

## TITLE 15

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

#### CHAPTER

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#### CHAPTER 1

#### MISCELLANEOUS

#### SECTION

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**5-101. Definitions.** As used in this chapter, the following terms shall have the meanings ascribed to them:

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<sup>1</sup>Municipal code reference

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

(1) "Authorized emergency vehicle" shall mean fire department or fire patrol vehicles, police vehicles and such ambulances and emergency vehicles of the city departments or public service corporations as are so designated or authorized by the chief of police.

(2) "Bicycle" shall mean every device propelled by human power upon which any person may ride, having two (2) tandem wheels either of which is more than twenty (20) inches in diameter.<sup>1</sup>

(3) "Business district" shall mean the territory contiguous to and including a highway when within any six hundred (600) feet along such highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks or office buildings, railroad stations and public buildings which occupy at least three hundred (300) feet of frontage on one (1) side or three hundred (300) feet collectively on both sides of the highway.

(4) "Commercial vehicle" shall mean every vehicle designed, maintained or used primarily for the transportation of property.

(5) "Controlled-access highway" shall mean every highway, street or roadway in respect to which owners or occupants of, abutting lands and other persons have no legal right of access to or from the same, except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

(6) "Crosswalk" shall mean:

(a) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway;

(b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

(7) "Curb loading zone" shall mean a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

(8) "Driver" shall mean any person who drives or is in actual physical control of a vehicle.

(9) "Freight curb loading zone" shall mean a space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight.

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<sup>1</sup>State law references

Adoption and enforcement of traffic laws by municipalities: Tennessee Code Annotated, § 55-10-307, et seq.

Motor and other vehicles: Tennessee Code Annotated, § 55-1-101, et seq.  
 Rules of the Road: Tennessee Code Annotated, § 55-8-101, et seq.

(10) "Highway" shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for the purposes of vehicular travel. The terms "street" and "highway" are synonymous and interchangeable.

(11) "Intersection" shall mean:

(a) The area embraced within the prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of the roadways of two (2) highways which join one another at, or approximately at, right angles, or the areas within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(b) Where a highway includes two (2) roadways thirty (30) feet or more apart, then every crossing of each roadway of the divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two (2) roadways thirty (30) feet or more apart, then every crossing of two (2) roadways of such highways shall be regarded as a separate intersection.

(12) "Laned roadway" shall mean a roadway which is divided into two (2) or more clearly marked lanes for vehicular traffic.

(13) "Motorcycle" shall mean any 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, but excluding a tractor.

(14) "Motor-driven cycle" shall mean any motorcycle, including any motor scooter, with a motor which produces not to exceed five (5) brake horsepower and every bicycle with a motor attached.

(15) "Motor vehicle" shall mean any vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

(16) "Official time standard" shall mean, whenever certain hours are designated in this chapter, standard time or daylight-saving time, as may be in current use in the city.

(17) "Official traffic-control devices" shall mean all signs, signals, markings and devices not inconsistent with this chapter or state law, placed or erected by authority of a public body official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

(18) "Park" or "parking" shall mean, when prohibited, the standing of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

(19) "Passenger curb loading zone" shall mean a place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

(20) "Pedestrian" shall mean any person afoot.

(21) "Police officer" shall mean any officer of the city police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

(22) "Private road or driveway" shall mean any way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

(23) "Railroad" shall mean a carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

(24) "Railroad train" shall mean a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars.

(25) "Residential district" shall mean the territory contiguous to and including a highway not comprising a business district, when the property on the highway for a distance of three hundred (300) feet or more is in the main improved with residences.

(26) "Right-of-way" shall mean the privilege of the immediate use of the roadway.

(27) "Roadway" shall mean that portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two (2) or more separate roadways, the term "roadway" shall refer to any such roadway separately but not all such roadways collectively.

(28) "Safety zone" shall mean the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

(29) "Sidewalk" shall mean that portion of a street between the curb lines or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians.

(30) "Stand" or "standing" shall mean, when prohibited, the halting of a vehicle, whether occupied or not, other than for the purpose of and while actually engaged in receiving or discharging passengers.

(31) "Stop" shall mean, when required, the complete cessation from movement.

(32) "Stop" or "stopping" shall mean, when prohibited, any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

(33) "Street or highway" shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for the purposes of vehicular travel. The terms "street" and "highway" are synonymous and interchangeable.

(34) "Through highway" shall mean any highway or portion thereof on which vehicular traffic is given preferential right-of-way and at the entrances to which vehicular traffic from intersecting highways is required by law to yield the right-of-way to vehicles on the through highway in obedience to either a stop sign or a yield sign.

(35) "Traffic" shall mean pedestrians, ridden or herded animals, vehicles and other conveyances, either singly or together while using any highway for the purposes of travel.

(36) "Traffic-control signal" shall mean any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

(37) "Traffic division" shall mean the traffic division of the police department of the city or, in the event a traffic division is not established, then the term shall be deemed to refer to the police department of the city.

(38) "Vehicle" shall mean any device in, upon or by which, any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks. (1973 Code, § 11-1)

**15-102. Required obedience to this chapter.** It shall be unlawful for any person to do any act forbidden or to fail to perform any act required in this chapter.<sup>1</sup> (1973 Code, § 11-2)

**15-103. Application of this chapter to public employees.** The provisions of this chapter shall apply to the driver of any vehicle owned by or used in the service of the United States government, any state or any political subdivision thereof, and it shall be unlawful for any such driver to violate any of the provisions of this chapter, except as otherwise permitted in this chapter or by state statute. (1973 Code, § 11-2)

**15-104. Application of this chapter to persons propelling pushcarts or riding animals.** Each person propelling any pushcart or riding an animal upon a roadway or each person driving any animal-drawn vehicle, shall be subject to the provisions of this chapter applicable to the driver of any vehicle, except those provisions of this chapter which by their very nature can have no application. (1973 Code, § 11-4)

**15-105. Use of coasters, roller skates and skateboards and similar devices restricted.** (1) No person upon roller skates or riding in or by means of any coaster, toy vehicle or similar device, shall go upon any roadway except while crossing a street on a crosswalk and, when so crossing, such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This section shall not apply upon any street while set aside as a play street as authorized by this chapter.

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<sup>1</sup>State law reference

Required obedience to state traffic laws: Tennessee Code Annotated, § 55-8-103.

(2) Skateboard use shall be restricted to the designated skateboard park, private driveways (with owner's permission), and private parking lots which have a sign posted "Skateboarding Allowed."

(3) Skateboarding is prohibited on all city sidewalks, city streets, city parks, and city parking lots or other city property other than the skateboard park on private parking lots not displaying a "Skateboarding Allowed" sign.

(4) Skateboarders using the skateboard park must be registered users with the park and be in compliance with the park and recreation rules and ordinances, safety rules, safety equipment, liability release consent forms and other rules governing skateboard park use. All patrons using the skateboard park shall wear their safety helmets at all times while on the park. The safety helmet shall display the park and recreation department issued registration number and seal on the helmet to readily identify them as a registered skateboard park user. Helmets shall not be loaned to non-registered users.

