

TITLE 15**MOTOR VEHICLES, TRAFFIC AND PARKING¹****CHAPTER**

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CHAPTER 1**MISCELLANEOUS²****SECTION**

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¹Municipal code reference

Excavations and obstructions in streets, etc.: title 16, chapter 2.

²State law references

Under *Tennessee Code Annotated*, § 55-10-307(b), 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 where death or injury occurs, as prohibited by *Tennessee Code Annotated*, § 55-10-101, *et seq.*; driving while license is suspended or revoked, as prohibited by *Tennessee Code Annotated*, § 55-50-504; and drag racing, as prohibited by *Tennessee Code Annotated*, § 55-10-501.

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- 15-122. Truck routes.
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- 15-125. Adoption of state traffic statutes.

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. (1991 Code, § 15-101)

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. (1991 Code, § 15-102)

15-103. 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. (1991 Code, § 15-105)

15-104. 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 sign posted by the city 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. (1991 Code, § 15-106)

15-105. 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. (1991 Code, § 15-107)

15-106. 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. (1991 Code, § 15-108)

15-107. 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 city unless otherwise directed by a police officer.

No person shall willfully fail or refuse to comply with any lawful order of any police officer invested by law with the authority to direct, control or regulate traffic.

15-108. General requirements for traffic control signs, etc. Pursuant to *Tennessee Code Annotated*, § 54-5-108, all traffic control signs, signals, markings, and devices shall conform to the latest revision of the *Tennessee Manual on Uniform Traffic Control Devices for Streets and Highways*,² and shall be uniform as to type and location throughout the city.

15-109. 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

¹Municipal code references

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

²For the latest revision of the *Tennessee Manual on Uniform Traffic Control Devices for Streets and Highways*, see the Official Compilation of the Rules and Regulations of the State of Tennessee, § 1680-3-1, *et seq.*

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. (1991 Code, § 15-111)

15-110. 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 city authority. (1991 Code, § 15-112)

15-111. 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. (1991 Code, § 15-113)

15-112. 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. (1991 Code, § 15-114)

15-113. 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. (1991 Code, § 15-115)

15-114. 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. (1991 Code, § 15-116)

15-115. 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. (1991 Code, § 15-117)

15-116. 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 (1/2) hour after sunset and one-half (1/2) 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 feet (200') from the rear of such vehicle. (1991 Code, § 15-118)

15-117. 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. (1991 Code, § 15-119)

15-118. Vehicles and operators to be licensed. It shall be unlawful for any person to operate a motor vehicle in violation of the "Tennessee Motor Vehicle Title and Registration Law" or the "Uniform Classified and Commercial Driver License Act of 1988."

15-119. 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. (1991 Code, § 15-121)

15-120. Motorcycles, motor driven cycles, motorized bicycles, bicycles, etc. (1) Definitions For the purpose of the application of this section, the following words shall have the definitions indicated:

(a) "Motorcycle." Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, including a vehicle that is fully enclosed, has three (3) wheels in contact with the ground, weighs less than one thousand five hundred pounds (1,500 lbs.), and has the capacity to maintain posted highway speed limits, but excluding a tractor or motorized bicycle.

(b) "Motor-driven cycle." Every motorcycle, including every motor scooter, with a motor which produces not to exceed five (5) brake horsepower, or with a motor with a cylinder capacity not exceeding one hundred and twenty-five cubic centimeters (125cc);

(c) "Motorized bicycle." A vehicle with two (2) or three (3) wheels, an automatic transmission, and a motor with a cylinder capacity not exceeding fifty (50) cubic centimeters which produces no more than two (2) brake horsepower and is capable of propelling the vehicle at a maximum design speed of no more than thirty (30) miles per hour on level ground.

(2) Every person riding or operating a bicycle, motorcycle, motor driven cycle or motorized bicycle 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, motor driven cycles, or motorized bicycles.

(3) No person operating or riding a bicycle, motorcycle, motor driven cycle or motorized bicycle 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.

(4) No bicycle, motorcycle, motor driven cycle or motorized bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

(5) No person operating a bicycle, motorcycle, motor driven cycle or motorized bicycle shall carry any package, bundle, or article which prevents the rider from keeping both hands upon the handlebars.

