

TITLE 15

MOTOR VEHICLES, TRAFFIC AND PARKING¹

CHAPTER

1. MISCELLANEOUS.
2. EMERGENCY VEHICLES.
3. SPEED LIMITS.
4. TURNING MOVEMENTS.
5. STOPPING AND YIELDING.
6. PARKING.
7. ENFORCEMENT.

CHAPTER 1

MISCELLANEOUS²

SECTION

- 15-101. Motor vehicle requirements.
- 15-102. Driving on streets closed for repairs, etc.
- 15-103. Public assemblies, picketing, etc.: distracting motorists or other passers by restricted.
- 15-104. One-way streets.
- 15-105. Unlaned streets.
- 15-106. Laned streets.
- 15-107. Yellow lines.
- 15-108. Miscellaneous traffic-control signs, etc.
- 15-109. General requirements for traffic-control signs, etc.
- 15-110. Unauthorized traffic-control signs, etc.
- 15-111. Presumption with respect to traffic-control signs, etc.
- 15-112. School safety patrols.

¹Municipal code reference

Excavations and obstructions in streets, etc.: title 16.

²State law references

Under Tennessee Code Annotated, § 55-10-307, the following offenses are exclusively state offenses and must be tried in a state court or a court having state jurisdiction: driving while intoxicated or drugged, as prohibited by Tennessee Code Annotated, § 55-10-401; failing to stop after a traffic accident, as prohibited by Tennessee Code Annotated, § 55-10-101, et seq.; driving while license is suspended or revoked, as prohibited by Tennessee Code Annotated, § 55-7-116; and drag racing, as prohibited by Tennessee Code Annotated, § 55-10-501.

- 15-113. Driving through funerals or other processions.
- 15-114. Clinging to vehicles in motion.
- 15-115. Riding on outside of vehicles.
- 15-116. Backing vehicles.
- 15-117. Projections from the rear of vehicles.
- 15-118. Causing unnecessary noise.
- 15-119. Operators of motor vehicles to be licensed.
- 15-120. Passing.
- 15-121. Damaging pavements.
- 15-122. Bicycle riders, etc.
- 15-123. Operation of motor vehicle without adequate energy absorption system prohibited--alteration of altitude from ground level of passenger car prohibited--exceptions--enforcement.
- 15-124. Child passenger restraint system required.
- 15-125. Truck traffic restricted on Broadway.
- 15-126. Following too closely.
- 15-127. Window tint.
- 15-128. Safety belts in passenger vehicles.
- 15-129. Coloring or alteration of headlights on motor vehicles.
- 15-130. Use of a dynamic breaking device (Jake Brake) prohibited.
- 15-131. Compliance with financial responsibility law required.
- 15-132. Motor vehicles prohibited from using private property as thoroughfares to avoid traffic control devices.

15-101. Motor vehicle requirements. It shall be unlawful for any person to operate any motor vehicle within the corporate limits unless such vehicle is equipped with properly operating muffler, lights, brakes, horn, and such other equipment as is prescribed and required by Tennessee Code Annotated, title 55, chapter 9.

Further it shall be unlawful for any person to operate any motor vehicle within the corporate limits unless such vehicle be registered and/or have a proper certificate of title as described and required by Tennessee Code Annotated, title 55, chapters 1, 3, and 4.

The foregoing provisions are deemed a condition precedent to the operation of any motor vehicle upon the streets of the municipality, and the foregoing violations are prescribed under the authority of Priv. Acts 1967, ch. 27, art. II, § 1, subsection 18 (The Charter of the City of Maryville, Tennessee). (1985 Code, § 9-101)

15-102. Driving on streets closed for repairs, etc. Except for necessary access to property abutting thereon, no motor vehicle shall be driven upon any street that is barricaded or closed for repairs or other lawful purpose. (1985 Code, § 9-106)

15-103. Public assemblies, picketing, etc.: distracting motorists or other passers by restricted. No person, persons, group, club, organization, or similar gathering shall engage in or conduct any gathering, demonstration, public assembly, picketing, proselytizing, performance, or any other related event designed to attract the attention of motorists or other passers by within two hundred fifty feet (250') of the center point of any of the following intersections:

- (1) U.S. Highway 321 (West Lamar Alexander Parkway) at U.S. Highway 411 (West Broadway);
- (2) U.S. Highway 129 (Bypass) at U.S. Highway 321 (West Lamar Alexander Parkway);
- (3) U.S. Highway 321 (West Lamar Alexander Parkway) at Foothills Mall Drive;
- (4) Foch Street at U.S. Highway 129 (By-Pass);
- (5) U.S. Highway 411 (West Broadway) at Foothills Mall Drive; and
- (6) U.S. Highway 321 (West Lamar Alexander Parkway) at Court Street;
- (7) U.S. Highway 321 (East Lamar Alexander Parkway) at Washington Street;
- (8) U.S. Highway 411 (Broadway) at Washington Street.

The activity prohibited by this section shall not be allowed within the streets, medians, sidewalks, common areas, private property, or right-of-way in the designated area. (1985 Code, § 9-107, as deleted by Ord. #2004-41, Nov. 2004, and replaced by Ord. #2012-22, Sept. 2012)

15-104. One-way streets. On any street for one-way traffic with posted signs indicating the authorized direction of travel at all intersections offering access thereto, no person shall operate any vehicle except in the indicated direction. (1985 Code, § 9-109)

15-105. Unlaned streets. (1) Upon all unlaned streets of sufficient width, a vehicle shall be driven upon the right half of the street except:

- (a) When lawfully overtaking and passing another vehicle proceeding in the same direction.
- (b) When the right half of a roadway is closed to traffic while under construction or repair.
- (c) Upon a roadway designated and signposted by the municipality for one-way traffic.

