

## TITLE 15

### MOTOR VEHICLES, TRAFFIC AND PARKING<sup>1</sup>

#### CHAPTER

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#### CHAPTER 1

#### MISCELLANEOUS<sup>2</sup>

#### SECTION

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- 15-109. Miscellaneous traffic-control signs, etc.
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<sup>1</sup>Municipal code reference

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

<sup>2</sup>State 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.

- 15-111. Unauthorized traffic-control signs, etc.
- 15-112. Presumption with respect to traffic-control signs, etc.
- 15-113. School safety patrols.
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- 15-123. Bicycle riders, etc.
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- 15-125. Play vehicles containing wheels on streets, sidewalks, and other public places prohibited.
- 15-126. Compliance with financial responsibility law required.
- 15-127. [Deleted.]
- 15-128. Adoption of state traffic statutes.
- 15-129. Leaving roadway to avoid compliance.

**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. (1996 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. (1996 Code, § 9-106)

**15-103. Reckless driving.** Irrespective of the posted speed limit, no person, including operators of emergency vehicles, shall drive any vehicle in willful or wanton disregard for the safety of persons or property. (1996 Code, § 9-107)

**15-104. Motor freight vehicle traffic regulation.** 1. Definitions. The following words or phrases shall for the purposes of this section mean:

- a. "Motor freight vehicle," shall mean any truck capable of hauling freight with a capacity in excess of 3/4 tons.
- b. "Thru truck," shall mean any motor freight vehicle passing through the city without stopping to load or unload freight, or not home bound within the city.

2. Regulation of motor freight vehicles on city streets. a. It shall be unlawful for any motor freight vehicle that is a thru truck to drive on any city street unless the street has been designated as a "truck route."

b. The Old Andrew Johnson Highway and Odyssey Road, as shown on the attached map,<sup>1</sup> are hereby designated as a truck route for thru trucks. (1996 Code, § 9-108, as amended by Ord. #96-46, Dec. 1996)

**15-105. 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. (1996 Code, § 9-109)

**15-106. 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 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. (1996 Code, § 9-110)

**15-107. Laned streets.** (1) 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.

(2) 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. (1996 Code, § 9-111)

**15-108. 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

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<sup>1</sup>The referenced map is available for public inspection in the office of the recorder.

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. (1996 Code, § 9-112)

**15-109. 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.

(2) It shall be unlawful for any pedestrian or the operator of any vehicle to willfully violate or fail to comply with the reasonable directions of any police officer. (1996 Code, § 9-113)

**15-110. 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,<sup>1</sup> and shall be uniform as to type and location throughout the city. (1996 Code, § 9-114, modified)

**15-111. 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. (1996 Code, § 9-115)

**15-112. 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 authority. All presently installed traffic-control signs, signals, markings and devices are hereby expressly authorized, ratified, approved and made official. (1996 Code, § 9-116)

**15-113. 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

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<sup>1</sup>For 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.

shall at the time be wearing some insignia and/or using authorized flags for giving signals. (1996 Code, § 9-117)

**15-114. 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. (1996 Code, § 9-118)

**15-115. 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. (1996 Code, § 9-120)

**15-116. 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. (1996 Code, § 9-121)

**15-117. 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. (1996 Code, § 9-122)

**15-118. 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 ( $\frac{1}{2}$ ) hour after sunset and one-half ( $\frac{1}{2}$ ) 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 (200) feet from the rear of such vehicle. (1996 Code, § 9-123)

**15-119. 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. (1996 Code, § 9-124)

**15-120. 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 Motor Vehicle Operators' and Chauffeurs' License Law." (1996 Code, § 9-125)

**15-121. Passing.** (1) 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.

(2) 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.

(3) 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.

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

(5) 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.

(6) 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. (1996 Code, § 9-126)

**15-122. Damaging pavements.** No person shall operate or cause to be operated 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. (1996 Code, § 9-119)

**15-123. Bicycle riders, etc.** (1) Every person riding or operating a bicycle, motorcycle, or motor driven cycle 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 driven cycles.

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

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

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

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

(6) 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.

(7) Each 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.

(8) 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.