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

(7) (a) Each driver of a motorcycle, motor driven cycle, or motorized bicycle and any passenger thereon shall be required to wear on his head, either a crash helmet meeting federal standards contained in 49 CFR 571.218, or, if such driver or passenger is twenty-one (21) years of age or older, a helmet meeting the following requirements:

(i) Except as provided in subdivisions (a)(ii)-(iv), the helmet shall meet federal motor vehicle safety standards specified in 49 CFR 571.218;

(ii) Notwithstanding any provision in 49 CFR 571.218 relative to helmet penetration standards, ventilation airways may penetrate through the entire shell of the helmet; provided, that no ventilation airway shall exceed one and one-half inches (1 1/2") in diameter;

(iii) Notwithstanding any provision in 49 CFR 571.218, the protective surface shall not be required to be a continuous contour; and

(iv) Notwithstanding any provision in 49 CFR 571.218 to the contrary, a label on the helmet shall be affixed signifying that such helmet complies with the requirements of the American Society for Testing Materials (ASTM), the Consumer Product Safety Commission (CSPM), or the Snell Memorial Foundation, Inc.

(b) This section does not apply to persons riding:

(i) Within an enclosed cab;

(ii) Motorcycles that are fully enclosed, have three (3) wheels in contact with the ground, weigh less than one thousand five hundred pounds (1,500 lbs.) and have the capacity to maintain posted highway speed limits;

(iii) Golf carts; or

(iv) In a parade, at a speed not to exceed thirty (30) miles per hour, if the person is eighteen (18) years or older.

(8) Every motorcycle, motor driven cycle, or motorized bicycle operated upon any public way within the corporate limits shall be equipped with a windshield or, in the alternative, the operator and any passenger on any such motorcycle, motor driven cycle or motorized bicycle shall be required to wear safety goggles, faceshield or glasses containing impact resistant lens for the purpose of preventing any flying object from striking the operator or any passenger in the eyes.

(9) 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, motor driven cycle or motorized bicycle in violation of this section.

15-121. Delivery of vehicle to unlicensed driver, etc.

(1) Definitions. (a) "Adult" shall mean any person eighteen (18) years of age or older.

(b) "Automobile" shall mean any motor driven automobile, car, truck, tractor, motorcycle, motor driven cycle, motorized bicycle, or vehicle driven by mechanical power.

(c) "Custody" means the control of the actual, physical care of the juvenile, and includes the right and responsibility to provide for the physical, mental, moral and emotional well being of the juvenile.

"Custody" as herein defined, relates to those rights and responsibilities as exercised either by the juvenile's parent or parents or a person granted custody by a court of competent jurisdiction.

(d) "Drivers license" shall mean a motor vehicle operators license or chauffeurs license issued by the State of Tennessee.

(e) "Juvenile" as used in this chapter shall mean a person less than eighteen years of age, and no exception shall be made for a juvenile who has been emancipated by marriage or otherwise.

(2) It shall be unlawful for any adult to deliver the possession of or the control of any automobile or other motor vehicle to any person, whether an adult or a juvenile, who does not have in his possession a valid motor vehicle operators or chauffeurs license issued by the Department of Safety of the State of Tennessee, or for any adult to permit any person, whether an adult or a juvenile, to drive any motor vehicle upon the streets, highways, roads, avenues, parkways, alleys or public thoroughfares in the City of Clinton unless such person has a valid motor vehicle operators or chauffeurs license as issued by the Department of Safety of the State of Tennessee.

(3) It shall be unlawful for any parent or person having custody of a juvenile to permit any such juvenile to drive a motor vehicle upon the streets, highways, roads, parkways, avenues or public ways in the city in a reckless, careless, or unlawful manner, or in such a manner as to violate the ordinances of the city.

15-122. Truck routes. (1) For the purposes of this section a truck is defined to be any vehicle designed or operated for the transportation of property and whose gross vehicle weight exceeds ten thousand (10,000) pounds.

(2) Any truck over ten thousand (10,000) pounds gross vehicle weight shall be prohibited from using streets except those designated as state highway system streets.

(3) Exceptions:

(a) The operation of trucks upon any street where necessary to the conduct of a business at a destination point within the city provided streets designated as truck routes are used until reaching the intersection nearest the destination point.

(b) The operation of emergency vehicles upon any street in the city.

(c) The operation of trucks owned or operated by the city, any contractor or materialman, while engaged in the repair, maintenance, or construction of streets, street improvements, or street utilities within the city.