(5) All liability from skateboard use on private property rests with the private property owner.

(6) Violators of the provisions of this section of code, including the skateboard park and recreation rules ordinance referenced who are over the age of eighteen (18) shall be fined twenty-five dollars (\$25.00) per offense. In addition, if the violation occurred on the skateboard park facility, they may also lose skateboard park privileges as determined by the park and recreation director.

(7) Violators of the provisions of this section of code, including the skateboard park and recreation rules ordinance referenced who are under the age of eighteen (18) shall be cited to juvenile court. In addition, if the violation occurred on the skateboard park facility, they must also lose skateboard park privileges as determined by the park and recreation director. (1973 Code, § 11-5, as amended by Ord. #2006-14, Dec. 2006)

**15-106. Play streets.** (1) The city traffic engineer shall have authority to declare any street or part thereof a play street and to place appropriate signs or devices in the roadway indicating and helping to protect the play street.

(2) Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon the street or a portion thereof except the driving of vehicles having business or whose residences are within such closed area and then, the driver shall exercise the greatest care in driving upon a play street or portion thereof. (1973 Code, § 11-6)

**15-107. Boarding or alighting from vehicles.** No person shall board or alight from any vehicle while such vehicle is in motion. (1973 Code, § 11-7)

**15-108. Unlawful riding.** No person shall ride on any vehicle upon any portion thereof not designed or intended for the use of passengers. This

provision shall not apply to an employee engaged in the necessary discharge of a duty or to persons riding within truck bodies in space intended for merchandise. (1973 Code, § 11-8)

## CHAPTER 2

### ADMINISTRATION AND ENFORCEMENT

#### SECTION

- 15-201. City traffic engineer.
- 15-202. Establishment of through intersections.
- 15-203. Establishment of safety lanes and crosswalks.
- 15-204. Establishment and designation of one-way streets.
- 15-205. Authority to restrict direction of movement on streets during certain periods.
- 15-206. Establishment of traffic lanes; observance.
- 15-207. Traffic commission.
- 15-208. Emergency and experimental regulations.
- 15-209. Authority of police and fire department officials.
- 15-210. Obedience to police and fire department officials.

**15-201. City traffic engineer.** (1) The office of city traffic engineer is hereby established. The chief of police shall, in the absence of a traffic engineer, serve as city traffic engineer in addition to his other functions and shall exercise the powers and duties with respect to traffic as provided in this chapter.

(2) It shall be the general duty of the city traffic engineer to determine the installation and proper timing and maintenance of traffic-control devices, to conduct engineering analyses of traffic accidents and to devise remedial measures, to conduct engineering investigations of traffic conditions, to plan the operation of traffic on the streets and highways of the city and to cooperate with other city officials in the development of ways and means to improve traffic conditions and to carry out the additional powers and duties imposed by this code or other ordinances of the city. (1973 Code, § 11-19)

**15-202. Establishment of through intersection.** The city traffic engineer shall have the authority to establish through streets and to designate those streets and intersections where stop or yield signs shall be placed. (1973 Code, § 11-20)

**15-203. Establishment of safety lanes and crosswalks.** The city traffic engineer is authorized:

(1) To designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where, in his opinion, there is particular danger to pedestrians crossing the roadway and at such other places as he may deem necessary;

(2) To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians. (1973 Code, § 11-21)



**15-204. Establishment and designation of one-way streets.**

Whenever this code or any ordinance of this city designates any one-way street or alley, the traffic engineer shall place and maintain signs giving notice thereof and no such provision shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited. (1973 Code, § 11-22)

**15-205. Authority to restrict direction of movement on streets during certain periods.**

(1) The traffic engineer is authorized to determine and designate streets, parts of streets or specific lanes thereon, upon which vehicular traffic shall proceed in one (1) direction during one (1) period and the opposite direction during another period of the day and shall place and maintain appropriate markings, signs, barriers or other devices to give notice thereof. The traffic engineer may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the roadway.

(2) It shall be unlawful for any person to operate any vehicle in violation of markings, signs, barriers or other devices so placed in accordance with subsection (1). (1973 Code, § 11-23)

**15-206. Establishment of traffic lanes; observance.** (1) The city traffic engineer is hereby authorized to mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.

(2) Where such traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep his vehicle within the boundaries of any such lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement.<sup>1</sup> (1973 Code, § 11-24)

**15-207. Traffic commission.** (1) There is hereby established a traffic commission to serve without compensation, consisting of the city traffic engineer, the chief of police, the city attorney and such other city officers and representatives of unofficial bodies as may be determined and appointed by the mayor. The chairman of the commission shall be appointed by the mayor and may be removed by him.

(2) It shall be the duty of the traffic commission and to this end it shall have the authority within the limits of the funds at its disposal, to coordinate traffic activities, to carry on educational activities in traffic matters, to supervise the preparation and publication of traffic reports, to receive complaints having

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<sup>1</sup>State law reference

Driving on roadways laned for traffic: Tennessee Code Annotated, § 55-8-123.

to do with traffic matters and to recommend to the legislative body of the city and to the city traffic engineer, the chief of police and other city officials, ways and means for improving traffic conditions and the administration and enforcement of traffic regulations. (1973 Code, § 11-25)

**15-208. Emergency and experimental regulations.** (1) The chief of police by and with the approval of the city traffic engineer is empowered to make regulations necessary to make effective the provisions of the traffic laws of the city and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No temporary or experimental regulations shall remain in effect for more than ninety (90) days.

(2) The city traffic engineer may test traffic-control devices under actual conditions of traffic. (1973 Code, § 11-26)

**15-209. Authority of police and fire department officials.** (1) It shall be the duty of the officers of the police department or such officers as are assigned by the chief of police, to enforce all provisions of this chapter and all of the state vehicle laws applicable to street traffic in the city.

(2) Officers of the police department or such officers as are assigned by the chief of police, are hereby authorized to direct all traffic by voice, hand, or signal in conformance with traffic laws; however, in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of this chapter.

(3) Officers of the fire department, when at the scene of a fire, may direct or assist the police in directing, traffic thereat or in the immediate vicinity. (1973 Code, § 11-27)

**15-210. Obedience to police and fire department officials.** No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer or fire department official. (1973 Code, § 11-28)

## CHAPTER 3

### TRAFFIC DIVISION

#### SECTION

- 15-301. Authority to establish; supervision.
- 15-302. Duties generally.
- 15-303. Records of traffic violations.
- 15-304. Investigation of accidents.
- 15-305. Traffic accident studies.
- 15-306. Traffic accident reports.
- 15-307. Drivers' files to be maintained.
- 15-308. Annual traffic-safety report.
- 15-309. Designation of method of identifying funeral processions.