(2) All vehicles proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven as close as practicable to the right hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn. (1985 Code, § 9-110)

15-106. Laned streets. On streets marked with traffic lanes, it shall be unlawful for the operator of any vehicle to fail or refuse to keep his vehicle within the boundaries of the proper lane for his direction of travel except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

On two (2) lane and three (3) lane streets, the proper lane for travel shall be the right hand lane unless otherwise clearly marked. On streets with four (4) or more lanes, either of the right hand lanes shall be available for use except that traffic moving at less than the normal rate of speed shall use the extreme right hand lane. On one-way streets either lane may be lawfully used in the absence of markings to the contrary. (1985 Code, § 9-111)

15-107. Yellow lines. On streets with a yellow line placed to the right of any lane line or center line, such yellow line shall designate a no-passing zone, and no operator shall drive his vehicle or any part thereof across or to the left of such yellow line except when necessary to make a lawful left turn from such street. (1985 Code, § 9-112)

15-108. Miscellaneous traffic-control signs, etc.¹ It shall be unlawful for any pedestrian or the operator of any vehicle to violate or fail to comply with any traffic-control sign, signal, marking, or device placed or erected by the state or the municipality unless otherwise directed by a police officer.

It shall be unlawful for any pedestrian or the operator of any vehicle willfully to violate or fail to comply with the reasonable directions of any police officer. (1985 Code, § 9-113)

15-109. General requirements for traffic-control signs, etc. The city engineer shall direct the placement of all signals, markings, devices and signs except those governing speed limit and no parking zones. The city council shall direct the placement of all markings, devices and signs governing speed limit and no parking zones.

All newly installed traffic control signs, signals, markings and devices shall conform to the latest revision of the Manual on Uniform Traffic Control Devices for Streets and Highways,² published by the U. S. Department of Transportation, Federal Highway Administration, and shall, so far as practicable, be uniform as to type and location throughout the municipality. Use

¹Municipal code references

Stop signs, yield signs, flashing signals, pedestrian control signs, traffic control signals generally: §§ 15-505--15-509.

²This manual may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D. C. 20402.

of the above referenced manual shall be directive rather than mandatory. (1985 Code, § 9-114)

15-110. Unauthorized traffic-control signs, etc. No person shall place, maintain, or display upon or in view of any street, any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic-control sign, signal, marking, or device or railroad sign or signal, or which attempts to control the movement of traffic or parking of vehicles, or which hides from view or interferes with the effectiveness of any official traffic-control sign, signal, marking, or device or any railroad sign or signal. (1985 Code, § 9-115)

15-111. Presumption with respect to traffic-control signs, etc. When a traffic-control sign, signal, marking, or device has been placed, the presumption shall be that it is official and that it has been lawfully placed by the proper municipal authority. All presently installed traffic-control signs, signals, markings and devices are hereby expressly authorized, ratified, and approved irrespective of whether or not they were lawfully placed originally. (1985 Code, § 9-116)

15-112. School safety patrols. All motorists and pedestrians shall obey the directions or signals of school safety patrols when such patrols are assigned under the authority of the chief of police and are acting in accordance with instructions; provided, that such persons giving any order, signal, or direction shall at the time be wearing some insignia and/or using authorized flags for giving signals. (1985 Code, § 9-117)

15-113. Driving through funerals or other processions. Except when otherwise directed by a police officer, no driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated. (1985 Code, § 9-118)

15-114. Clinging to vehicles in motion. It shall be unlawful for any person traveling upon any bicycle, motorcycle, coaster, sled, roller skates, or any other vehicle to cling to, or attach himself or his vehicle to any other moving vehicle upon any street, alley, or other public way or place. (1985 Code, § 9-120)

15-115. Riding on outside of vehicles. It shall be unlawful for any person to ride, or for the owner or operator of any motor vehicle being operated on a street, alley, or other public way or place, to permit any person to ride on any portion of such vehicle not designed or intended for the use of passengers. This section shall not apply to persons engaged in the necessary discharge of

lawful duties nor to persons riding in the load-carrying space of trucks. (1985 Code, § 9-121)

15-116. Backing vehicles. The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic. (1985 Code, § 9-122)

15-117. Projections from the rear of vehicles. Whenever the load or any projecting portion of any vehicle shall extend beyond the rear of the bed or body thereof, the operator shall display at the end of such load or projection, in such position as to be clearly visible from the rear of such vehicle, a red flag being not less than twelve (12) inches square. Between one-half (½) hour after sunset and one-half (½) hour before sunrise, there shall be displayed in place of the flag a red light plainly visible under normal atmospheric conditions at least two hundred (200) feet from the rear of such vehicle. (1985 Code, § 9-123)

15-118. Causing unnecessary noise. It shall be unlawful for any person to cause unnecessary noise by unnecessarily sounding the horn, "racing" the motor, or causing the "screeching" or "squealing" of the tires on any motor vehicle. (1985 Code, § 9-124)

15-119. Operators of motor vehicles to be licensed. It shall be unlawful for any person to operate any motor vehicle within the corporate limits unless such person shall have a valid license as an operator or chauffeur under the provisions of and as required by Tennessee Code Annotated, title 55, chapter 50.

The foregoing provision is deemed a condition precedent to the operation of any motor vehicle upon the streets of the municipality, and the foregoing violation is prescribed under the authority of Priv. Acts 1967, ch. 27, art. II, § 1, subsection 18 (The Charter of the City of Maryville, Tennessee). (1985 Code, § 9-125)

15-120. Passing. Except when overtaking and passing on the right is permitted, the driver of a vehicle passing another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the street until safely clear of the overtaken vehicle. The driver of the overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

When the street is wide enough, the driver of a vehicle may overtake and pass upon the right of another vehicle which is making or about to make a left turn.

The driver of a vehicle may overtake and pass another vehicle proceeding in the same direction either upon the left or upon the right on a street of

sufficient width for four (4) or more lanes of moving traffic when such movement can be made in safety.

No person shall drive off the pavement or upon the shoulder of the street in overtaking or passing on the right.

When any vehicle has stopped at a marked crosswalk or at an intersection to permit a pedestrian to cross the street, no operator of any other vehicle approaching from the rear shall overtake and pass such stopped vehicle.

No vehicle operator shall attempt to pass another vehicle proceeding in the same direction unless he can see that the way ahead is sufficiently clear and unobstructed to enable him to make the movement in safety. (1985 Code, § 9-126)

15-121. Damaging pavements. No person shall operate upon any street of the municipality any vehicle, motor propelled or otherwise, which by reason of its weight or the character of its wheels or track is likely to damage the surface or foundation of the street. (1985 Code, § 9-119)

15-122. Bicycle riders, etc. Every person riding or operating a bicycle, motorcycle, or motor scooter shall be subject to the provisions of all traffic ordinances, rules, and regulations of the city applicable to the driver or operator of other vehicles except as to those provisions which by their nature can have no application to bicycles, motorcycles, or motor scooters.