(d) The operation of trucks for which escort service has been arranged in advance with and provided by the Clinton Police Department. (1991 Code, § 15-124)

15-123. Truck traffic. Any truck, or other motor vehicle, with an open bed which is operated on any highway, street or road open for public use in this city which is transporting loose material shall cover such loose material in a manner that the loose material will not spill, drop off or blow away from the open bed when the vehicle is operated. Loose material includes sand, gravel, coal, rock, stone and any other material which could spill, drop off or blow away from the open bed when the vehicle is operated. Loose material shall not include materials such as sand or salt which are purposely discharged from truck beds to clear roadways of snow and ice or improve traction, and shall not include water sprayed on streets for purposes of sanitation.

The provisions of this section shall not apply to motor vehicles which transport crushed stone, fill dirt and rock, sand, soil, coal, phosphate, muck, asphalt, concrete, other building materials, forest products, unfinished lumber, agricultural lime and agricultural products and which are loaded in compliance with the four inch (4") requirement of Tennessee Code Annotated, § 55-7-109. Such exemption shall not apply to any load if any law enforcement officer sees any part of such material blowing off such vehicle. If any part of such material blows off, the operator of such vehicle may be cited for a violation of this section by the law enforcement officer who observed the incident. (1991 Code, § 15-125)

15-124. Compliance with financial responsibility law required.

(1) This section shall apply to every vehicle subject to the state registration and certificate of title provisions.

(2) At the time the driver of a motor vehicle is charged with any moving violation under *Tennessee Code Annotated*, title 55, chapters 8 and 10, parts 1-5, chapter 50; any provision in this title of this municipal code; or at the time of 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 case of an accident for which notice is required under *Tennessee Code Annotated*, § 55-10-106, the officer shall request such evidence from all drivers involved in the accident, without regard to apparent or actual fault. For the purposes of this section, "financial responsibility" shall be defined by *Tennessee Code Annotated*, § 55-12-139:

(3) It is a civil offense to fail to provide evidence of financial responsibility pursuant to this section. Any violation is punishable by a civil penalty of up to fifty dollars (\$50.00).

(4) The penalty imposed by this section shall be in addition to any other penalty imposed by the laws of this state or this municipal code.

(5) On or before the court date, the person so charged may submit evidence of financial responsibility at the time of the violation. If it is the person's first violation of this section and the court is satisfied that the financial responsibility was in effect at the time of the violation, the charge of failure to provide evidence of financial responsibility shall be dismissed. Upon the person's second or subsequent violation of this section, if the court is satisfied that the

financial responsibility was in effect at the time of the violation, the charge of failure to provide evidence of financial responsibility may be dismissed. Any charge that is dismissed pursuant to this subsection shall be dismissed without costs to the defendant and no litigation tax shall be due or collected, notwithstanding any law to the contrary.

15-125. Adoption of state traffic statutes. By the authority granted under *Tennessee Code Annotated*, § 16-18-302, the city adopts by reference as if fully set forth in this section, the "Rules of the Road," as codified in *Tennessee Code Annotated*, §§ 55-8-101 to 55-8-131, and §§ 55-8-133 to 55-8-180. Additionally, the city adopts *Tennessee Code Annotated*, § 55-4-101 through 55-4-135, §§ 55-8-181 to 55-8-193, §§ 55-8-199, 55-8-204, §§ 55-9-601 to 55-9-606, § 55-12-139, § 55-21-108, and § 55-50-351 by reference as if fully set forth in this section.

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. (1991 Code, § 15-201)

15-202. Operation of authorized emergency vehicles.¹ (1) 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 five hundred feet (500') 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.

(2) 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.

(3) 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.

(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. (1991 Code, § 15-202)

¹Municipal code reference

Operation of other vehicles 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 traveling in response to an emergency call closer than five hundred feet (500') or drive or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm. (1991 Code, § 15-203)

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 police officer. (1991 Code, § 15-204)

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. (1991 Code, § 15-301)

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. (1991 Code, § 15-302)

15-303. In school zones. Pursuant to Tennessee Code Annotated, § 55-8-152, the city shall have the authority to enact special speed limits in school zones. Such special speed limits shall be enacted based on an engineering investigation; shall not be less than fifteen (15) miles per hour; and shall be in effect only when proper signs are posted with a warning flasher or flashers in operation. It shall be unlawful for any person to violate any such special speed limit enacted and in effect in accordance with this section.