**15-301. Authority to establish; supervision.** There may be established in the police department of the city, a traffic division to be under the control of an officer of police appointed by and directly responsible to the chief of police. (1973 Code, § 11-34)

**15-302. Duties generally.** It shall be the duty of the traffic division, with such aid as may be rendered by other members of the police department, to enforce the provisions of this chapter and all of the state vehicle laws applicable to street traffic in the city, to make arrests for traffic violations, to investigate accidents and to cooperate with the city traffic engineer and any other officers of the city in the administration of the traffic laws and in developing ways and means to improve traffic conditions and to carry out those duties specially imposed upon it by this chapter. (1973 Code, § 11-35)

**15-303. Records of traffic violations.** (1) The police department or the traffic division thereof shall keep a record of all violations of the traffic laws of the city or of the state vehicle laws for which any person has been charged, together with a record of the final disposition of all alleged offenses. The record shall be so maintained as to show all types of violations and the total of each. The record shall accumulate during at least a five (5) year period and from that time on the record shall be maintained complete for at least the most recent five (5) year period.

(2) All forms for records of violations and notices of violations shall be serially numbered. For each month and year, a written record shall be kept available to the public showing the disposal of all such forms.

(3) All records and reports required by this section shall be public records. (1973 Code, § 11-36)

**15-304. Investigation of accidents.** It shall be the duty of the traffic division, assisted by other police officers, to investigate traffic accidents, to arrest and to assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents. (1973 Code, § 11-37)

**15-305. Traffic accident studies.** Whenever the accidents at any particular location become numerous, the traffic division shall cooperate with the city traffic engineer in conducting studies of such accidents and determining remedial measures. (1973 Code, § 11-38)

**15-306. Traffic accident reports.** The traffic division shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location. The reports shall be available for the use and information of the city traffic engineer. (1973 Code, § 11-39)

**15-307. Drivers' files to be maintained.** (1) The police department or the traffic division thereof shall maintain a suitable record of all traffic accidents, warnings, arrests, convictions and complaints reported for each driver, which shall be filed alphabetically under the name of the driver concerned.

(2) The traffic division shall study the cases of all the drivers charged with frequent or serious violations of the traffic laws or involved in frequent traffic accidents or any serious accident, shall attempt to discover the reasons therefor and shall take whatever steps are lawful and reasonable to prevent the violations or to have the licenses of such persons suspended or revoked.

(3) Records kept pursuant to this section shall accumulate during at least a five (5) year period and from that time on, such records shall be maintained complete for at least the most recent five (5) year period. (1973 Code, § 11-40)

**15-308. Annual traffic-safety report.** The traffic division shall annually prepare a traffic report which shall be filed with the mayor. The report shall contain information on traffic matters in this city as follows:

(1) The number of traffic accidents, the number of persons killed, the number of persons injured and other pertinent traffic accident data;

(2) The number of traffic accidents investigated and other pertinent data on the safety activities of the police;

(3) The plans and recommendations of the traffic division for future traffic safety activities. (1973 Code, § 11-41)

**15-309. Designation of method of identifying funeral processions.** The traffic division shall designate a type of pennant or other identifying

insignia to be displayed upon, or other method to be employed, to identify the vehicles in funeral processions. (1973 Code, § 11-42)

## CHAPTER 4

### OFFICIAL TRAFFIC-CONTROL DEVICES

#### SECTION

- 15-401. Authority of city traffic engineer to install traffic-control devices.
- 15-402. Standards.
- 15-403. When traffic signs required for enforcement purposes.
- 15-404. Obedience required.
- 15-405. Traffic-control signal legend.
- 15-406. Pedestrian-control signals.
- 15-407. Flashing signals.
- 15-408. Display of unauthorized signs, signals or markings.
- 15-409. Interference with official traffic-control devices or railroad signs or signals.

**15-401. Authority of city traffic engineer to install traffic-control devices.** The city traffic engineer shall place and maintain traffic-control signs, signals and devices when and as required by this chapter to make effective the provisions of this chapter and may place and maintain such additional traffic-control devices as he may deem necessary to regulate traffic under the traffic laws of this city or under state law or to guide or warn traffic. (1973 Code, § 11-48)

**15-402. Standards.** All traffic-control devices and signals shall be in conformity with regulations for such devices and signals as promulgated by the state. (1973 Code, § 11-49)

**15-403. When traffic signs required for enforcement purposes.** No provision of this chapter for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation, an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section of this chapter does not state that signs are required, such section shall be effective even though no signs are erected or in place. (1973 Code, § 11-50)

**15-404. Obedience required.** The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto and placed in accordance with the provisions of this chapter unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this chapter. (1973 Code, § 11-51)

**15-405. Traffic-control signal legend.** (1) Whenever traffic is controlled by traffic-control signals exhibiting the words "Go," "Caution" or

"Stop" or exhibiting different colored lights successively one at a time or with arrows, the following colors only shall be used and the terms and lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(a) Green alone or "Go": (i) Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at the place prohibits either turn. 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 the signal is exhibited.

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

(b) Steady yellow alone: (i) 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.

(ii) Pedestrians facing such signal are thereby advised that there is insufficient time to cross the roadway and any pedestrian then starting to cross shall yield the right-of-way to all vehicles.

(c) Steady red alone, or "Stop": (i) 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.

(ii) No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.

(d) Steady red with green arrow: (i) 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.

(ii) No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.

(2) In 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 at the signal. (1973 Code, § 11-52)

**15-406. Pedestrian-control signals.** Whenever special pedestrian-control signals exhibiting the words "Walk," "Wait" or "Don't Walk" are in place, the signals shall indicate as follows:

(1) "Walk." Pedestrians facing such a signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the driver of any vehicle.

(2) "Wait" or "Don't Walk." No pedestrian shall start to cross the roadway in the direction of such a signal, but any pedestrian who has partially completed his crossing on the walk signal shall proceed to a sidewalk or safety zone while the "Wait" signal is showing. (1973 Code, § 11-53)

**15-407. Flashing signals.** (1) Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by vehicular traffic as follows:

(a) Flashing red (stop signal). When a red lens is illuminated with rapid 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 rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past the 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 as set forth in § 15-1108. (1973 Code, § 11-54)

**15-408. Display of unauthorized signs, signals or markings.**

(1) No person shall place, maintain or display upon or in view of any highway an unauthorized sign, signal, marking or device which purports to be, or is an imitation of, or resembles an official traffic-control device or railroad sign or signal or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of , any official traffic-control device or any railroad sign or signal.

(2) No person shall place or maintain, nor shall any public authority permit, upon any highway any traffic sign or signal bearing thereon any commercial advertising.

(3) This section shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official traffic-control signs.

(4) Each sign, signal, or marking prohibited by this section is hereby declared to be a public nuisance and the city traffic engineer is empowered to



remove the nuisance or cause it to be removed without notice. (1973 Code, § 11-55)

**15-409. Interference with official traffic-control devices or railroad signs or signals.** No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down or remove any official traffic-control device or any railroad sign or signal or any inscription, shield or insignia thereon or any other part thereof. (1973 Code, § 11-56)

**CHAPTER 5****ACCIDENTS**<sup>1</sup>**SECTION**

- 15-501. Immediate notice of accident.
- 15-502. Written report of accident.
- 15-503. When driver unable to report.
- 15-504. Garages to report.
- 15-505. Public inspection of reports relating to accidents.