(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 or motor driven cycle in violation of this section. (1996 Code, § 9-127)

**15-124. Junked vehicles.** 1. Definitions. The following definitions shall apply in the interpretation and enforcement of this section:

a. "Antique." Any vehicle over 25 years old.

b. "Demolisher." Any person whose business is to convert a motor vehicle into processed scrap or scrap metal, or otherwise to wreck or dismantle a motor vehicle.

c. "Junked vehicle." Any vehicle which is wrecked, dismantled, partially dismantled, or discarded.

d. "Person." Any person or individual, firm, organization, partnership, association, corporation or company of any kind.

e. "Property." Any real property within Jefferson City, Tennessee, which is not a public right-of-way.

f. "Shall." The word "shall" is mandatory and not merely directory.

g. "Vehicle." Any machine propelled other than by human power which is designed to travel along the ground by use of wheels, treads, runners, or slides, and transports persons or property and shall include, and not be limited to, automobiles, trucks/trailers, motorcycles, tractors, mobile homes, or motor homes.

2. Location or presence of junked vehicles within the city deemed public nuisance; exceptions. The location or presence of any junked vehicle or junked vehicles on any lot, tract, parcel of land or portion thereof, occupied or unoccupied, improved or unimproved, within Jefferson City, shall be deemed a

public nuisance, and it shall be unlawful for any person or persons to cause or maintain such public nuisance by wrecking, dismantling, rendering inoperable, abandoning or discarding his or their vehicle or vehicles on property, or to allow or permit the same to be placed, located, maintained or exist upon his or their own real property; provided that this section shall not apply to:

a. Any vehicle in operable condition specifically adapted or constructed for racing or operation on privately owned dragstrips or raceways;

b. Any antique retained and maintained by the owner for collection purposes other than for salvage or for transportation. Such vehicle shall be maintained in operable condition and at the discretion of the authority with jurisdiction be required to comply with item (c) of subsection (2) of this chapter.

c. Any junked vehicle kept within a building where it will not be visible from the street;

d. Any junked vehicle in an appropriate storage place or depository maintained at a location designated and approved by Jefferson City.

3. Removal of junked vehicles required. a. The accumulation and storage of one or more such vehicles in violation of the provision of this chapter shall constitute rubbish and unsightly debris and a nuisance and may be detrimental to the health, safety, and general welfare of the inhabitants of Jefferson City.

b. It shall be the duty of the registered owner of such vehicle and it shall also be the duty of the person in charge of control of the property upon which such junked vehicle is located, whether owner, tenant, occupant, lessee, or otherwise, to remove the vehicle to a place of lawful storage or to have the vehicle housed within a building where it will not be visible from a public right-of-way.

4. Notification and authority. a. Whenever any such public nuisance exists on occupied or unoccupied, commercial or residential, private or public property within Jefferson City, the owner or owners of said property shall be notified by the city manager or his authorized agent to abate or remove the nuisance. The notification shall:

i. Be in writing,

ii. Specify the public nuisance and its location,

iii. Specify any corrective measures that can be taken,

and

iv. State that compliance must be provided within ten (10) days of receipt of the notification.

b. The notification shall be served upon the owner or owners of said premises by serving them personally or by sending said notice by certified mail, return receipt requested, to their address as shown on the current tax rolls of Jefferson City. If the owner or owners of the premises



fail to or refuse to comply with the order of the city manager or his authorized agent within a ten (10) day period after notification, such failure or refusal to remove the nuisance shall be deemed a violation of the provisions of this chapter and said owner or owners shall be subject to the penalties provided within this chapter.

c. If the owner or owners of the vehicle or premises upon which the junked vehicle lies fail or refuse to comply with the order of the city manager or his authorized agent within a ten (10) day period after notification, the city manager and/or his authorized agent may enter upon said property, take possession of junked vehicle or vehicles and remove the same from said property. Upon completion of such removal, any reasonable costs incurred, plus 15 percent for inspection and other incidental costs for correction purposes, shall be paid by the owner or owners of said property to Jefferson City and said costs shall be billed to said owner or owners accordingly. If the bill is not fully paid to the city within sixty (60) days after receipt of the bill, a ten (10) percent penalty shall be added to the balance due. The costs and penalty shall be placed on the tax roll of Jefferson City as a lien upon the property and collected in the same manner as other city taxes are collected.