No person operating or riding a bicycle, motorcycle, or motor scooter shall ride other than upon or astride the permanent and regular seat attached thereto, nor shall the operator carry any other person upon such vehicle other than upon a firmly attached and regular seat thereon.

No bicycle, motorcycle, or motor scooter shall be used to carry more persons at one time than the number for which it is designed and equipped.

No person operating a bicycle, motorcycle, or motor scooter shall carry any package, bundle, or article which prevents the rider from keeping both hands upon the handlebar.

No person under the age of sixteen (16) years shall operate any motorcycle or motor driven cycle while any other person is a passenger upon said motor vehicle.

All motorcycles and motor driven cycles operated on public ways within the corporate limits shall be equipped with crash bars approved by the state's commissioner of safety except in the case where the displacement of the motorcycle engine is seven hundred and fifty (750) cubic centimeters (forty-five and seventy-five/one hundredths (45.75) cubic inches) or less and the operator is eighteen (18) years of age or older.

The driver of a motorcycle or motor driven cycle and any passenger thereon shall be required to wear on his head a crash helmet of a type approved by the state's commissioner of safety.

Every motorcycle or motor driven cycle operated upon any public way within the corporate limits shall be equipped with a windshield of a type approved by the state's commissioner of safety, or, in the alternative, the operator and any passenger on any such motorcycle or motor driven cycle shall be required to wear safety goggles of a type approved by the state's commissioner of safety for the purpose of preventing any flying object from striking the operator or any passenger in the eyes.

It shall be unlawful for any person to operate or ride on any vehicle in violation of this section and it shall also be unlawful for any parent or guardian knowingly to permit any minor to operate a motorcycle or motor driven cycle in violation of this section. (1985 Code, § 9-127)

15-123. Operation of motor vehicle without adequate energy absorption system prohibited--alteration of altitude from ground level of passenger car prohibited--exceptions--enforcement. (1) No person shall operate a motor vehicle on any road, street, or highway in the City of Maryville unless the vehicle is equipped with a bumper or other energy absorption system with an analogous function.

(2)(a) No person shall operate a passenger vehicle, except a four-wheel drive recreational vehicle, of a type required to be registered under the laws of this state upon a city highway or street modified by reason of alteration of its altitude from the ground if its bumpers, measured to any point on a load-bearing member on the horizontal bumper bar, are not within the range of fourteen inches (14") to twenty-two inches (22") above the ground, except that no vehicle shall be modified to cause the vehicle body or chassis to come in contact with the ground or expose the fuel tank to damage from collision or cause the wheels to come in contact with the body under normal operation and that no part of the original suspension system be disconnected to defeat the safe operation of the suspension system; provided, that nothing contained in this section shall prevent the installation of heavy duty equipment to include shock absorbers and overload springs; and provided further, that nothing contained in this section shall prevent a person from operating a motor vehicle on a public highway with normal wear of the suspension system if normal wear does not affect the control of the vehicle.

(b) No person shall operate a four-wheel drive recreational vehicle of a type required to be registered under the laws of this state upon a city highway or street modified by reason of alteration of its altitude from the ground if its bumpers, measured to any point on a load-bearing member on the horizontal bumper bar, are not within the range of fourteen inches (14") to thirty-one inches (31") above the ground, except that no vehicle shall be modified to cause the vehicle body or chassis to come in contact with the ground or expose the full tank to damage from collision or cause the wheels to come in contact with the

body under normal operation and that no part of the original suspension system be disconnected to defeat the safe operation of the suspension system; provided, that nothing contained in this section shall prevent the installation of heavy duty equipment to include shock absorbers and overload springs; and provided further, that nothing contained in this section shall prevent a person from operating a motor vehicle on a public highway with normal wear of the suspension system if normal wear does not affect the control of the vehicle. In the case of a four-wheel drive vehicle where the thirty-one inches (31") limitation is exceeded, the vehicle will comply with this section if the vehicle is equipped with a drop bumper. Such a drop bumper must be bolted and welded to the frame of the vehicle and be made of a strength equal to a stock bumper.

(3) This section shall not apply to freight motor vehicles and/or other vehicles which have designs which would intrinsically preclude conformity with this provision. This section also shall not apply to any vehicle which has an unaltered and undamaged stock bumper or energy absorption system as supplied by the manufacturer of the vehicle.

(4) Any law enforcement officer charged with the enforcement of traffic laws and regulations may stop and inspect motor vehicles which appear to be operated in violation of this section. If, upon inspection, the vehicle is found to be in violation of this section, the operator shall be issued a citation stating the particulars of the violation and, in general, the repairs necessary to bring the vehicle into compliance with this section. The citation shall also state a time and place for appearance in city court, not less than fourteen (14) days from the date of the issuance of the citation.

(5) If, upon reinspection at such an appearance, the defect is found to have been corrected, or the vehicle is found to be in compliance with this section, and upon payment of the court costs, no further penalties shall be assessed. If, however, the vehicle is found not to be in compliance with this section, the operator shall be fined in accordance with the general penalty clause for this code.

(6) Nothing in this section shall be construed to establish standards higher than those formulated by the United States Department of Transportation for bumpers on passenger motor vehicles sold within the United States. (1985 Code, § 9-128)

15-124. Child passenger restraint system required. Any person transporting a child/children under the age of four (4) years in a motor vehicle on the roadways, streets or highways of this city shall be responsible for providing for the protection of the child/children and properly using a child passenger restraint system meeting federal motor vehicle safety standards; provided, however, nothing in this section shall restrict a mother from removing the child from such system and holding the child when the mother is nursing the child, or attending to its other physiological needs. Provided that the term

"motor vehicle" as used in this paragraph shall not apply to recreational vehicles of the truck or van type. Provided further that the term "motor vehicle" as used in this paragraph shall not apply to trucks having a tonnage rating of one (1) ton or more. (1985 Code, § 9-129)

15-125. Truck traffic restricted on Broadway. It shall be unlawful for any person to operate or drive a truck, tractor-trailer truck, bus or any vehicle with a trailer attached upon that portion of Broadway Avenue from Cate Street to Norwood Street except that said vehicles may be operated and driven on said portion of Broadway Avenue for the purpose of loading and unloading for properties located on said portion of said Broadway Avenue between the hours of 6:00 o'clock P.M. to 10:30 o'clock A.M. The term "truck" and "tractor-trailer truck" for the purpose of this section shall be construed as any such truck having a rated capacity of one (1) ton or greater. (1985 Code, § 9-130)

15-126. 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 vehicles and the traffic upon and the conditions of the roadway. (1985 Code, § 9-131)

15-127. Window tint. (1) It shall be unlawful for any person to operate, upon a public highway, street or road, any motor vehicle registered in this state, in which any window, which has a visible light transmittance equal to, but not less than specified in the Federal Motor Vehicle Safety Standard No. 205, has been altered, treated or replaced by the affixing or installation of any material which:

(a) Has a visible light transmittance of less than thirty-five percent (35%); or

(b) With the exception of the manufacturers standard installed shade band, reduce the visible light transmittance in the windshield below seventy percent (70%).