In school zones where the city council has not established special speed limits as provided for above, any person who shall drive at a speed exceeding fifteen (15) miles per hour when passing a school during a recess period when a warning flasher or flashers are in operation, or during a period of ninety (90) minutes before the opening hour of a school, or a period of ninety (90) minutes after the closing hour of a school, while children are actually going to or leaving school, shall be prima facie guilty of reckless driving. (1991 Code, § 15-303, modified)

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 city. (1991 Code, § 15-304)

CHAPTER 4

TURNING MOVEMENTS

SECTION

15-401. Signals.

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. Signals. 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 (1991 Code, § 15-401)

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. (1991 Code, § 15-402)

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 lines of the two (2) roadways. (1991 Code, § 15-403)

15-404. Left turns on other than two-way roadways. At any intersection where traffic is restricted to one (1) direction on one (1) 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. (1991 Code, § 15-404)

15-405. U-turns. U-turns are prohibited. (1991 Code, § 15-405)

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, 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. (1991 Code, § 15-501)

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. (1991 Code, § 15-502)

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. (1991 Code, § 15-503)

¹Municipal code references

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 feet (15') 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 one thousand five hundred feet (1,500') 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. (1991 Code, § 15-504)

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. (1991 Code, § 15-505)

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. (1991 Code, § 15-506)

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. Provided, however, that generally a right turn on a red signal shall be permitted at all intersections within the city, provided that the prospective turning car comes to a full and complete stop before turning and that the turning car yields the right of way to pedestrians and cross traffic traveling in accordance with their traffic signal. However, said turn shall not endanger other traffic lawfully using said intersection. A right turn on red shall be permitted at all intersections except those clearly marked by a "No Turns On Red" sign, which may be erected by the city at intersections which the city decides require no right turns on red in the interest of traffic safety.

(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. (1991 Code, § 15-507)

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 city 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. (1991 Code, § 15-508)

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 city, 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. (1991 Code, § 15-509)

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. (1991 Code, § 15-510)

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. Regulation by parking meters.
- 15-607. Lawful parking in parking meter spaces.
- 15-608. Unlawful parking in parking meter spaces.
- 15-609. Unlawful to occupy more than one parking meter space.
- 15-610. Unlawful to deface or tamper with meters.
- 15-611. Unlawful to deposit slugs in meters.
- 15-612. Handicapped parking spaces.
- 15-613. Emergency parking regulations.
- 15-614. Exceptions.
- 15-615. Presumption with respect to illegal parking.
- 15-616. Violations and penalty.

15-601. Generally.¹ (1) Definitions. For the purposes of this chapter, the following definitions shall apply:

- (a) "Park" shall mean to stop, stand, park, or leave parked, attended or unattended, a vehicle, either motorized or non-motorized, except as otherwise provided.
- (b) "Person" shall mean an individual, corporation, firm, partnership, association, organization, or any other group acting as a unit.
- (c) "Vehicle" shall mean any device in, upon or by which any person or property is or may be transported or drawn, including a bicycle.
- (d) "Street" shall mean the entire width between the boundary lines of any public highway, street, or other public thoroughfare maintained by the city, state, or federal government.
- (e) "Parking area" shall mean any public or municipal parking lot or designated parking areas of any public building, school, park, or other public facility within this city.

¹Municipal code references

Peddlers, solicitors, etc.: title 9, chapter 1.

Streets and sidewalks, etc.: § 16-101.

(f) "Private property" shall mean the premises of any shopping center, mobile home park, apartment house complex, or any other premises which are generally frequented by the public at large.

(2) It shall be unlawful for any person to park a vehicle, either attended or unattended, in violation of any provision of this chapter of this municipal code of ordinances unless otherwise herein provided. The provisions of this chapter shall apply to parking upon any street or parking area and upon the premises of any private property of any shipping center, mobile home park, apartment house complex, or any other premises which are generally frequented by the public at large.

(3) (a) No person shall park on a street when it is practicable to stop, stand, or park off the street.

(b) No person shall park a vehicle on a street so as to leave less than eighteen feet (18') of unobstructed width of the street for the free passage of other vehicles and a clear view of such vehicle shall be available from a distance of two hundred feet (200') in each direction.

(c) No person shall leave any vehicle unattended without first setting the brake thereon, stopping the motor, and removing the ignition key and, or parked upon any grade, turning the front wheels to the curb or edge of the street.

(d) Except as hereinafter provided, every vehicle parked on a street within the city shall be so parked that its right wheels are approximately parallel to and within twelve inches (12") of the right edge or curb. On one-way streets where the city 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 twelve inches (12") of the left edge or curb.