5. Authority to enforce. The city manager and/or his authorized agent(s) may enter upon private property for the purposes specified in the ordinance in order to examine vehicles or parts thereof, obtain information as to identity of vehicle(s) and remove or cause to remove the vehicle or parts of a vehicle declared a public nuisance.

6. Nuisances on public thoroughfares. Nothing in this chapter shall affect other ordinances or procedures that allow for the removal of vehicles left on public property or which constitute obstruction to traffic within the city.

7. Penalty. Upon conviction for violation of any provisions of this chapter relating to the maintaining of a public nuisance as described herein or in permitting or allowing such public nuisance to exist, such violator shall be punished by a fine not to exceed fifty (50) dollars and each day that such nuisance shall continue after the time for removal as herein provided shall constitute a separate offense.

8. Full force and effect. If any section or part of any section or paragraph of this section is declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force, or effect of any other section or sections or part of a section or paragraph in this chapter. (1996 Code, § 9-128)

**15-125. Play vehicles containing wheels on streets, sidewalks, and other public places prohibited.** It shall be unlawful for any person to use roller skates, coasters, skateboards, or any similar vehicle or toy or article on wheels or a runner on any public street, roadway, alley, sidewalk, or other

public building or public place, except in such areas as may be specifically designated for such purpose by the city council. (1996 Code, § 9-129, as amended by Ord. #2018-10, Dec. 2018 **Ch14\_12-2-19** and Ord. #2019-04, April 2019 **Ch14\_12-2-19**)

**15-126. Compliance with financial responsibility law required.**

1. Every vehicle operated within the corporate limits must be in compliance with the financial responsibility law.

2. At the time the driver of a motor vehicle is charged with any moving violation under title 55, chapters 8 and 10, parts 1-5, chapter 50; any provision in this title of the 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.

3. For purposes of this section, "financial responsibility" means:

a. Documentation, such as the 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 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 (1) 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 was owned by the United States, the State of Tennessee or any political subdivision thereof, and that such motor vehicle was being operated with the 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). The civil penalty prescribed by this 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 a 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 compliance was in effect at the time of the violation, the charge of

failure to provide evidence of financial responsibility may be dismissed. (as added by Ord. #2002-07, April 2002)

**15-127. [Deleted.]** (as added by Ord. #2003-03, May 2003, and deleted by Ord. #2007-01, Feb. 2007)

**15-128. Adoption of state traffic statutes.** By the authority granted under Tennessee Code Annotated, §16-18-302, the City of Jefferson 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 through 55-8-131 and 55-8-133 through 55-8-180. Additionally, the City of Jefferson City adopts Tennessee Code Annotated, §§ 55-4-101 through 55-4-128, §§ 55-4-130 through 55-4-133, §§ 55-4-135 through 55-4-138, §§ 55-8-181 through 55-8-191, § 55-8-193, § 55-8-199, §§ 55-9-401 through 55-9-408, §§ 55-9-601 through 55-9-606, § 55-12-139, and § 55-50-351, by reference as if fully set forth in this section. (as added by Ord. #2005-17, Nov. 2005, and replaced by Ord. #2010-14, Sept. 2010, and Ord. #2021-13, Nov. 2021 *Ch15\_12-06-21*)

**15-129. Leaving roadway to avoid compliance.** 1. It shall be unlawful for the operator of any vehicle to leave the roadway and travel across private or public property devoted to other than highway use, to avoid compliance with an official traffic signal or sign or for the purpose of avoiding obedience to directions given by a law enforcement officer or any traffic regulation or ordinance.

2. Exceptions. This section is subject to exceptions granted to operators of authorized emergency vehicles and to operators of vehicles obeying the directions of law enforcement officers. (as added by Ord. #2001-3, June 2001)

## 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. (1996 Code, § 9-102)

**15-202. Operation of authorized emergency vehicles.**<sup>1</sup> (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. (1996 Code, § 9-103)

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<sup>1</sup>Municipal 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 traveling 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. (1996 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. (1996 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. (1996 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. (1996 Code, § 9-202)

**15-303. In school zones.** 1. Generally, pursuant to Tennessee Code Annotated, § 55-8-152, special speed limits in school zones 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 paragraph.

