abandoned Vehicles

**§ 155-19. Removal and disposition of unattended or abandoned vehicles.** [Amended 11-11-1980]

- A. Whenever any motor vehicle, trailer or semitrailer is found on the public streets or public grounds unattended by the owner or operator and constitutes a hazard to traffic or is parked in such manner as to be in violation of law or whenever any motor vehicle, trailer or semitrailer is left unattended for more than 10 days upon any privately owned property other than the property of the owner of such motor vehicle, trailer or semitrailer within the Town or is abandoned upon such privately owned property without the permission of the owner, lessee or occupant thereof, any such motor vehicle, trailer or semitrailer may be removed for safekeeping by or under the direction of a police officer to a storage garage or area; provided, however, that no such vehicle shall be so removed from privately owned premises without the written request of the owner, lessee or occupant thereof. The person at whose request such motor vehicle, trailer or semitrailer is removed from privately owned property shall indemnify the Town against any loss or expense incurred by reason of removal, storage or sale thereof. Each removal shall be reported immediately to the office of the Town Clerk and notice thereof given to the owner of the motor vehicle, trailer or semitrailer as promptly as possible. The owner of such vehicle or trailer or semitrailer, before obtaining possession thereof, shall pay to the Town all reasonable costs incidental to the removal, storage and locating the owner of the motor vehicle, trailer or semitrailer. Should such owner fail or refuse to pay the cost or should the identity or whereabouts of such owner be unknown and unascertainable after a diligent search has been made and after notice to him or her at his or her last known address and to the holder of any lien of record in the office of the Division of Motor Vehicles in Virginia against the motor vehicle, trailer or semitrailer, the Chief of Police may, after holding the motor vehicle, trailer or semitrailer 40 days and after due notice of sale, dispose of the same at public sale, and the proceeds from the sale shall be forwarded by the selling officer to the Treasurer of the Town, provided that if the value of such motor vehicle, trailer or semitrailer is determined by three disinterested dealers or garage owners to be less than \$150, it may be disposed of by private sale or junked. The Treasurer shall pay from the proceeds of sale the cost of removal, storage, investigation as to ownership and liens and notice of sale, and the balance of such funds shall be held by him or her for the owner and paid to the owner upon satisfactory proof of ownership.



- B. If no claim has been made by the owner for the proceeds of such sale, the remaining funds may be deposited to the general fund of the Town. Any such owner shall be entitled to apply to the Town within three years from the date of such sale, and if timely application is made therefor, the said Town shall pay the same to the owner without interest or other charges. No claim shall be made nor shall any suit, action or proceeding be instituted for the recovery of such funds after three years from the date of such sale.

**§ 155-20. Removal of vehicles involved in accidents.**

Whenever a motor vehicle, trailer or semitrailer involved in an accident is found upon the highways or streets in the Town and is so located as to impede the orderly flow of traffic, the police may at no cost to the owner or operator remove such motor vehicle, trailer or semitrailer from the highways or streets to some point in the vicinity where such motor vehicle, trailer or semitrailer will not impede the flow of traffic.

**§ 155-21. Leaving vehicles upon private property prohibited; notice of disposition.**

- A. It shall be unlawful for any person to leave any motor vehicle, trailer, semitrailer or part thereof on the private property of any other person without his or her consent. Upon complaint of the owner of the property on which such motor vehicle, trailer, semitrailer or part thereof has been abandoned for more than five days, such motor vehicle, trailer, semitrailer or part thereof may be removed by or under the direction of a police officer to a storage garage or area. The person at whose request such motor vehicle, trailer, semitrailer or part thereof is so removed shall indemnify the Town against any loss or expense incurred by reason of removal, storage or sale thereof.
- B. In the case of the removal of a motor vehicle, trailer, semitrailer or part thereof from private property, when the same cannot be readily sold, such motor vehicle, trailer, semitrailer or part thereof may be disposed of in such manner as the Town Council may provide.
- C. In all other respects, the provisions of § 18.2-273 of the Code of Virginia shall apply to such removals.
- D. The Division of Motor Vehicles shall be notified of the disposition of any motor vehicle, trailer or semitrailer under § 18.2-273 of the Code of Virginia.

**§ 155-22. Free parking accommodations; liability.**

- A. No action shall lie or proceeding be brought against any person conducting any business and maintaining a parking lot, at which free parking accommodations are provided for customers or employees of such business when a motor vehicle is parked in such parking lot, for the total or partial loss of such motor vehicle by reason of theft or damage by any person other than an employee or for the total or partial loss of property left in such motor vehicle by reason of theft or damage by any person other than an employee.