(e) Notwithstanding anything else in this code to the contrary, no person shall leave a vehicle parked for more than twenty-four (24) consecutive hours on a street or parking area without the prior approval of the chief of police, nor on the premises of any private property without permission of the property owner or agent thereof.

(f) No person shall leave parked a vehicle on a street or parking area after being notified to remove such vehicle upon an order or direction of a police officer, fire official, or other official responsible for enforcement of the municipal code or repair and maintenance of the streets and parking areas, nor on the premises of any private property after being notified to remove such vehicle by the property owner or agent thereof.

(g) No person shall park on private property, other than within designated parking spaces, without permission of the property owner or agent thereof.

(h) No person shall park a vehicle for the purpose of offering or displaying such vehicle for sale or trade unless upon the premises of those places doing lawful business as automobile dealerships or sellers of motor

vehicles except, if on the premises of any private property, by permission of the property owner or agent thereof.

(i) No person shall park a vehicle for the purpose of displaying advertising or commercial messages, nor for the purpose of selling, offering for sale, demonstrating, or giving away any farm produce, food, beverages, goods, or other merchandise unless otherwise provided within this municipal code except, if on the premises of any private property, by permission of the property owner or agent thereof and, then, only after being in compliance with other sections of this municipal code.

(j) No person shall park a vehicle for the purpose of occupying such vehicle for camping, temporary residence, or otherwise sleeping or residing within such vehicle unless upon the premises of those places doing lawful business as campgrounds, trailer parks, or recreational vehicle parks except, if on the premises of any private property, by permission of the property owner or agent thereof or within such areas designated for this purpose by the property owner.

(k) Furthermore, no person shall wash or work on any vehicle, except to make repairs necessitated by an emergency, while such vehicle is parked on a street or parking area. (1991 Code, § 15-601)

15-602. Angle parking. On those streets or parking areas which have been sign posted or indicated with pavement markings by the city for angle parking, no person shall park 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 feet (24'). (1991 Code, § 15-602)

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 (1) such space or protrudes beyond the pavement markings on the street, curb, or parking area designating such space. (1991 Code, § 15-603)

15-604. Where prohibited.¹ (1) No person shall park in violation of any sign or pavement marking so placed by state or city or, if on the premises of any private property, the property owner or agent thereof which prohibits or restricts such parking or regulates the amount of time parking is allowed. The presumption shall be any such sign or pavement marking was lawfully placed by the state, city, or property owner or agent thereof.

(2) No person shall park:

¹Municipal code reference

Zoning and land use control: title 14, appendix B.

- (a) On a sidewalk or curb; provided, however, a bicycle may be parked on a sidewalk if it does not impede the normal and reasonable movement of pedestrian or other traffic;
- (b) In front of a public or private driveway or access;
- (c) Within an intersection;
- (d) Within fifteen feet (15') of a fire hydrant;
- (e) Within a pedestrian crosswalk;
- (f) Within twenty feet (20') of a crosswalk at an intersection;
- (g) Within thirty feet (30') upon the approach of any flashing beacon, stop sign, or traffic control signal located at the side of a street;
- (h) Within fifty feet (50') to the nearest rail of a railroad crossing;
- (i) Within twenty feet (20') 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 feet (75') of such entrance when properly sign posted or indicated by pavement markings;
- (j) Alongside or opposite any street excavation or obstruction when such parking would obstruct traffic;
- (k) On the roadway side of any vehicle parked at the edge or curb of a street;
- (l) Upon any bridge, or other elevated structure, or within a tunnel;
- (m) Alongside or at a curb painted red or yellow or at any place where pavement markings or signs indicate parking is not allowed;
- (n) Alongside or within a fire lane provided such fire lane has been properly sign posted or indicated by pavement markings;
- (o) On any paved shoulder which has been separated from the roadway by a solid line marked on the pavement;
- (p) Within the area between roadways of a divided highway, including crossovers or medians;
- (q) On any state or city right-of-way between the roadway curb or edge and the edge of the right-of-way;
- (r) Within the traffic lanes or upon the main traveled portion of any street classified by title 14 of this municipal code as "Level A," "Level B," or "Level C" unless as otherwise provided;
- (s) On any controlled access highway;
- (t) Within an alley or service driveway;
- (u) At any place where such parking will create a hazard or block, impede, or interfere with the normal movement of vehicles, pedestrians, or other traffic. (1991 Code, § 15-604)