(2) Any vehicle model permitted by Federal Regulations to be equipped with certain windows tinted so as not to conform to the specifications of subsection (1), shall be exempt from subsection (1) with respect to those certain windows. Likewise, vehicles bearing commercial license plates shall be exempt from the specification of subsection (1), for those windows rearward of the front doors. This subsection shall not be construed in any way to exempt the front door windows of any vehicle of any kind from the specifications of subsection (1).

(3) Violation of this ordinance shall be a misdemeanor, punishable by a fine of not more than fifty dollars (\$50.00). (1985 Code, § 9-132)

15-128. Safety belts in passenger vehicles. (1) It shall be unlawful for any person to operate a motor vehicle within the corporate limits of the city unless child passengers in the vehicle are restrained according to the provisions

of Tennessee Code Annotated, § 55-9-602(a), including all sub-sections thereof, then and there in effect. In addition to or in lieu of the penalty imposed for violation of this part, persons guilty of their first offense of violating this section may be required to attend a court approved offenders' class designed to educate offenders on the hazards of not properly transporting children in motor vehicles. A fee may be charged for such class sufficient to defray all costs of providing such class.

(2) No person shall operate a passenger motor vehicle in the city limits of the City of Maryville unless such person and all passengers nine years of age and older are restrained by a safety belt at all times the vehicle is in forward motion.

(3) No person nine years of age or older shall be a passenger in a motor vehicle in the City of Maryville unless such person is restrained by a safety belt at all times the vehicle is in forward motion.

(4) As used in this section, "passenger motor vehicle" means any motor vehicle with a manufacturer's gross vehicle weight rating of 8,500 pounds or less that is not used as a public or livery conveyance for passengers and does not apply to motor vehicle which are not required by federal law to be equipped with safety belts.

(5) Violation of this section shall be punishable pursuant to the general penalty clause of the City of Maryville and as otherwise set forth herein in subsection (1) regarding subsection (1).

(6) This section shall not apply to:

(a) A passenger or operator with a physically disabling condition whose physical disability would prevent appropriate restraint in such safety, seat or seat belt; provided that such condition is duly certified in writing by a physician who shall state the nature of the handicap as well as the reason such restraint is inappropriate; or

(b) A passenger motor vehicle operated by a rural letter carrier of the United States Postal Service while performing the duties of a rural letter carrier; or

(c) Utility workers, water, gas and electric meter readers in the course of their employment; or

(d) Newspaper delivery motor carrier service while performing the duties of a newspaper delivery motor carrier service provided that this exemption shall apply only from the time of the actual first delivery to the customer until the last actual delivery to the customer; or

(e) Sales persons or mechanics employed by an automobile dealer who in the course of their employment test drive a motor vehicle, if such dealership customarily test drives 50 or more motor vehicles a day, and if such test drives occur within one mile of the location of the dealership. (1985 Code, § 9-133, as replaced by Ord. #2004-12, Jan. 2004)

15-129. Coloring or alteration of headlights on motor vehicle. It shall be unlawful for any person to operate a motor vehicle with headlights which have been painted, blacked out, darkened, or otherwise altered in color. Headlights are deemed altered in color if they do not project a white or clear light. (As added by Ord. #2000-23, July 2000)

15-130. Use of a dynamic braking device (Jake Brake) prohibited.

(1) Any motor vehicle traveling within the corporate limits of the City of Maryville is prohibited from using dynamic braking devices (commonly refers to as jake brake except in the event that a motor vehicle loses normal means to slow down and stop.

(2) The dynamic braking device is defined hereby as a device used on motor vehicles 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. (as added by Ord. #2003-10, May 2003, and replaced by Ord. #2007-01, Feb. 2007)

15-131. Compliance with financial responsibility law required.

(1) Every vehicle operated within the corporate limits of the City of Maryville must be in compliance with the financial responsibility law.

(2) At the time the driver of the motor vehicle is charged with any moving vehicle violation under title 55, chapters 8 and 10, parts 1 through 5; chapter 50; or any provision in this title of the municipal code; or is involved in an accident for which notice is required under Tennessee Code Annotated, § 55-10-106, the officer shall request evidence of financial responsibility as required by this section. In an accident for which notice is required under Tennessee Code Annotated, § 55-10-106, the officer shall request such evidence of financial responsibility from all drivers involved in the accident without regard to apparent or actual fault.

(3) For the purpose of this section, "financial responsibility" means:

(a) Documentation such as a declaration page of an insurance policy, an insurance binder, or an insurance card from an insurance company authorized to do business in Tennessee stating that a current policy of insurance meeting the requirements of the Tennessee Financial Responsibility Law of 1977 compiled in Tennessee Code Annotated, chapter 12, title 55 has been issued.

(b) A certificate valid for one year issued by the Commissioner of Safety stating that a cash deposit or bond in the amount required by the Tennessee Financial Responsibility Law of 1977 compiled in Tennessee Code Annotated, chapter 12, title 55, has been paid or filed with the Commissioner or has qualified as a self-insurer under Tennessee Code Annotated, § 55-12-111, or

(c) The motor vehicle being operated at the time of the violation was owned by a carrier subject to the jurisdiction of the Department of

Safety or the Interstate Commerce Commission or which was owned by the United States, the State of Tennessee, or any political subdivision thereof and such motor vehicle is being operated with such owner's consent.