2. When 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 forty (40) minutes before the opening hour of a school or a period of forty (40) 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.

3. The school zone speed limit in front of Jefferson Elementary and Middle School on State Route 34 is twenty-five (25) miles per hour. (1996 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. (1996 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.<sup>1</sup> (1996 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. (1996 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. (1996 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. (1996 Code, § 9-304)

**15-405. U-turns.** U-turns are prohibited at such times and places as city council shall designate by ordinance. The city manager is authorized to cause

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<sup>1</sup>State law reference

Tennessee Code Annotated, § 55-8-143.

the appropriate sign age to be erected at the designated places. (1996 Code, § 9-305, as replaced by Ord. #2013-02, March 2013)



## 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. Stops to be signaled.

**15-501. Upon approach of authorized emergency vehicles.**<sup>1</sup> 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. (1996 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. (1996 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. (1996 Code, § 9-403)

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<sup>1</sup>Municipal 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. (1996 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. (1996 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. (1996 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": 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.
3. Steady red alone, or "Stop": 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 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 will 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.

4. Steady red with green arrow: 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.

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. (1996 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 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. (1996 Code, § 9-408)

**15-509. 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,<sup>1</sup> except in an emergency. (1996 Code, § 9-409)

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<sup>1</sup>State law reference

## 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. Presumption with respect to illegal parking.
- 15-607. Parking of certain trucks and vehicles prohibited.
- 15-608. Parking of tractors and semi-trailers on residential property.
- 15-609. Parking on Bartlett Street prohibited.
- 15-610. Parking on Jessica Loop and Lauren Drive prohibited.
- 15-611. Parking at intersection of Jefferson Street and George Avenue limited.

**15-601. Generally.** (1) 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.

(2) 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.

(3) 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.

(4) 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. (1996 Code, § 9-501)

**15-602. Angle parking.** On those streets which have been signed or marked by the city 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. (1996 Code, § 9-502)

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(...continued)

Tennessee Code Annotated, § 55-8-143.

**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. (1996 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 city, nor:

1. On a sidewalk.
2. In front of a public or private driveway.
3. Within an intersection or within fifteen (15) feet thereof.
4. Within fifteen (15) feet of a fire hydrant.
5. Within a pedestrian crosswalk.
6. Within twenty (20) 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 city. (1996 Code, § 9-504, modified)

**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 city as a loading and unloading zone. (1996 Code, § 9-505)

**15-606. Presumption with respect to illegal parking.** When any unoccupied 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. (1996 Code, § 9-506)

**16-607. Parking of certain trucks and vehicles prohibited.** 1. It shall be unlawful to park the following trucks or vehicles on any city street in Jefferson City:

- a. Tractor trailer trucks, including detached trailers or tractors.
- b. Any truck, trailer, or tractor, whose capacity is one and one-half (1.5) tons or more.
- c. Any other truck, fixed load vehicle (such as well-drilling apparatus, cranes, etc.), school bus, panel truck, or other vehicle which

by virtue of its height, width, or weight, may constitute a hazard to the traveling public if left unattended.

2. Exceptions. The provisions of this section shall not be deemed to prohibit otherwise lawful parking of such vehicles for the actual loading or unloading of goods, wares, merchandise or persons, provided, however, that "loading" and "unloading" as used in this section shall be limited to the reasonable time necessary for such operation.

3. Penalties. In addition to the penalties available under the general penalty provisions of this code, the police department may tow away a vehicle in violation of this section, at the cost of the owner or operator of the vehicle. (as added by Ord. #2004-08, Aug. 2004)

**15-608. Parking of tractors and semi-trailers on residential property.**

1. It shall be unlawful to park tractor trailer trucks, including detached trailers or tractors, on residential property.

2. Exceptions. The provisions of this section shall not be deemed to prohibit otherwise lawful parking of such vehicles for the actual loading or unloading of goods, wares, merchandise or persons, provided, however, that "loading" and "unloading" as used in this section shall be limited to the reasonable time necessary for such operation, not to exceed twenty-four (24) hours without prior written permission of the city manager for short term unusual temporary circumstances.

3. Separate offenses. Each twenty-four (24) hour period, or portion thereof, that a tractor trailer, or detached tractor or trailer, is parked in violation of this section shall constitute a separate offense.