15-605. Loading and unloading zones. No person shall park for any purpose or period of time other than for the expeditious loading or unloading of

passengers or merchandise where so indicated by sign posting or pavement markings as a loading and unloading zone. (1991 Code, § 15-605)

15-606. Regulation by parking meters. In the absence of an official sign to the contrary which has been installed by the city, between the hours of 7:00 A.M. and 7:00 P.M., on all days except Sundays and official holidays as recognized by the city, parking shall be regulated by parking meters where the same have been installed by the city. The presumption shall be that all parking meters were lawfully installed by the city. (1991 Code, § 15-606)

15-607. Lawful parking in parking meter spaces. Any parking space regulated by a parking meter may be lawfully occupied by a vehicle only after a proper coin or coins have been deposited in the parking meter and the said meter has been activated or placed into operation in accordance with the instructions printed thereon. (1991 Code, § 15-607, modified)

15-608. Unlawful parking in parking meter spaces. (1) It shall be unlawful for any person to park in a parking space regulated by a parking meter for more than the maximum period of time which can be purchased at one (1) time. Insertion of additional coin or coins in the meter to purchase additional time is unlawful.

(2) No person shall park in such a space when the parking meter therefor indicates no parking time allowed or indicates a violation, whether such indication is the result of a failure to deposit a coin or coins or to operate the lever or other actuating device on the meter, or the result of the automatic operation of the meter following the expiration of the lawful parking time subsequent to depositing the coin or coins therein at the time the vehicle was parked. (1991 Code, § 15-608, modified)

15-609. Unlawful to occupy more than one parking meter space. It shall be unlawful for any person to park across any line or pavement marking designating a parking meter space or otherwise so that such vehicle is not entirely within the designated parking meter space, provided, however, vehicles which are too large to park within one (1) space may occupy two (2) adjoining spaces provided proper coins are placed in both meters. (1991 Code, § 15-609)

15-610. Unlawful to deface or tamper with meters. It shall be unlawful for any unauthorized person to open, deface, tamper with, willfully break, destroy, or impair the usefulness of any parking meter. (1991 Code, § 15-610)

15-611. Unlawful to deposit slugs in meters. It shall be unlawful for any person to deposit in a parking meter any slug or other substitute for a coin of the United States. (1991 Code, § 15-611)

15-612. Handicapped parking spaces. (1) Definitions. For the purposes of interpreting and enforcing this section, the following definitions shall apply:

(a) "Handicapped driver" is one who is disabled by paraplegia, amputation of leg or foot or both hands, or is disabled by loss of use of a leg, foot or both hands, or other condition, certified to by a physician duly licensed to practice medicine, resulting in an equal degree of disability (specifying the particular condition) so as not to be able to get about without great difficulty, including impairments that, regardless of cause or manifestation, confine such person to a wheelchair or cause such person to walk with difficulty or insecurity and includes, but is not limited to, those persons using braces or crutches, arthritics, spastics and those with pulmonary or cardiac illness who may be semi-ambulatory;

(b) "Handicapped driver" also includes the owner of a motor vehicle with a vision of not more than 20/200 with correcting glasses; and

(c) "Handicapped parking space" is parking space clearly marked with the stylized wheelchair symbol designated and authorized by Tennessee Code Annotated, §§ 55-21-105 and 55-21-106. The marking shall at a minimum include a sign on a pole. After July 1, 1991, signs designating handicapped parking shall indicate that unauthorized or improperly parked vehicles may be towed and the driver fined two hundred dollars (\$200.00), and shall also provide the names and phone number of the towing company or the name and phone number of the property owner, lessee or agent in control of the property. 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.

(d) "Handicapped passenger" is a person who meets the requirements for handicapped drivers established in (a) and (b) above.

(2) Parking in handicapped parking spaces restricted. No person shall park a vehicle of any kind or description in a handicapped parking space unless he or she meets both of the following conditions:

(a) The person driving the vehicle is a handicapped driver, or is parking such vehicle for the benefit of a handicapped passenger; and

(b) The vehicle parking in a handicapped parking space displays at least one (1) of the three (3) following forms of identification:

(i) The distinctive license plates bearing the stylized wheelchair symbol prescribed by Tennessee Code Annotated, § 55-21-104 and officially issued by the Tennessee Department of Revenue under the authority of Tennessee Code Annotated, § 55-21-103;

(ii) The distinctive license plates bearing the words "Disabled Veteran" and a license number composed of the prefix

"DV" and the unique identifying number, as prescribed by Tennessee Code Annotated, §§ 55-21-104 and 55-4-237, and officially issued by the Tennessee Department of Revenue under the authority of Tennessee Code Annotated, § 55-21-103;

(iii) The distinguishing placard prescribed, and issued by the Tennessee Department of Revenue, under the authority of Tennessee Code Annotated, § 55-21-103, which shall be displayed on the dashboard of the vehicle on the driver's side.