**15-501. Immediate notice of accident.** The driver of a vehicle involved in an accident resulting in injury to or death of any person or property damage to an apparent extent of fifty dollars (\$50.00) or more shall immediately, by the quickest means of communication, give notice of the accident to the police department if the accident occurs within the city. (1973 Code, § 11-62)

**15-502. Written report of accident.** The driver of a vehicle which is in any manner involved in an accident resulting in bodily injury to or death of any persons or total property damage to an apparent extent of fifty dollars (\$50.00) or more shall, within ten (10) days after the accident, forward a written report of the accident to the police department or a copy of any report he is required to forward to the state. The provisions of this section shall not be applicable when the accident has been investigated at the scene by a police officer while the driver was present thereat. (1973 Code, § 11-63)

**15-503. When driver unable to report.** (1) Whenever the driver of a vehicle is physically incapable of giving immediate notice of an accident as required by this division and there was another occupant in the vehicle at the time of the accident capable of doing so, the occupant, shall give or cause to be given, the notice not given by the driver.

(2) Whenever the driver is physically incapable of making a written report of an accident as required by this division and the driver is not the owner of the vehicle, then the owner of the vehicle involved in the accident shall, within ten (10) days after learning of the accident, make the report not made by the driver. (1973 Code, § 11-64)

**15-504. Garages to report.** The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of

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<sup>1</sup>State law reference

Accidents: Tennessee Code Annotated, § 55-10-101, et seq.

having been involved in an accident of which a report must be made to the state or which has been struck by a bullet or otherwise apparently involved in violence, shall report to the police department within twenty-four (24) hours after the motor vehicle is received, giving the engine number, registration number and the name and address of the owner or operator of the vehicle, if known. (1973 Code, § 11-65)

**15-505. Public inspection of reports relating to accidents.**

(1) All accident reports made by persons involved in accidents or by garages shall be without prejudice to the individual so reporting and shall be for the confidential use of the police department or other governmental agencies having use for the records for accident prevention purposes or for the administration of the laws of the state relating to the deposit of security and proof of financial responsibility by persons driving or the owners of motor vehicles, except that the identity of a person involved in an accident may be disclosed when such identity is not otherwise known or when such person denies his presence at the accident.

(2) All accident reports and supplemental information filed in connection with the administration of the laws of the state relating to the deposit of security or proof of financial responsibility shall be confidential and not open to general public inspection, nor shall copying of lists of such reports be permitted; however, such reports and supplemental information may be examined by any person named therein or by his representative designated in writing.

(3) No reports or information mentioned in this section shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the police department shall furnish, upon demand of any party to the trial or upon demand of any court, a certificate showing that a specified accident report has or has not been made to the department in compliance with law. (1973 Code, § 11-66)

## CHAPTER 6

### PROCEDURE ON ARREST

#### SECTION

- 15-601. Forms and records of traffic citations and arrests.
- 15-602. Procedure of police officers for the issuance of citations.
- 15-603. Disposition and records of traffic citations, warrants and complaints.
- 15-604. Unlawful cancellations of traffic citations.
- 15-605. Audit of records and reports.
- 15-606. When copy of citation shall be deemed a lawful complaint.
- 15-607. Failure to obey citation.
- 15-608. Citations on unlawfully parked vehicle.
- 15-609. Presumption in reference to illegal parking.
- 15-610. When warrant to be issued.
- 15-611. Record of traffic cases; report of convictions to state department of safety.
- 15-612. Disposition of traffic fines and forfeitures.
- 15-613. Driver's license in lieu of bail.

**15-601. Forms and records of traffic citations and arrests.** (1) The recorder shall provide books to include traffic citation forms for notifying alleged violators to appear and answer to charges of violating state traffic laws or the provisions of this chapter or other city traffic ordinances in the recorder's court. The books shall include serially numbered sets of citations in quadruplicate in the form prescribed and approved jointly by the mayor and the chief of police.

(2) The recorder shall issue such books to the chief of police or his duly authorized agent and shall maintain a record of each book so issued and shall require a written receipt for each such book.<sup>1</sup>

(3) The chief of police shall be responsible for the issuance of the books to individual members of the police department. The chief of police shall require a written receipt for each book so issued and shall maintain a record of each such book and each set of citations contained therein. (1973 Code, § 11-72)

**15-602. Procedure of police officers for the issuance of citations.** Except when authorized or directed under state law to immediately take a person before a judge for the violation of any traffic laws, a police officer who stops a person for such a violation, other than for the purpose of giving him a warning or warning notice and does not take such person into custody under arrest, shall take the name, address, and operator's license number of the

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<sup>1</sup>State law reference

Crimes and arrest: Tennessee Code Annotated, § 55-10-201 et seq.

person, the registration number of the motor vehicle involved and such other pertinent information as may be necessary and shall issue to him, in writing on a form provided by the recorder, a traffic citation containing a notice to answer to the charge against him in the recorder's court of the city at a time at least five (5) days after the alleged violation, which time shall be specified in the citation. The officer, upon receiving the written promise of the alleged violator to answer as specified in the citation, shall release the person from custody. (1973 Code, § 11-73)

**15-603. Disposition and records of traffic citations, warrants and complaints.** (1) Each police officer, upon issuing a traffic citation to an alleged violator of any provision of the motor vehicle laws of this state or of any provision of this chapter, shall deposit the original and duplicate copy of the citation with his immediate superior officer, who shall cause the original to be delivered to the recorder's court and the duplicate copy to the central records section of the police department. The second duplicate copy of the citation shall be retained in the traffic citation book and shall be delivered by the superior officer to the recorder, together with the citation book when all the traffic citations therein have been used.

(2) Upon the filing of the original citation in the recorder's court, the citation may be disposed of only by trial in the court or by other official action of the court, including forfeiture of bail or by payment of a fine to the traffic violations bureau.

(3) The chief of police shall require the return to him of each traffic citation and all copies thereof, except that copy required to be retained in the book as provided in subsection (1) or which has been spoiled or upon which any entry has been made and has not been issued to an alleged violator.

(4) The chief of police shall also maintain or cause to be maintained in connection with every traffic citation issued by a member of the police department, a record of the disposition of the charge by the recorder's court or the traffic violations bureau.

(5) The chief of police shall also maintain or cause to be maintained a record of all warrants issued by the recorder or by any other court on the traffic violation charges and which are delivered to the police department for service, and of the final disposition of all such warrants.

(6) It shall be unlawful and official misconduct for any member of the police department or other officer or public employee to dispose of, alter or deface a traffic citation or any copy thereof or the record of the issuance or disposition of any traffic citation, complaint or warrant, in a manner other than as required in this chapter. (1973 Code, § 11-74)

**15-604. Unlawful cancellation of traffic citations.** It shall be unlawful for any person to cancel or solicit the cancellation of any traffic citation in any manner other than as provided by this chapter. (1973 Code, § 11-75)

**15-605. Audit of records and reports.** (1) Every record of traffic citations, complaints thereon and warrants issued therefor required in this chapter shall be audited at least quarterly by the recorder, who shall submit a report of such audit together with a summary thereof to the mayor. Such reports shall be public records.