(4) Civil offense. It is a civil offense to fail to provide evidence of financial responsibility pursuant to this section. Any violation of this section is punishable by a civil penalty of up to fifty dollars (\$50.00). The civil penalty prescribed by the section shall be in addition to any other penalty prescribed by the laws of this state or by the city's municipal code of ordinances.

(5) Evidence of compliance after violation. On or before the court date, the person charged with the violation of this section may submit evidence of compliance with this section in effect at the time of the violation. If the court is satisfied that the compliance was in effect at the time of the violation, the charge for failure to provide evidence of financial responsibility may be dismissed. Such dismissal may be with court costs taxed the person receiving the citation. (as added by Ord. #2004-13, Jan. 2004)

15-132. Motor vehicles prohibited from using private property as thoroughfares to avoid traffic control devices. It shall be unlawful for the operator of any vehicle to leave the roadway and travel across private property, or public property devoted to other than highway use, to avoid compliance with an official signal or an official traffic sign or for the purpose of avoiding obedience to directions given by a police officer or any traffic regulations or ordinance. (as added by Ord. #2008-35, Sept. 2008)

CHAPTER 2

EMERGENCY VEHICLES

SECTION

15-201. Authorized emergency vehicles defined.

15-202. Operation of authorized emergency vehicles.

15-203. Following emergency vehicles.

15-204. Running over fire hoses, etc.

15-201. Authorized emergency vehicles defined. Authorized emergency vehicles shall be fire department vehicles, police vehicles, and such ambulances and other emergency vehicles as are designated by the chief of police. (1985 Code, § 9-102)

15-202. Operation of authorized emergency vehicles.¹ (1) The driver of an authorized emergency vehicle, when responding to an emergency call, or when in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, subject to the conditions herein stated.

(2) The driver of an authorized emergency vehicle may park or stand, irrespective of the provisions of this title; proceed past a red or stop signal or stop sign, but only after slowing down to ascertain that the intersection is clear; exceed the maximum speed limit and disregard regulations governing direction of movement or turning in specified directions so long as he does not endanger life or property.

(3) The exemptions herein granted for an authorized emergency vehicle shall apply only when the driver of any such vehicle while in motion sounds an audible signal by bell, siren, or exhaust whistle and when the vehicle is equipped with at least one (1) lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.

(4) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others. (1985 Code, § 9-103)

¹Municipal code reference

Operation of other vehicle upon the approach of emergency vehicles:
§ 15-501.

15-203. Following emergency vehicles. No driver of any vehicle shall follow any authorized emergency vehicle apparently travelling in response to an emergency call closer than five hundred (500) feet or drive or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm. (1985 Code, § 9-104)

15-204. Running over fire hoses, etc. It shall be unlawful for any person to drive over any hose lines or other equipment of the fire department except in obedience to the direction of a fireman or policeman. (1985 Code, § 9-105)

CHAPTER 3**SPEED LIMITS****SECTION**

- 15-301. In general.
- 15-302. At intersections.
- 15-303. In school zones.
- 15-304. In congested areas.

15-301. In general. It shall be unlawful for any person to operate or drive a motor vehicle upon any highway or street at a rate of speed in excess of thirty (30) miles per hour except where official signs have been posted indicating other speed limits, in which cases the posted speed limit shall apply. (1985 Code, § 9-201)

15-302. At intersections. It shall be unlawful for any person to operate or drive a motor vehicle through any intersection at a rate of speed in excess of fifteen (15) miles per hour unless such person is driving on a street regulated by traffic-control signals or signs which require traffic to stop or yield on the intersecting streets. (1985 Code, § 9-202)

15-303. In school zones. It shall be unlawful for any person to operate or drive a motor vehicle at a rate of speed in excess of fifteen (15) miles per hour when passing a school during recess or while children are going to or leaving school during its opening or closing hours. (1985 Code, § 9-203)

15-304. In congested areas. It shall be unlawful for any person to operate or drive a motor vehicle through any congested area at a rate of speed in excess of any posted speed limit when such speed limit has been posted by authority of the municipality. (1985 Code, § 9-204)

CHAPTER 4

TURNING MOVEMENTS**SECTION**

15-401. Generally.

15-402. Right turns.

15-403. Left turns on two-way roadways.

15-404. Left turns on other than two-way roadways.

15-405. U-turns.

15-401. Generally. No person operating a motor vehicle shall make any turning movement which might affect any pedestrian or the operation of any other vehicle without first ascertaining that such movement can be made in safety and signaling his intention in accordance with the requirements of the state law.¹ (1985 Code, § 9-301)

15-402. Right turns. Both the approach for a right turn and a right turn shall be made as close as practicable to the right hand curb or edge of the roadway. (1985 Code, § 9-302)

15-403. Left turns on two-way roadways. At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of the intersection of the center line of the two roadways. (1985 Code, § 9-303)

15-404. Left turns on other than two-way roadways. At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left hand lane lawfully available to traffic moving in the direction of travel of such vehicle and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left hand lane lawfully available to traffic moving in such direction upon the roadway being entered. (1985 Code, § 9-304)

15-405. U-turns. U-turns are prohibited. (1985 Code, § 9-305)

¹State law reference

Tennessee Code Annotated, § 55-8-143.

CHAPTER 5**STOPPING AND YIELDING****SECTION**

- 15-501. Upon approach of authorized emergency vehicles.
- 15-502. When emerging from alleys, etc.
- 15-503. To prevent obstructing an intersection.
- 15-504. At railroad crossings.
- 15-505. At "stop" signs.
- 15-506. At "yield" signs.
- 15-507. At traffic-control signals generally.
- 15-508. At flashing traffic-control signals.
- 15-509. At pedestrian control signals.
- 15-510. Stops to be signaled.

15-501. Upon approach of authorized emergency vehicles.¹ Upon the immediate approach of an authorized emergency vehicle making use of audible and/or visual signals meeting the requirements of the laws of this state, or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall immediately drive to a position parallel to, and as close as possible to, the right hand edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer. (1985 Code, § 9-401)

15-502. When emerging from alleys, etc. The drivers of all vehicles emerging from alleys, parking lots, driveways, or buildings shall stop such vehicles immediately prior to driving onto any sidewalk or street. They shall not proceed to drive onto the sidewalk or street until they can safely do so without colliding or interfering with approaching pedestrians or vehicles. (1985 Code, § 9-402)

15-503. To prevent obstructing an intersection. No driver shall enter any intersection or marked crosswalk unless there is sufficient space on the other side of such intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of traffic in or on the intersecting street or crosswalk. This provision shall be effective notwithstanding any traffic-control signal indication to proceed. (1985 Code, § 9-403)

¹Municipal code reference

Special privileges of emergency vehicles: title 15, chapter 2.