(3) No person shall park a vehicle so that a portion of such vehicle encroaches into a handicapped parking space in a manner which restricts, or reasonably could restrict, a person confined to a wheelchair from exiting or entering a motor vehicle property parked within such handicapped parking space.

(4) No person shall park a vehicle as to block or impede access to a ramp or walkway designated for use by a handicapped person.

(5) Placard subject to confiscation. If a law enforcement officer observed a violation of subsection (2) above, the officer may confiscate the handicapped placard. To recover the placard, a driver must demonstrate by a preponderance of the evidence that he or she was in compliance with subsection (2) at the time of the confiscation. (1991 Code, § 15-612, modified)

15-613. Emergency parking regulations. Whenever any traffic congestion is likely to result from the holding of public or private assemblages, gatherings or functions, when necessary to preserve public welfare or safety, or when necessary to preserve the peace and order of the city, the chief of police is hereby authorized to post temporary signs or place temporary restrictions on parking upon any street or parking area within this city provided, however, such temporary signs or restrictions shall remain in effect only during the emergency and shall be removed thereafter. (1991 Code, § 15-613)

15-614. Exceptions. (1) The provisions of this chapter shall not apply to any vehicle of the city, county, state, public utility, or agent thereof while necessarily in use for the construction or repair of the streets, parking areas, or utilities.

(2) The provisions of this chapter shall not apply to police, fire, or other emergency vehicles while necessarily in use during the execution of official duties.

(3) Any provision of this chapter may be temporarily suspended by the chief of police under conditions constituting a danger to the public welfare or safety or when necessary to preserve the peace and order of the city provided, however, such suspensions are in effect only during such emergency and shall be removed thereafter. (1991 Code, § 15-614)

15-615. Presumption with respect to illegal parking. When any unattended vehicle is found parked in violation of any provision of this chapter, there shall be a prima facie presumption that the registered owner of the vehicle is responsible for such illegal parking except, if the vehicle is rented or leased, such owner provides sworn evidence to the chief of police that the vehicle was, at the time of the parking violation, rented or leased to another person. In such instances, the owner of the vehicle shall, within thirty (30) days after notification of the parking violation, furnish the name, address, and driver license number of the person who rented or leased the vehicle to the chief of police. If the owner fails to provide such information within the thirty (30) day period, then the owner shall become liable for the violation. (1991 Code, § 15-615)

15-616. Violations and penalty. (1) It shall be unlawful for any person to violate any provision of this chapter. Violations of this chapter shall be punished according to the general penalty provision of this municipal code of ordinances except as otherwise provided by this code.

(2) In addition, a vehicle which does not display a disabled license plate or placard as prescribed by § 15-613(2) above, and which is parked in a handicapped parking space designated with the wheelchair disabled sign, is subject to being towed or removed. When such a vehicle has been towed or removed pursuant to this paragraph, it shall be released to its owner, or person in lawful possession, upon demand, provided that such person making demand for return pays all reasonable towing and storage charges and that such demand is made during the operating hours of the towing company. (1991 Code, § 15-616)

CHAPTER 7

ENFORCEMENT

SECTION

- 15-701. Issuance of traffic citations.
- 15-702. Failure to obey citation.
- 15-703. Illegal parking.
- 15-704. Impoundment of vehicles.
- 15-705. Disposal of abandoned motor vehicles.

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 continued custody of the person is not required, the name, address, driver license number, other information needed to identify such violator, the description and license number of the vehicle involved, as well as other pertinent information as may be necessary shall be taken and a written citation shall be issued to such violator containing a notice to answer to the charge against such violator in the city court at a specified time. Upon receiving the written promise of the alleged violator to answer as specified in the citation, the officer shall release such person from custody. It shall be unlawful for any alleged violator to give false or misleading information pertaining to the citation. (1991 Code, § 15-701)

15-702. Failure to obey citation. (1) 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 citation, regardless of the disposition of the charge for which the citation was originally issued.