4. Penalties. Upon conviction of a violation or violations of this section, the violator shall be punished by a fine not to exceed fifty (50) dollars for each offense.

5. Grace period. Any persons in violation of this section on the date of adoption shall have a grace period of ninety (90) days in which to remove an offending tractor and/or trailer, after which citations may issue. (as added by Ord. #2006-03, April 2006)

**15-609. Parking on Bartlett Street prohibited.** A "no parking" zone is hereby established on the entirety of Bartlett Street, on each side of the street and for the entire length of the street. The city manager is authorized to implement the erection of appropriate regulatory signs. After the erection of the signs, it shall be unlawful for any person to park in the prohibited areas. (as added by Ord. #2018-07, Oct. 2018 *Ch14\_12-2-19*)

**15-610. Parking on Jessica Loop and Lauren Drive prohibited.** A "no parking" zone is hereby established on the entirety of Jessica Loop and Lauren Drive, on both sides of the streets and for the entire length of the

streets. Parking is prohibited on both sides of the streets. The city manager is authorized to implement the erection of appropriate regulatory signs. After the erection of the signs, it shall be unlawful for any person to park in the prohibited areas. (as added by Ord. #2022-06, June 2022 *Ch16\_12-05-23*)

**15-611. Parking at intersection of Jefferson Street and George Avenue limited.** Three (3) parking spaces shall be allowed on E. Jefferson Street next to the building at 1417 George Avenue. The city manager is authorized to implement the installation of appropriate regulatory signs. (as added by Ord. #2022-12, Oct. 2022 *Ch16\_12-05-22*)

## 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.
- 15-706. Violation and penalty.

**15-701. Issuance of traffic citations.**<sup>1</sup> 1. When a police officer of the city halts a traffic violator other than for the purpose of giving a warning, the officer shall issue to the violator a written traffic citation containing a notice to answer to the charge against him in the city court at a specified time. In the event said violator refuses to sign the traffic citation agreeing to appear in court and to waive the issuance and service upon him of a warrant, then it shall be the duty of the officer in whose presence the offense is committed, forthwith to place said offender under arrest and take him before the proper authority, procure a warrant, serve the same upon the violator and book him as in other cases of violations, and the authority issuing the warrant shall take bail from the accused for appearance in court for trial, or in lieu thereof commit the offender to jail. In lieu of arrest or posting of bail, the offender may choose to deposit his chauffeur's or operator's license with the police officer.

2. Whenever any person deposits his chauffeur's or operator's license as provided above, either the officer or the court shall issue said person a receipt for said license upon a form approved or provided by the department of safety. (1996 Code, § 9-601)

**15-702. Failure to obey citation.** It shall be unlawful for any person to violate his written promise to appear in court upon the issuance of a traffic citation. The clerk or city judge accepting a license shall thereafter forward to the department of safety, the license of a driver deposited in lieu of bail if the driver fails to appear in answering to the charge filed against him. (1996 Code, § 9-602)

**15-703. Illegal parking.** Whenever any motor vehicle, with or without a driver, is found parked or stopped in violation of any of the restrictions imposed by this code, the officer finding such vehicle shall record its license

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<sup>1</sup>State law reference

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



number and may record any other information displayed on the vehicle which may identify its owner, and shall conspicuously affix to such vehicle a citation for the driver and/or owner to answer for the violation prior to or on the specified court date during the hours and at the place specified in the citation. It shall be illegal to park within a fire zone. For parking violations the offender may waive his right to a judicial hearing and have the charges disposed of out of court. The fine for parking in the following areas is \$50.00 and shall double to \$100.00 if not paid by the specified court date:

1. On a sidewalk.
2. In front of a public or private driveway.
3. Within an intersection.
4. Within a pedestrian crosswalk.
5. Within fifteen (15) feet of a fire hydrant.
6. Within a fire zone.
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. Upon any bridge.
9. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
10. Alongside or opposite any street excavation or obstruction when other traffic would be obstructed.
11. Alongside any curb painted red or yellow by the city.
12. Within any area designated as a "Tow Away Zone."