15-504. At railroad crossings. Any driver of a vehicle approaching a railroad grade crossing shall stop within not less than fifteen (15) feet from the nearest rail of such railroad and shall not proceed further while any of the following conditions exist:

(1) A clearly visible electrical or mechanical signal device gives warning of the approach of a railroad train.

(2) A crossing gate is lowered or a human flagman signals the approach of a railroad train.

(3) A railroad train is approaching within approximately fifteen hundred (1500) feet of the highway crossing and is emitting an audible signal indicating its approach.

(4) An approaching railroad train is plainly visible and is in hazardous proximity to the crossing. (1985 Code, § 9-404)

15-505. At "stop" signs. The driver of a vehicle facing a "stop" sign shall bring his vehicle to a complete stop immediately before entering the crosswalk on the near side of the intersection or, if there is no crosswalk, then immediately before entering the intersection, and shall remain standing until he can proceed through the intersection in safety. (1985 Code, § 9-405)

15-506. At "yield" signs. The drivers of all vehicles shall yield the right of way to approaching vehicles before proceeding at all places where "yield" signs have been posted. (1985 Code, § 9-406)

15-507. At traffic-control signals generally. Traffic-control signals exhibiting the words "Go," "Caution," or "Stop," or exhibiting different colored lights successively one at a time, or with arrows, shall show the following colors only and shall apply to drivers of vehicles and pedestrians as follows:

(1) Green alone, or "Go":

(a) Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

(b) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

(2) Steady yellow alone, or "Caution":

(a) Vehicular traffic facing the signal is thereby warned that the red or "Stop" signal will be exhibited immediately thereafter, and such vehicular traffic shall not enter or be crossing the intersection when the red or "Stop" signal is exhibited.

(b) Pedestrians facing such signal shall not enter the roadway unless authorized so to do by a pedestrian "Walk" signal.

(3) Steady red alone, or "Stop":

(a) Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until green or "Go" is shown alone.

(b) Pedestrians facing such signal shall not enter the roadway unless authorized so to do by a pedestrian "Walk" signal.

(4) Steady red with green arrow:

(a) Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow but shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection.

(b) Pedestrians facing such signal shall not enter the roadway unless authorized so to do by a pedestrian "Walk" signal.

(5) In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made a vehicle length short of the signal. (1985 Code, § 9-407)

15-508. At flashing traffic-control signals. (1) Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal placed or erected in the municipality it shall require obedience by vehicular traffic as follows:

(a) Flashing red (stop signal). When a red lens is illuminated with intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

(b) Flashing yellow (caution signal). When a yellow lens is illuminated with intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

(2) This section shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules set forth in § 15-504 of this code. (1985 Code, § 9-408)

15-509. At pedestrian control signals. Wherever special pedestrian control signals exhibiting the words "Walk" or "Wait" or "Don't Walk" have been placed or erected by the municipality, such signals shall apply as follows:

(1) "Walk." Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.

(2) "Wait or Don't Walk." No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the walk signal shall proceed to the nearest sidewalk or safety zone while the wait signal is showing. (1985 Code, § 9-409)

15-510. Stops to be signaled. No person operating a motor vehicle shall stop such vehicle, whether in obedience to a traffic sign or signal or otherwise, without first signaling his intention in accordance with the requirements of the state law,¹ except in an emergency. (1985 Code, § 9-410)

¹State law reference
Tennessee Code Annotated, § 55-8-143.

CHAPTER 6

PARKING

SECTION

- 15-601. Generally.
- 15-602. Angle parking.
- 15-603. Occupancy of more than one space.
- 15-604. Where prohibited.
- 15-605. Loading and unloading zones.
- 15-606.--15-611. [Deleted.]
- 15-612. Parking on city parking lots regulated.
- 15-613. Handicapped parking.
- 15-614. Parking on private parking lots regulated.
- 15-615. Parking of trucks, tractor-trailers and buses upon public streets or public ways regulated.
- 15-616. Parking enforcement in Royal Oaks Subdivision.
- 15-617. Closing of city owned or maintained parking lots, including parking garages.

15-601. Generally. No person shall leave any motor vehicle unattended on any street without first setting the brakes thereon, stopping the motor, removing the ignition key, and turning the front wheels of such vehicle toward the nearest curb or gutter of the street.

Except as hereinafter provided, every vehicle parked upon a street within this municipality shall be so parked that its right wheels are approximately parallel to and within eighteen (18) inches of the right edge or curb of the street. On one-way streets where the municipality has not placed signs prohibiting the same, vehicles may be permitted to park on the left side of the street, and in such cases the left wheels shall be required to be within eighteen (18) inches of the left edge or curb of the street.

Notwithstanding anything else in this code to the contrary, no person shall park or leave a vehicle parked on any public street or alley within the fire limits between the hours of 1:00 A.M. and 5:00 A.M. or on any other public street or alley for more than seventy-two (72) consecutive hours without the prior approval of the chief of police.

Furthermore, no person shall wash, grease, or work on any vehicle, except to make repairs necessitated by an emergency, while such vehicle is parked on a public street. (1985 Code, § 9-501)

15-602. Angle parking. On those streets which have been signed or marked by the municipality for angle parking, no person shall park or stand a vehicle other than at the angle indicated by such signs or markings. No person

shall angle park any vehicle which has a trailer attached thereto or which has a length in excess of twenty-four (24) feet. (1985 Code, § 9-502)

15-603. Occupancy of more than one space. No person shall park a vehicle in any designated parking space so that any part of such vehicle occupies more than one such space or protrudes beyond the official markings on the street or curb designating such space unless the vehicle is too large to be parked within a single designated space. (1985 Code, § 9-503)

15-604. Where prohibited. No person shall park a vehicle in violation of any sign placed or erected by the state or municipality, nor:

- (1) On a sidewalk.
- (2) In front of or within five (5) feet of a public or private driveway.
- (3) Within an intersection or within twenty-five (25) feet thereof.
- (4) Within fifteen (15) feet of a fire hydrant.
- (5) Within a pedestrian crosswalk.
- (6) Within fifty (50) feet of a railroad crossing.
- (7) Within twenty (20) feet of the driveway entrance to any fire station, and on the side of the street opposite the entrance to any fire station within seventy-five (75) feet of the entrance.
- (8) Alongside or opposite any street excavation or obstruction when other traffic would be obstructed.
- (9) On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- (10) Upon any bridge.
- (11) Alongside any curb painted yellow or red by the municipality.
- (12) Park at a distance of 65 feet from the intersecting streets of Cunningham Street, Melrose Street, and South Cedar Street along the northern side of Mountain View Avenue.
- (13) On any area within a municipal owned parking lot or garage other than the striped parking stalls. (1985 Code, § 9-504, as amended by Ord. #2003-19, July 2003; Ord. #2003-24, Sept. 2003; and Ord. #2004-33, Aug. 2004)

15-605. Loading and unloading zones. No person shall park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers or merchandise in any place marked by the municipality as a loading and unloading zone. (1985 Code, § 9-505)

15-606.–15-611. [Deleted]. (as deleted by Ord. #2016-30, Nov. 2016)

15-612. Parking on city parking lots regulated. It shall be unlawful for any person, firm or corporation to park any vehicle upon any public parking lot, including parking garages, owned or maintained by the City of Maryville for

a period of more than seventy-two (72) consecutive hours except where such parking is expressly allowed by the Chief of Police pursuant to any city permitted special event or for other good cause. (1985 Code, § 9-512, as amended by Ord. #98-38, Sept. 1998, and Ord. #2016-30, Nov. 2016)

15-613. Handicapped parking. (1) Any business, firm, or other person transacting business with the public from a permanent location in the City of Maryville may provide on private property and the City of Maryville may provide on public property specially marked parking spaces for the exclusive use of any handicapped driver or handicapped passenger to whom the distinctive license plates or placards were issued pursuant to Tennessee Code Annotated, title 55, chapter 21, and to qualified operators acting under the express direction of a handicapped driver or handicapped passenger.

(2) Each such parking space shall be marked and maintained with the stylized wheelchair symbol designated by Tennessee Code Annotated, § 55-21-104. Provided, however, nonconforming markings or signs shall be acceptable during the useful life of such markings or signs which may not be extended by other than normal maintenance as long as such markings or signs provide reasonable notice of the specially marked parking space.

(3) It shall be unlawful for any person, except those persons designated in sub-section (1) above, to park in any parking space marked and maintained as provided in sub-section (2) above, located on either public or private property, and any violation of the provisions of this section shall be punishable by a fine of not less than \$50.00.

(4) Whether violations occur on public or private property, the provisions of this section shall be enforced in the same manner used to enforce other parking laws of the City of Maryville. (1985 Code, § 9-513, as amended by Ord. #2004-32, Aug. 2004)

15-614. Parking on private parking lots regulated.¹ It shall be unlawful for any person to park a truck tractor, a trailer, or semitrailer, as defined in Tennessee Code Annotated, §§ 55-1-104 and 55-1-105, in any parking lot of a privately owned shopping mall or shopping center in the City of Maryville, or in any other privately owned parking lot in the City of Maryville which will accommodate thirty (30) or more motor vehicles, without obtaining permission to park in such a parking lot from the parking lot owner, manager, or other authorized agent of the owner. It shall not be unlawful for such a truck or trailer to park for the purpose of loading or unloading. Any violation of the provisions of this section shall be punishable under the general penalty clause for this municipal code. The provisions of this section shall be enforced in the

¹See also Priv. Acts 1986, ch. 144, which also regulates this activity.

same manner used to enforce other parking laws of the City of Maryville. (1985 Code, § 9-514)

15-615. Parking of trucks, tractor-trailers and buses upon public streets or public ways regulated. (1) Definitions. (a) "Truck" shall mean every motor vehicle designed, used, or maintained primarily for the transportation of property.

(b) "Truck tractor" shall mean every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

(c) "Trailer" shall mean every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

(d) "Semitrailers" shall mean every vehicle without motive power and not a motor vehicle as herein defined, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

(e) "Pole trailers" shall mean every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connection.

(f) "Buses" and "motor vehicles" shall mean every self propelled device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excluding motorized bicycles and every vehicle which is not propelled by electric power.

(g) "Roads" relates to streets, highways, avenues, boulevards, parkways, lanes or other ways or any part of the public transportation system and shall mean the entire width between boundary lines of every way publicly maintained, when any part thereof is open to the use of the public for purposes of vehicular travel and passage.

(h) "Loading" and "unloading" shall mean to place or store goods, wares, or merchandise into a trailer or motor vehicle or to remove such items from said vehicle and shall for purposes of this section refer to the actual time consumed in such operation.

(i) "Refrigeration" or "refrigerated" means any unit or individual compartment for the purpose of such storage and preservation of frozen foods, commodities, or goods for human consumption or use.

(j) "Residential area" means area predominately in use for residential purposes.

(2) Parking provisions. It shall be unlawful for any person, firm, or corporation owning, operating or having control of any truck, truck tractor, trailer, semitrailer, pole trailer, bus or motor vehicle in excess of one (1) ton capacity to park the same upon any street or public way within the corporate limits of Maryville, Tennessee.

(3) Refrigerated trucks. It shall be unlawful for any person, firm, or corporation owning, operating or having control of any truck, truck tractor, trailer, semitrailer, pole trailer, bus or motor vehicle which has refrigeration capability or capacity to park the same upon any street or public way or on private property within any residential area within the corporate limits with the refrigeration units operating.

(4) Exclusions. The provisions of subsection (2) shall not be deemed to prohibit the lawful parking of any truck, truck tractor, trailer, semitrailer, pole trailer, bus or motor vehicle and related equipment upon any street within the corporate limits for the loading or unloading of goods, wares, materials, supplies or merchandise.

The provisions of subsection (3) shall not be deemed to prohibit the lawful parking of refrigerated trucks, truck tractors, trailers, semitrailers, pole trailers, bus or motor vehicles with refrigeration capability or capacity upon any street or public way within the corporate limits for the loading or unloading of goods, wares, materials, supplies or merchandise.

