

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

SESSION LAW 2012-105
HOUSE BILL 1059

AN ACT TO ALLOW THE CITY OF ASHEBORO TO TOW MOTOR VEHICLES
IMPEDING THE OPERATION OF THE DOWNTOWN FARMERS' MARKET.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 160A-302 reads as rewritten:

"§ 160A-302. Off-street parking facilities.

(a) A city shall have authority to own, acquire, establish, regulate, operate, and control off-street parking lots, parking garages, and other facilities for parking motor vehicles, and to make a charge for the use of such facilities.

(b) In a city-owned parking lot that is clearly designated as such by a sign no smaller than 24 inches by 24 inches prominently displayed at the entrance thereto, any motor vehicle, as defined in G.S.20-4.01, parked in violation of a city ordinance adopted pursuant to this section may be removed from such lot to a place of storage, and the registered owner of that motor vehicle shall become liable for removal and storage charges. Any person who removes a motor vehicle pursuant to this section shall not be held liable for damages for the removal of the vehicle to the owner, lienholder, or other person legally entitled to possession of the vehicle removed; however, any person who intentionally or negligently damages a vehicle in the removal of such vehicle, or intentionally or negligently inflicts injury upon any person in the removal of such vehicle, may be held liable for damages. The towing of a motor vehicle for violation of an ordinance adopted under the authority granted by this section shall be initiated only at the request of a law enforcement officer employed by the city. The person who actually tows the designated motor vehicle is responsible for the collection of towing and storage fees. All provisions of Article 7A of Chapter 20 of the General Statutes shall apply."

SECTION 2. This act applies to the City of Asheboro only and only to its regulation of the city-owned parking lot that is utilized as part of the Downtown Farmers' Market facility.

SECTION 3. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 28th day of June, 2012.

s/ Walter H. Dalton
President of the Senate

s/ Thom Tillis
Speaker of the House of Representatives