The fine for all other parking violations, with the exception of those fines established by state statute for illegally parking in handicapped parking areas, is \$10.00, and shall double to \$20.00 unless paid by the specified court date.

The officers of the Jefferson City Police Department are authorized to cause any vehicle illegally parked in any of the areas enumerated as (1) thru (12) above to be towed and impounded. (1996 Code, § 9-603, as amended by Ord. #99-23, Jan. 2000)

**15-704. Impoundment of vehicles.** Officers of the police department are hereby further authorized, when reasonably necessary for the security of the vehicle or to prevent obstruction of traffic, to cause to be towed and impounded any vehicle whose operator is arrested or any unattended vehicle which is parked so as to constitute an obstruction or hazard to normal traffic or is found to have outstanding unpaid parking citations. Any vehicle impounded pursuant to this section or § 15-703 shall be stored until the owner or other person entitled to possession claims it, gives satisfactory evidence of ownership or right to possession, pays all applicable towing and storage costs, and presents evidence that all city parking citations have been paid, or until it is otherwise lawfully disposed of. As an alternative to towing and impoundment of vehicles found to have outstanding unpaid parking citation fines, officers are authorized

to utilize a wheel locking device to immobilize the vehicle until such time as evidence is presented that all city parking citation fines have been paid. (1996 Code, § 9-604, as amended by Ord. #99-23, Jan. 2000)

**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. (1996 Code, § 9-605)

**15-706. Violation and penalty.** Unless otherwise provided, any violation of this title shall be a civil offense punishable by a civil penalty up to fifty dollars (\$50.00) for each separate offense.

## CHAPTER 8

**CHILD PASSENGER RESTRAINT SYSTEMS AND USE OF SAFETY  
BELTS IN PASSENGER VEHICLES****SECTION**

15-801. Child passenger restraint systems.

15-802. Use of safety belts in passenger vehicles.

**15-801. Child passenger restraint systems.** The City of Jefferson City adopts by reference as if fully set forth in this section, Tennessee Code Annotated, §§ 55-9-602. (1996 Code, § 9-701, as replaced by Ord. #2005-18, Nov. 2005)

**15-802. Use of safety belts in passenger vehicles.** The City of Jefferson City adopts by reference as if fully set forth in this section, Tennessee Code Annotated, § 55-9-603. (as added by Ord. #2005-18, Nov. 2005)

## CHAPTER 9

### VEHICLE IMPOUNDMENT LOT

#### SECTION

- 15-901. Established; purpose.
- 15-902. Operation of impoundment lot and collection of storage charges.
- 15-903. Vehicles subject to impoundment.
- 15-904. Notice to registered owner.
- 15-905. Storage charges.
- 15-906. Release of vehicle from impoundment.
- 15-907. Hearing.
- 15-908. Sale of unclaimed vehicles.
- 15-909. Records.

**15-901. Established; purpose.** There is hereby established, under the jurisdiction of the police department, an automobile and vehicle impoundment lot, which is defined for purposes of this chapter as a storage place for motor vehicles which are required to be removed from the streets and other public or private places within the city limits for the reasons set forth in § 15-803 or pursuant to other sections of this municipal code. (as added by Ord. #2015-14, Jan. 2016)

**15-902. Operation of lot and collection of storage charges.** The chief of police shall establish, by rules and regulations, the procedures for the operation of the vehicle impoundment lot and fix the methods of collecting storage charges. (as added by Ord. #2015-14, Jan. 2016)

**15-903. Vehicles subject to impoundment.** Members of the police department shall have the authority to impound any vehicle, by towing such vehicle to the vehicle impoundment lot, under the following circumstances:

- (1) When a vehicle is parked, stopped, or standing upon an alley, street or highway so as to obstruct or impede the flow of traffic thereon or endanger the safety of the public.
- (2) When a vehicle is parked, stopped, or standing in violation of § 15-703 of this code.
- (3) When the vehicle is blocking access to ramps for handicapped persons.
- (4) Drug related impoundment.<sup>1</sup>

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<sup>1</sup>State law references

Tennessee Code Annotated, § 53-11-201.