(2) It shall be unlawful for any person issued a citation for illegal parking or the owner of a vehicle of which a citation for any violation of this code in respect to illegal parking was issued to fail to appear to answer the charges at the place specified in the citation or pay the required fine to the city recorder within thirty (30) days of the issuance of the citation. (1991 Code, § 15-702)

15-703. Illegal parking. (1) Whenever a vehicle is found parked in violation of any of the restrictions imposed by this code, the officer finding such vehicle shall take the license number, vehicle description, or other pertinent information from the vehicle to identify the vehicle or its user and may issue a

¹Municipal code reference

Issuance of citations in lieu of arrest and ordinance summonses in non-traffic related offenses: title 6, chapter 3.

State law reference

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

written citation to the driver, or if the vehicle is unattended, conspicuously affix to such vehicle the citation, giving notice of the violation for the driver and/or owner of such vehicle to answer for the violation within thirty (30) days during the hours and at a place specified in the citation.

(2) If the offense is a parking meter violation, the violator may, within thirty (30) days of receiving the citation, have the charge disposed of by paying to the city recorder a fine of ten dollars (\$10.00) provided the violator waives the right to a judicial hearing. If the violator appears and/or waives the right to a judicial hearing after thirty (30) days, but before a warrant is issued, the fine shall be twenty dollars (\$20.00).

(3) If the offense is a fire lane parking violation of the restrictions imposed on parking at the entrance to a fire station, or a violation of the restrictions imposed on parking at a fire hydrant, the violator may, within thirty days (30) of receiving the citation, have the charge disposed of by paying to the city recorder a fine of fifty dollars (\$50.00) provided the violator waives the right to a judicial hearing.

(4) If the offense is a violation of the restrictions imposed on parking within spaces designated for the physically handicapped or any other provision of § 15-612, the violator may, within thirty (30) days of receiving the citation, have the charge disposed of by paying to the city recorder a fine of two hundred dollars (\$200.00).

(5) For other parking offenses, the violator may, within thirty (30) days of receiving the citation, have the charge disposed of by paying to the city recorder a fine of twenty dollars (\$20.00) provided the violator waives the right to a judicial hearing. If the violator appears and/or waives the right to a judicial hearing after thirty (30) days, but before a warrant is issued, the fine shall be forty dollars (\$40.00).

(6) The violator shall have the right to a judicial hearing in the city court upon receiving the citation for a parking violation by, within thirty (30) days of receiving the citation, giving notice to the city recorder such hearing is requested. Failure to pay the required fine or give notice of a request for a judicial hearing within thirty (30) days shall be prima facie evidence of failure to obey citation under § 15-702. If, after thirty (30) days of receiving the citation, the violator has not waived the right to a judicial hearing and paid the required fine or gave notice of a request for a judicial hearing, a warrant for failure to answer citation may be issued for such violator. (1991 Code, § 15-703, modified)

15-704. Impoundment of vehicles.¹ (1) Members of the police department are hereby authorized, when reasonably necessary for the security of the vehicle or to prevent obstruction of traffic, to tow or remove any vehicle

¹Municipal code reference

Junked vehicles: title 13, chapter 2.

whose operator is arrested, any vehicle which is creating a hazard or blocking, impeding, or interfering with the normal movement of vehicles, pedestrians, or other traffic, any vehicle which is parked illegally with respect to a fire lane, fire hydrant, or distance from the entrance to a fire station, any vehicle parked illegally in a space designated for the physically handicapped, or any vehicle which is parked for more than one (1) hour in excess of the time allowed for parking in any place, or which has been involved in two (2) or more violations of this title for which citations have been issued and the vehicle not removed.

(2) Any vehicle left parked on any street or parking area for more than twenty-four (24) hours without permission from the chief of police shall be presumed to have been abandoned and may be removed and impounded if the owner cannot be located after a reasonable investigation.

(3) Any impounded vehicle shall be stored until the owner claims such vehicle, provides proof of ownership, pays all applicable fines and costs, and pays all reasonable towing and storage charges to the towing company provided, however, such claim must be made during the operating hours of the towing company. (1991 Code, § 15-704)

15-705. Disposal of abandoned motor vehicles. "Abandoned motor vehicles," as defined in Tennessee Code Annotated, § 55-16-103, shall be impounded and disposed of by the police department in accordance with the provisions of Tennessee Code Annotated, §§ 55-16-103 through 55-16-109. (1991 Code, § 15-705)