(2) The recorder shall publish or cause to be published a quarterly summary of all traffic citations issued by members of the police department, the disposition of the complaints thereon and the issuance and disposition of all warrants issued therefor in at least one (1) local newspaper of general circulation.

(3) For the purpose of this chapter, the recorder or his duly authorized representatives shall have access at all times to all necessary records, files and papers of the recorder's court, its traffic violations bureau and the police department. (1973 Code, § 11-76)

**15-606. When copy of citation shall be deemed a lawful complaint.** In the event the form of citation provided under this division includes information and is sworn to as required under the general laws of the state in respect to a complaint charging commission of the offense alleged in the citation to have been committed, then the citation, when filed with a court having jurisdiction, shall be deemed to be a lawful complaint for the purpose of prosecution under this code.<sup>1</sup> (1973 Code, § 11-77)

**15-607. Failure to obey citation.** It shall be unlawful for any person to violate his written promise to appear in court after giving his promise to an officer upon the issuance of a traffic citation, regardless of the disposition of the charge for which the citation was originally issued. (1973 Code, § 11-78)

**15-608. Citations on unlawfully parked vehicle.** (1) Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by this chapter or by state law, the officer finding the vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user and shall conspicuously affix to the vehicle a traffic citation, on a form provided by the recorder, for the driver to answer to the charge against him within five (5) days, during the hours and at a place specified in the citation.

(2) If a violator of the restrictions on stopping, standing or parking under the traffic laws of this state or this chapter does not appear in response to a traffic citation affixed to such motor vehicle pursuant to subsection (1) within a period of five (5) days, the recorder shall send to the owner of the motor

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<sup>1</sup>State law reference

Audit required: Tennessee Code Annotated, § 55-10-204

vehicle to which the traffic citation was affixed a letter informing him of the violation and warning him that in the event such letter is disregarded for a period of five (5) days a warrant of arrest will be issued. (1973 Code, § 11-79)

**15-609. Presumption in reference to illegal parking.** (1) In any prosecution charging a violation of any state law or provision of this chapter, governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of the law or provision of this chapter, together with proof that the defendant named in the complaint was at the time of the parking the registered owner of the vehicle, shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person who parked or placed the vehicle at the point where, and for the time during which, the violation occurred.

(2) The presumption prescribed in subsection (1) shall apply only when the procedure established in § 15-507 is followed. (1973 Code, § 11-80)

**15-610. When warrant to be issued.** In the event any person fails to comply with a traffic citation given to him or attached to a vehicle pursuant to this chapter or fails to make appearance pursuant to a summons directing an appearance in the recorder's court or the traffic violations bureau, or if any person fails or refuses to deposit bail as required within the time permitted by law, the recorder shall issue a warrant for his arrest. (1973 Code, § 11-81)

**15-611. Record of traffic cases; report of convictions to state department of safety.** (1) The recorder shall keep or cause to be kept a record of every traffic complaint, traffic citation or other legal form of traffic charge deposited with or presented to his court or the traffic violations bureau and shall keep a record of every official action by the recorder's court or its traffic violations bureau in reference thereto, including, but not limited to, a record of every conviction, forfeiture of bail, judgment of acquittal and the amount of fine or forfeiture resulting from every traffic complaint or citation deposited with or presented to the recorder's court or traffic violations bureau.

(2) Within ten (10) days after the conviction or forfeiture of bail of a person upon a charge of violating any provision of this chapter or other law regulating the operation of vehicles on highways, the recorder shall prepare and immediately forward to the state department of safety an abstract of the record of the court covering the case in which the person was so convicted or forfeited bail, which abstract shall be certified by the recorder to be true and correct. A report need not be made of any conviction involving the illegal parking or standing of a vehicle.

(3) The abstract required by subsection (1) must be made upon a form furnished by the state department of safety and shall include the name and address of the party charged, the number if any of his operator's or chauffeur's license, the registration number of the vehicle involved, the nature of the

offense, the date of hearing, the plea, the judgment or whether bail was forfeited and the amount of the fine or forfeiture, as the case may be. (1973 Code, § 11-82)

**15-612. Disposition of traffic fines and forfeitures.** All fines or forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any of the provisions of this chapter, shall be paid into the general fund of the city.<sup>1</sup> (1973 Code, § 11-83)

**15-613. Driver's license in lieu of bail.** Whenever any person lawfully possessed of a chauffeur or operator's license theretofore issued to him by the Department of Safety, State of Tennessee, is issued a citation or arrested and charged with the violation of any municipal ordinance regulation, traffic, except driving under the influence of an intoxicant or narcotic drug or leaving the scene of an accident, said person shall have the option of depositing his chauffeur's or operator license with the officer or court demanding bail in lieu of any other security required for his appearance in the city court in answer to any such charge before said court.

All city officers and employees shall comply fully with the requirements of Tennessee Code Annotated, § 55-50-801, et seq., and any implementing orders of the Department of Safety, State of Tennessee. (Ord. #\_\_\_\_, Jan. 1981)

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<sup>1</sup>State law reference

Disposition of fines, penalties and forfeitures for state violations:  
Tennessee Code Annotated, § 55-10-303.



## CHAPTER 7

### TRAFFIC VIOLATIONS BUREAU

#### SECTION

15-701. Established.

15-702. Duties generally.

15-703. Designation of offenses within bureau's jurisdiction; fines.

15-704. When person charged may elect to appear at bureau or before court.

15-705. Records.

15-706. Procedure.

**15-701. Established.** A traffic violations bureau is hereby established to assist the recorder with the clerical work of traffic cases. The bureau shall be under the recorder. (1973 Code, § 11-89)

**15-702. Duties generally.** The following duties are hereby imposed upon the traffic violations bureau in reference to traffic offenses:

(1) It shall accept designated fines, issue receipts and represent in court such violators as are permitted and desire to plead guilty, waive court appearance and give power of attorney;

(2) It shall receive and issue receipts for cash bail from the persons who must or wish to be heard in court, enter the time of their appearance on the court docket and notify the arresting officer and witnesses, if any, to be present;

(3) It shall keep an easily accessible record of all violations of which each person has been guilty during the preceding twelve (12) months, whether the guilt was established in court or in the traffic violations bureau. (1973 Code, § 11-90)

**15-703. Designation of offenses within bureau's jurisdiction; fines.** The recorder shall designate the specified offenses under this chapter or the state traffic laws in respect to which payments of fines may be accepted by the traffic violations bureau in satisfaction thereof and shall specify by suitable schedules the amount of fines for the first, second and subsequent offenses; the fines shall be within the limits declared by state law or this code or other city ordinance, the recorder shall also specify which offenses shall require an appearance before the court. (1973 Code, § 11-91)

**15-704. When person charged may elect to appear at bureau or before court.** (1) Any person charged with an offense for which payment of a fine may be made to the traffic violations bureau shall have the option of paying the fine within the time specified in the notice of arrest at the traffic violations bureau upon entering a plea of guilty and upon waiving appearance in court, or

may have the option of depositing the required lawful bail and, upon a plea of not guilty, shall be entitled to a trial as authorized by law.