- (5) Title law.<sup>1</sup> (as added by Ord. #2015-14, Jan. 2016)

**15-904. Notice to registered owner.** (1) After a vehicle has remained unclaimed in the impoundment lot for forty-eight (48) hours, the officer in charge of the lot shall send a notice by certified mail, return receipt requested, to the registered owner of the impounded vehicle. The officer shall determine the name and address of the registered owner from state registration records using the vehicle's license plate number and vehicle identification number.

(2) The officer in charge shall deliver the same notice to owners or authorized agents who appear at the impoundment lot to claim a vehicle. The owner or authorized agent shall acknowledge in writing receipt of the notice. If any person required by this section to sign a notice refuses to do so, the officer in charge shall note this fact in writing, which shall constitute prima facie evidence of delivery of notice as required by this section.

- (3) The notice shall contain:

- (a) A description of the impounded vehicle.
- (b) A statement of the date, time, location, and reason for impoundment.
- (c) A statement regarding the opportunity for a hearing pursuant to § 15-907.
- (d) The procedure for the release of the vehicle pending a hearing, subject to the security requirements.
- (e) The impoundment fee schedule and location of the impoundment lot. (as added by Ord. #2015-14, Jan. 2016)

**15-905. Storage charges.** The following charges are hereby established for the storage of all motor vehicles impounded as provided in this chapter: After the first twenty-four (24) hours, a daily storage fee of thirty dollars (\$30.00) per twenty-four (24) hour day. (as added by Ord. #2015-14, Jan. 2016)

**15-906. Release of vehicle from impoundment.** (1) The owner of a vehicle impounded pursuant to this chapter or his authorized agent may make application to take possession of the vehicle and remove such vehicle from the impound lot upon presentation of an application for certificate of title or a certificate of title, and upon payment of the cost of towing the vehicle and all charges which have accrued for the storage of the vehicle. However, payment of towing and storage fees shall not relieve the owner of responsibility for the violation.

(2) Any owner who requests a hearing pursuant to § 15-907 may obtain the release of the vehicle from the impound lot without prepayment of any

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<sup>1</sup>(...continued)

Tennessee Code Annotated, § 55-3-127.

towing or storage costs; provided, however, as security for the impoundment costs, he shall either make a cash deposit or execute a bond with one (1) or more sureties as approved by the chief of police or his designee, payable to the city, in a sum equal to the total impoundment fee as the time of release of the vehicle.

(3) In each case the officer in charge shall give a proper receipt for the fee paid, cash deposit, or bond.

(4) No owner of a vehicle may evade the payment of any impound fee provided for in this chapter by representing that he was not operating the vehicle himself at the time of the violation charged. (as added by Ord. #2015-14, Jan. 2016)

**15-907. Hearing.** (1) An owner whose vehicle has been towed and impounded pursuant to this chapter shall have the opportunity for a hearing in municipal court on the parking or traffic violation which resulted in the impoundment.

(2) If the court enters a dismissal as to the violation, the court may order the release of the impounded vehicle to the owner, the return of the cash deposit to the owner, or the release of the bond, whichever is applicable.

(3) If the court enters a conviction as to the violation, the owner shall be liable for the towing and storage fees in addition to any fine and court costs. (as added by Ord. #2015-14, Jan. 2016)

**15-908. Sale of unclaimed vehicles.** (1) If, at the end of thirty (30) days, any impounded vehicle has not been claimed by its rightful owner or his authorized agent and the towing and accumulated storage fees have not been paid, then the police department shall furnish the name, type, model, serial number and motor vehicle identification number to the purchasing agent, who shall initiate the procedure to sell the vehicle for cash at public sale to the highest bidder.

(2) Notice of the sale shall be provided twenty-one (21) days prior to the date of sale by certified letter to the registered owner of the vehicle any lienholders, and by publication in a local newspaper.

(3) Such sale shall be conducted by the city purchasing agent or his designee. The purchasing agent shall cause a descriptive list to be kept of all vehicles sold and the price for which each vehicle was sold.

(4) The funds received from the sale of unclaimed vehicles as provided in this chapter shall be paid by the purchasing agent into the city treasury. (as added by Ord. #2015-14, Jan. 2016)

**15-909. Records.** Proper records shall be maintained by the police department and the city recorder and money collected shall be paid in the same manner as may be provided by law for public funds. (as added by Ord. #2015-14, Jan. 2016)