The provisions of these subsections shall not be deemed to prohibit the parking of any truck, trailer, truck tractor, bus or motor vehicle within a designated construction or work zone on streets or public ways within the corporate limits. This provision shall be applicable only for the duration of construction within the designated construction or work zone.

(5) Penalty. Any person, firm, or corporation owning, operating or having control of any truck, truck tractor, trailer, semitrailer, pole trailer, bus or motor vehicle or refrigerated type trailers or motor vehicles shall be subject to a fine not less than \$25.00 nor more than \$50.00 for each parking violation of this section. (1985 Code, § 9-515)

15-616. Parking enforcement in Royal Oaks Subdivision. In the platted subdivision known as Royal Oaks in the corporate limits, no person shall park a vehicle on the street in violation of restrictions on parking stated on any official sign placed or erected by the Royal Oaks Property Owners Association, Inc. where such sign has been approved and authorized by the Chief of Police of the City of Maryville. Parking in an area where parking is prohibited pursuant to such signage will result in a parking citation and/or a vehicle being subject to being towed at the owner's expense. Parking in such areas shall further subject the vehicle and its owner to all other enforcement mechanisms found in the city code to regulate illegal parking. (as added by Ord. #2009-30, May 2009)

15-617. Closing of city owned or maintained parking lots, including parking garages. The City of Maryville through its City Manager or Chief of Police reserves the right to close either portions or the entirety of any city owned or maintained parking lots, including parking garages, for city permitted special events, during emergency situations or as otherwise deemed necessary by such City Manager or Chief of Police for the health, safety and welfare of the citizens of the City of Maryville. (as added by Ord. #2016-30, Nov. 2016)

CHAPTER 7

ENFORCEMENT

SECTION

- 15-701. Issuance of traffic citations.
- 15-702. Failure to obey citation.
- 15-703. Use of driver's license in lieu of bail.
- 15-704. Illegal parking.
- 15-705. Impoundment of vehicles.
- 15-706. Violation and penalty.

15-701. Issuance of traffic citations.¹ When a police officer halts a traffic violator other than for the purpose of giving a warning, and does not take such person into custody under arrest, he shall take the name, address, and operator's license number of said person, the license number of the motor vehicle involved, and such other pertinent information as may be necessary, and shall issue to him a written traffic citation containing a notice to answer to the charge against him in the city court at a specified time. The officer, upon receiving the written promise of the alleged violator to answer as specified in the citation, shall release such person from custody. It shall be unlawful for any alleged violator to give false or misleading information as to his name or address. (1985 Code, § 9-701)

15-702. Failure to obey citation. It shall be unlawful for any person to violate his written promise to appear in court after giving said promise to an officer upon the issuance of a traffic citation, regardless of the disposition of the charge for which the citation was originally issued. (1985 Code, § 9-702)

15-703. Use of driver's license in lieu of bail. The City of Maryville does hereby adopt the provisions of Tennessee Code Annotated, title 55, chapter 50, part 8, allowing the deposit of chauffeur's or operator's license by any person issued a citation or arrested and charged with the violation of any municipal ordinance or state statute regulating traffic, except those ordinances and statutes, the violation of which call for the mandatory revocation of a operator's or chauffeur's license for any period of time, in lieu of bail of any other security required for appearance in the City Court of the City of Maryville. (1985 Code, § 9-703)

¹State law reference

Tennessee Code Annotated, § 7-63-101, et seq.

15-704. Illegal parking. (1) Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by this code, or by ordinance or regulation of the city, the officer finding such vehicle shall take its license number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a citation for the driver and/or owner to answer for the violation within fifteen (15) days during the hours and at a place specified in the citation.

(2) In all prosecutions for alleged violations of any of the restrictions imposed by this code, or by any ordinance or regulation of the city, the owner of the vehicle involved shall be prima facie presumed to have been the operator or in control thereof at the time the alleged offense was committed, and no such owner shall evade guilt for any such violation by representing that he was not operating or in control of the vehicle himself at the time the alleged offense was committed unless at that time the vehicle was being operated without his express or implied consent, or unless such owner furnishes the name of the person who was operating the vehicle with the owner's consent at the time the alleged offense was committed, and a signed statement under oath by such person showing that he was operating and in control of the owner's vehicle at that time.

(3) If a violator of any of the parking restrictions imposed by this code, or by ordinance or regulation of the city, does not appear in response to a traffic citation affixed to such motor vehicle within a period of fifteen (15) days of the date of the violation, the clerk of the city court shall send to the owner of the motor vehicle to which the traffic citation was affixed a summons informing him of the violation, directing him to appear in city court in response to said traffic citation, and warning him that in the event such summons is disregarded for a period of five (5) days from the date thereof a warrant of arrest will be issued for him.

(4) In the event any person fails to comply with a traffic citation given to such person or attached to his vehicle for a violation of any of the parking restrictions imposed by this code, or by ordinance or regulation of the city, within twenty (20) days of the commission thereof or fails to make appearance pursuant to a summons issued in accordance with subsection (3) above, the clerk of the city court shall secure and issue a warrant for his arrest. (1985 Code, § 9-704, modified)

15-705. Impoundment of vehicles. Members of the police department are hereby authorized, when reasonably necessary for the security of the vehicle or to prevent obstruction of traffic, to remove from the streets and impound any vehicle whose operator is arrested or any unattended vehicle which is parked so as to constitute an obstruction or hazard to normal traffic. Any impounded vehicle shall be stored until the owner or other person entitled thereto, claims it, gives satisfactory evidence of ownership or right to possession, and pays all

applicable fees and costs, or until otherwise lawfully disposed of. (1985 Code, § 9-705)

15-706. Violation and penalty. Any violation of this title shall be a civil offense punishable as follows:

(1) Traffic citations. Traffic citations shall be punishable by a civil penalty up to fifty dollars (\$50.00) for each separate offense.

(2) Parking citations. Any person, firm, or corporation violating any of the parking restrictions imposed by this code, or by ordinance or regulation of the city, shall be guilty of a misdemeanor and except for the fine imposed in § 15-613 and fine imposed in § 15-615 shall be fined \$15.00 for each violation except for six (6) or more wheeled vehicles sidewalk parking shall be fined \$50.00. (1985 Code, § 9-704, modified, as amended by Ord. #2003-34, Oct. 2003; and Ord. #2004-31, Aug. 2004)