(2) The payment of a fine to the traffic violations bureau shall be deemed an acknowledgment of conviction of the alleged offense and the bureau, upon accepting the prescribed fine, shall issue a receipt to the violator acknowledging payment thereof. (1973 Code, § 11-92)

**15-705. Records.** The traffic violations bureau shall keep records and submit summarized monthly reports to the mayor of all notices issued and arrests made for violations of the traffic laws of the state, the provisions of this chapter and other ordinances of the city and of all the fines collected by it or the court and of the final disposition or present status of every case of violation of law. The records shall be so maintained as to show all types of violations and the totals of each and shall be public records. (1973 Code, § 11-93)

**15-706. Procedure.** The traffic violations bureau shall follow such procedure as may be prescribed by this chapter or as may be required by any laws of this state. (1973 Code, § 11-94)

**CHAPTER 8****OPERATION****SECTION**

- 15-801. Authorized emergency vehicles.
- 15-802. Operation of vehicles on approach of authorized emergency vehicles.
- 15-803. Following fire apparatus prohibited.
- 15-804. Crossing fire hose.
- 15-805. Operation of motorcycles and motor-driven cycles.
- 15-706. Driving while under the influence of an intoxicant or drug.
- 15-807. Driving through funeral or other procession.
- 15-808. Duties of drivers in a procession.
- 15-809. Funeral processions to be identified.
- 15-810. Marked parking spaces reserved during funeral services only.
- 15-811. Vehicle not to be driven on a sidewalk.
- 15-812. Limitations on backing.
- 15-813. Clinging to vehicles.
- 15-814. Entering or exiting controlled-access roadways.
- 15-815. Driving through safety zone prohibited.
- 15-816. Restrictions upon use of streets by certain vehicles.

**15-801. Authorized emergency vehicles.** (1) The driver of an authorized emergency vehicle, when responding to an emergency call, when in the pursuit of an actual or suspected violation of the law or when responding to, but not upon returning from, a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions stated in this section.

(2) The driver of an authorized emergency vehicle may:

- (a) Park or stand, irrespective of the provisions of this chapter;
- (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
- (c) Exceed the maximum speed limits so long as he does not endanger life or property.
- (d) Disregard regulations governing direction of movement or turning in specified directions.

(3) The exemptions granted by this section to an authorized emergency vehicle shall apply only when the driver of the vehicle while in motion sounds such audible signal by bell, siren, or exhaust whistle as may be reasonably necessary and when the vehicle is equipped with at least one (1) lighted lamp displaying a red light visible under normal atmospheric<sup>1</sup> conditions from a

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<sup>1</sup>State law reference

Rules of the Road: Tennessee Code Annotated, § 55-8-101.

distance of five hundred (500) feet to the front of the 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 provisions of this section 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. (1973 Code, § 11-105)

**15-802. Operation of vehicles on approach of authorized emergency vehicles.** (1) Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of this chapter or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall yield the right-of-way and 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.

(2) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway. (1973 Code, § 11-106)

**15-803. Following fire apparatus prohibited.** The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response any fire alarm closer than five hundred (500) feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm. (1973 Code, § 11-107)

**15-804. Crossing fire hose.** No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street or private driveway to be used at any fire or alarm of fire, without the consent of the fire department official in command. (1973 Code, § 11-108)

**15-805. Operation of motorcycles and motor-driven cycles.**

(1) Any person operating a motorcycle or motor-driven cycle upon the public streets of the city shall ride only upon the permanent and regular seat attached thereto. No operator shall carry any other person nor shall any other person ride on a motorcycle or motor-driven cycle unless the vehicle is designed to carry more than one (1) person, in which event a passenger may ride upon the permanent and regular seat if the seat is designed for two (2) persons or upon another seat firmly attached to the rear or side of the vehicle. No passenger shall be carried upon any motorcycle or motor-driven cycle unless foot rests are

provided and no passenger shall ride side saddle upon any such vehicle being operated within the city.

(2) No person under the age of sixteen (16) years shall operate any motorcycle or motor-driven cycle, within the city while any other person is a passenger thereon.

(3) No person shall operate or ride upon any motorcycle or motor-driven cycle within the city unless he is equipped with and wearing on his head a safety helmet with a secured chin strap and suspension lining, which helmet shall conform to the type and design manufactured for the use of the operators and riders of such vehicles. (1973 Code, § 11-109)

**15-806. Driving while under the influence of an intoxicant or drug.** (1) It shall be unlawful for any person or persons to drive or be in physical control of any automobile or other motor-driven vehicle on any of the streets or highways of the city while under the influence of an intoxicant, or while under the influence of narcotic drugs or while under the influence of drugs producing stimulating effects on the central nervous system.

(2) For the purpose of this section, drugs producing stimulating effects on the central nervous system shall include the salts of barbituric acid, also known as malonyl urea or any compound, derivatives or mixtures thereof that may be used for producing hypnotic or somnifacient effects, and includes amphetamine, desoxyephedrine or compounds or mixtures thereof, including all derivatives of phenylethylamine or any of the salts thereof, except preparations intended for use in the nose and unfit for internal use. (1973 Code, § 11-110)

**15-807. Driving through funeral or other procession.** No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when the vehicles are conspicuously designated as required in this division. This section shall not apply at intersections where traffic is controlled by traffic control signals or police officers. (1973 Code, § 11-111)

**15-808. Duties of drivers in a procession.** Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practicable and shall follow the vehicle ahead as close as is practicable and safe. (1973 Code, § 11-112)

**15-809. Funeral processions to be identified.** A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other method as may be determined and designated by the traffic division. (1973 Code, § 11-113)

**15-810. Marked parking spaces reserved during funeral services only.** (1) The marked parking spaces on the west side of Purple Heart Avenue shall be reserved for funeral use during funeral services only.

(2) Any funeral director is authorized to reserve these parking spaces by cones or signs indicating that these parking spaces are for funeral use only.

(3) Other than funeral services the parking of Purple Heart Avenue shall be restricted to parking for three (3) hours only.