- B. As used in this section, the term "free parking accommodations" means parking accommodations for which no specific charge is made in the patronage of the business by customers, and the performance of the regular services for the business by employees shall not constitute the payment of any consideration for the use of the parking accommodations.
- C. Nothing in this section shall relieve any person of liability resulting from his or her wrongdoing.

ARTICLE V  
**Bicycles**  
[Amended 11-1-1977]

**§ 155-23. Applicability.**

Each person riding a bicycle on a roadway or upon any bikeway set aside for the exclusive use of bicycles shall be granted all the rights and shall be subject to all of the duties applicable to the driver of a motor vehicle by this chapter, except as to special regulations in this article and except as to those provisions of this chapter which by their nature can have no application.

**§ 155-24. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**BICYCLE** — Includes a lightweight vehicle with two tandem wheels, neither of which is less than 12 inches in diameter, with solid or pneumatic tires having a steering wheel or steering bar and a saddle seat or seats and propelled by the feet acting on treadles connected to cranks or levers. This shall include pedal bicycles with helper motors rated less than one brake horsepower and capable of a speed up to a maximum of 20 miles per hour, provided that such bicycle so equipped shall not be operated upon any highway or public vehicular area of this state by any person under the age of 16 years. [Amended 7-8-1996]

**§ 155-25. Required lights and equipment.**

- A. No bicycle shall be ridden upon any street during a period from sunset to sunrise without displaying at least one white lamp visible from a distance of 500 feet to the front of the bicycle and with a red reflector on the rear which shall be visible from all distances from 50 to 300 feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet may be used in lieu of a red reflector.
- B. Each bicycle shall be equipped with a brake which shall enable the operator to make the back wheels skid on a dry, level and clear pavement and such other equipment as shall be required to meet the standard specifications in these sections and by the Chief of Police.

**§ 155-26. General regulations.**

- A. Riding on right. Each person operating a bicycle upon a roadway shall ride as near to the right-hand side of the roadway as is practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- B. Riding on roadway prohibited; bikeway availability. Wherever a usable path or surface has been provided for bicycles adjacent to a roadway and designated by traffic control devices, bicycle riders shall use such path or surface and shall not use the roadway.
- C. Signals for indicating a turn. Bicycle operators shall signify their intentions of turning by using the same hand signals established for operators of motor vehicles.
- D. Emerging from alley or driveway. The operator of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk area extending across an alleyway, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk areas and, upon entering the roadway, shall yield the right-of-way to all vehicles approaching on said roadway.
- E. Clinging to moving vehicles; towing. No person riding a bicycle on any street shall cling to or attach himself or herself or his or her vehicle to any moving vehicle upon any roadway, nor shall any such person hook any object on or to anything from his or her bicycle.
- F. Endangering persons or property; excessive speed. No bicycle shall be ridden at any time at any place or in any manner as to be dangerous to any person or property. No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing. Reckless driving or swerving in and out of traffic is prohibited.
- G. Traffic control and traffic regulation devices. Any person operating a bicycle shall obey the instructions of official traffic control devices applicable to vehicles unless otherwise directed by a police officer.
- H. Riding single file. All persons riding bicycles shall ride single file at all times, never abreast.
- I. Carrying articles on bicycles. No person operating a bicycle upon a highway shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handlebars at all times.
- J. Duty of parent or guardian. No parent of any minor child or the guardian of any ward shall authorize or knowingly permit any such child or ward to violate any of the provisions above.

**§ 155-27. Restricted acts.**

- A. It shall be unlawful for any person or child over 15 to operate a bicycle on a sidewalk within the business or residential district.
- B. No person shall ride a bicycle upon any street or alley in the Town without having his or her hands upon the handlebars of such bicycle.

- C. It shall be unlawful for a person operating a bicycle to ride other than upon or astride the permanent and regular seat attached thereto or to carry any other person upon such bicycle other than upon a firmly attached and regular seat thereon (e.g., bicycle built for two). No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.
- D. It shall be unlawful for any person to park a bicycle on the sidewalk in front of any building having glass windows extending to within two feet of the sidewalk.

**§ 155-28. Violations and penalties.** [Amended 7-8-1996]

Any person, firm partnership or corporation who is convicted of violating any sections of this article shall be punishable in accordance with Title 46.2 and Rule 3B:2 of the Code of Virginia.