(4) Any violation of the section will result in a ten dollar (\$10.00) fine and the vehicle occupying any reserved parking space may be towed at the cost of the owner of the vehicle. (Ord. #2006-5, June 2006)

**15-811. Vehicle not to be driven on a sidewalk.** The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway. (1973 Code, § 11-114)

**15-812. Limitations on backing.** The driver of a vehicle shall not back the vehicle unless such movement can be made with reasonable safety and without interfering with other traffic. (1973 Code, § 11-115)

**15-813. Clinging to vehicles.** No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach his vehicle or himself to any vehicle upon a roadway. (1973 Code, § 11-116)

**15-814. Entering or exiting controlled-access roadways.** No person shall drive a vehicle onto or from any controlled-access roadway except at such entrances and exits as are established by public authority. (1973 Code, § 11-117)

**15-815. Driving through safety zone prohibited.** No vehicle shall at any time be driven through or within a safety zone. (1973 Code, § 11-118)

**15-816. Restrictions upon use of streets by certain vehicles.**

(1) The traffic engineer is authorized to determine and designate those heavily traveled streets upon which shall be prohibited the use of the roadway by motor-driven cycles, bicycles, horse drawn vehicles or other nonmotorized traffic and shall erect appropriate signs giving notice thereof.

(2) When signs are so erected pursuant to subsection (1), no person shall disobey the restrictions stated on the signs. (1973 Code, § 11-119)

## CHAPTER 9

### SPEED LIMITS

#### SECTION

- 15-901. General maximum speed limit.
- 15-902. Speed limit at intersections.
- 15-903. Speed limit in school zones and near playgrounds.
- 15-904. Speed limit in congested areas.
- 15-905. Regulation of speed by traffic signals.
- 15-906. Speed limit of trains.

**15-901. General maximum speed limit.** (1) It shall be unlawful for any person to operate or drive a motor vehicle upon Highway 25/70 West beginning at stoplight number 3 at the intersection of Highways 25/70 and Highway 32, to the corporate limits of the City of Newport located at the intersection of Highway 25/70 and Clevenger Cut-off Road at speeds in excess of forty-five (45) mph. Sufficient signage indicating said speed limit shall be posted.

(2) It shall be unlawful for any person to operate or drive a motor vehicle upon Highway 32, commencing at stoplight 3, at the intersection of Highway 25/70 and 32 to the intersection of Highway 32 and Epley Road, at speeds in excess of forty (40) mph.

(3) It shall be unlawful for any person to operate or drive a motor vehicle upon Highway 32 and Epley Road to the corporate limits of the City of Newport, Tennessee, located at the intersection of new (current) Highway 32 and the old Highway 32 roadway, at speeds in excess of forty-five (45) mph. (Ord. #98-07-A, July 1998)

**15-902. Speed limit 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 the person is driving on a through street or on one regulated by traffic-control signals or signs which stop or require traffic to yield on the intersecting streets. (1973 Code, § 11-126)

**15-903. Speed limit in school zones and near play grounds.** It shall be unlawful for any person to operate or drive a motor vehicle through any school zone or near any playground in the city in excess of fifteen (15) miles per hour when official signs indicating such speed limit have been posted by the traffic engineer. The provisions of this section are applicable to school zones where there are no playgrounds only when the children are out for recess or when the children are going to or leaving school during its opening or closing hours. (1973 Code, § 11-127)

**15-904. Speed limits 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 fifteen (15) miles per hour when official signs indicating such speed limit have been posted by the traffic engineer.<sup>1</sup> (1973 Code, § 11-128)

**15-905. Regulation of speed by traffic signals.** The traffic engineer is authorized to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance from the speeds otherwise applicable within the district or at intersections and he shall erect appropriate signs giving notice thereof. (1973 Code, § 11-129)

**15-906. Speed limit of trains.** It shall be unlawful for any person to operate a train, locomotive or other vehicle on the railroad tracks within the city limits of the City of Newport at a speed in excess of twenty (20) miles per hour either in an east bound direction or a west bound direction. The penalty for the violation of said ordinance shall be not less than two dollars (\$2.00) nor more than fifty dollars (\$50.00) for each mile per hour in excess of the prescribed limit. (Ord. #\_\_\_\_, Jan. 1984)

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<sup>1</sup>State law reference

Establishment of speed zones: Tennessee Code Annotated, § 55-8-153.



## CHAPTER 10

### TURNING MOVEMENTS

#### SECTION

- 15-1001. Required position and method of turning at intersections.
- 15-1002. Authority to place and obedience to turning markers.
- 15-1003. Authority to restrict turns.
- 15-1004. Obedience to no-turn signs.
- 15-1005. Limitations on turning around.

**15-1001. Required position and method of turning at intersections.** The driver of a vehicle intending to turn at an intersection shall do so as follows:

(1) 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.

(2) 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 center line where it enters the intersection and, after entering the intersection, the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable, the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

(3) 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 the intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of the 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. (1973 Code, § 11-135)

**15-1002. Authority to place and obedience to turning markers.**

(1) The traffic engineer is authorized to place markers, buttons or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at the intersections, and the course to be traveled as so indicated may conform to or be other than as prescribed by state law or this chapter.

(2) When authorized markers, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles turning

thereat, no driver of a vehicle shall disobey the directions of such indications. (1973 Code, § 11-136)

**15-1003. Authority to restrict turns.** The traffic engineer is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left, or "U" turn and shall place proper signs at such intersections. The making of turns may be prohibited between certain hours of any day and permitted at other hours, in which event the hours shall be plainly indicated on the signs or the signs may be removed when the turns are permitted. (1973 Code, § 11-137)

**15-1004. Obedience to no-turns signs.** Whenever authorized signs are erected indicating that no right, left or "U" turn is permitted, no driver of a vehicle shall disobey the directions of any such signs. (1973 Code, § 11-138)

**15-1005. Limitations on turning around.** The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district and shall not, upon any other, street, so turn a vehicle unless the movement can be made in safety and without interfering with other traffic. (1973 Code, § 11-139)

## CHAPTER 11

### RIGHT-OF-WAY

#### SECTION

- 15-1101. Signs required at through streets.
- 15-1102. Other intersections where stop or yield may be required.
- 15-1103. Stop signs and yield signs.
- 15-1104. Duty of driver of vehicle entering stop intersection.
- 15-1105. Duty of driver of vehicle entering yield intersection.
- 15-1106. Duty upon emerging from alley, driveway or building.
- 15-1107. Stop when traffic obstructed.
- 15-1108. Obedience to signal indicating approach of train.

**15-1101. Signs required at through streets.** Whenever this code or any ordinance of this city designates and describes a through street, it shall be the duty of the traffic engineer to place and maintain a stop sign or, on the basis of an engineering and traffic investigation at any intersection, a yield sign, on each and every street intersecting the through street, unless traffic at the intersection is controlled at all times by traffic-control signals; however, at the intersection of two (2) through streets or at the intersection of a through street and a heavy traffic street not so designated, stop signs shall be erected at the approaches of either of the streets as may be determined by the traffic engineer upon the basis of an engineering and traffic study. (1973 Code, § 11-145)

**15-1102. Other intersections where stop or yield may be required.** The traffic engineer is authorized to determine and designate intersections where particular hazard exists upon other than through streets and to determine:

- (1) Whether vehicles shall stop at one (1) or more entrances to any such intersection, in which event he shall cause to be erected a stop sign at each place where a stop sign is required; or,
- (2) Whether vehicles shall yield the right-of-way to vehicles on a different street at the intersection, in which event he shall cause to be erected a yield sign at each place where obedience thereto is required. (1973 Code, § 11-146)

**15-1103. Stop signs and yield signs.** (1) Every stop sign shall bear the word "Stop" in letters not less than eight (8) inches in height. Every yield sign shall bear the word "Yield" in letters not less than seven (7) inches in height. Every stop sign and every yield sign shall at night be rendered luminous by internal illumination or by a floodlight projected on the face of the sign, or by efficient reflecting elements in the face of the sign.

(2) Every stop sign and every yield sign shall be erected as near as practicable to the nearest line of the crosswalk on the near side of the intersection or, if there is no crosswalk, then as near as practicable to the nearest line of the intersecting roadway. (1973 Code, § 11-147)

**15-1104. Duty of driver of vehicle entering stop intersection.**

(1) Except when directed to proceed by a police officer or traffic-control signal, each driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.

(2) The driver, after having stopped, shall yield the right-of-way to any vehicle which has entered the intersection from another highway or which is approaching so closely on the highway as to constitute an immediate hazard, but the driver having so yielded may proceed and the drivers of all other vehicles approaching the intersection shall yield the right-of-way to the vehicle so proceeding. (1973 Code, § Code, § 11-148)

**15-1105. Duty of driver of vehicle entering yield intersection.**

(1) The driver of a vehicle approaching a yield sign shall, in obedience to the sign, slow down to a speed reasonable for the existing conditions or shall stop if necessary, and shall yield the right-of-way to any pedestrians legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard. The driver, having so yielded, may proceed and the drivers of all other vehicles approaching the intersection shall yield to the vehicle so proceeding; however, a driver who enters a yield intersection without stopping and has or causes a collision with a pedestrian in a crosswalk or a vehicle in the intersection shall prima facie be considered not to have yielded as required herein. This subsection shall not relieve the drivers of other vehicles approaching the intersection at such a distance as not to constitute an immediate hazard from the duty to drive with due care to avoid a collision.

(2) The driver of a vehicle approaching a yield sign, if required for safety to stop, shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. (1973 Code, § 11-149)

**15-1106. Duty upon emerging from alley, driveway or building.** The driver of a vehicle within a business or residence district emerging from an alley, driveway or building shall stop the vehicle immediately

prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway and shall yield the right-of-way to any pedestrian as may be necessary to avoid a collision and, upon entering the roadway, shall yield the right-of-way to all vehicles approaching on the roadway. (1973 Code, § 11-150)

**15-1107. Stop when traffic obstructed.** No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed. (1973 Code, § 11-151)

**15-1108. Obedience to signal indicating approach of train.**

(1) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this subsection, the driver of the vehicle shall stop within fifty (50) feet but not less than fifteen (15) feet from the nearest rail of the railroad and shall not proceed until he can do so safely. The foregoing requirements shall apply when:

(a) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;

(b) A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train;

(c) A railroad train approaching within approximately one thousand five hundred (1,500) feet of the highway crossing emits a signal audible from the distance and the railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard;

(d) An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

(2) No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while the gate or barrier is closed or is being opened or closed. (1973 Code, § 11-152)

## CHAPTER 12

### PEDESTRIANS

#### SECTION

- 15-1201. Subject to traffic-control signals.
- 15-1202. Right-of-way in crosswalks.
- 15-1203. To use right half of crosswalks.
- 15-1204. Manner of crossing.
- 15-1205. When pedestrian shall yield.
- 15-1206. Prohibited crossing locations.
- 15-1207. Obedience to railroad signals.
- 15-1208. Manner of walking along roadways.
- 15-1209. Pedestrians soliciting rides or business.
- 15-1210. Drivers to exercise due care toward pedestrians.

**15-1201. Subject to traffic-control signals.** Pedestrians shall be subject to traffic-control signals as provided for in this chapter, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this chapter. (1973 Code, § 11-163)

**15-1202. Right-of-way in crosswalks.** (1) When traffic-control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(2) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(3) Subsection (1) shall not apply under the conditions stated in subsection (2) of § 15-1105.

(4) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle. (1973 Code, § 11-164)

**15-1203. To use right half of crosswalks.** Pedestrians shall move, whenever practicable, upon the right half of crosswalks. (1973 Code, § 11-165)

**15-1204. Manner of crossing.** No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb, except in a crosswalk. However, at intersections where traffic-control signals have traffic stopped in all directions, these

provisions shall not apply to pedestrians crossing within the area common to both intersecting roadways. (1973 Code, § 11-166)

**15-1205. When pedestrian shall yield.** (1) Each pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection, shall yield the right-of-way to all vehicles upon the roadway.

(2) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

(3) The provisions in this section have no application under the conditions stated in this chapter where pedestrians are prohibited from crossing at certain designated places. (1973 Code, § 11-167)

**15-1206. Prohibited crossing locations.** (1) Between adjacent intersections at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a crosswalk.

(2) No pedestrian shall cross a roadway other than in a crosswalk in any business district. (1973 Code, § 11-168)

**15-1207. Obedience to railroad signals.** No pedestrian shall pass through, around, over or under any crossing gate or barrier at a railroad grade crossing or bridge while the gate or barrier is closed or is being opened or closed. (1973 Code, § 11-169)

**15-1208. Manner of walking along roadways.** (1) Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(2) Where sidewalks are not provided, any pedestrian walking along and upon a highway shall, when practicable, walk only on the left side of the roadway or its shoulder, facing traffic which may approach from the opposite direction. (1973 Code, § 11-170)

**15-1209. Pedestrians soliciting rides or business.** (1) No person shall stand in a roadway for the purpose of soliciting a ride, employment or business from the occupant of any vehicle.

(2) No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway. (1973 Code, § 11-171)

**15-1210. Drivers to exercise due care toward pedestrians.** Notwithstanding the provisions of this chapter, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn of his vehicle when necessary and shall

exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway. (1973 Code, § 11-172)



## CHAPTER 13

### BICYCLES

#### SECTION

- 15-1301. Applicability of this chapter.
- 15-1302. Traffic laws apply to persons riding bicycles.
- 15-1303. Obedience to traffic-control devices.
- 15-1304. Manner of riding on bicycles.
- 15-1305. Riding on roadways and bicycle paths.
- 15-1306. Speed.
- 15-1307. Carrying articles.
- 15-1308. Parking.
- 15-1309. Riding on sidewalks.
- 15-1310. Lamps and other equipment on bicycle.
- 15-1311. Responsibility of parent or guardian.

**15-1301. Applicability of this chapter.** This chapter shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein. (1973 Code, § 11-183)

**15-1302. Traffic laws apply to persons riding bicycles.** Each person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this chapter and the laws of the state declaring rules of the road applicable to vehicles, except as to special regulations in this chapter and except as to those provisions of state law and this chapter which, by their nature, can have no application. (1973 Code, § 11-184)

**15-1303. Obedience to traffic-control devices.** (1) Any person operating a bicycle shall obey the instructions of official traffic-control signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer.

(2) Whenever authorized signs are erected indicating that no right, left or "U" turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where the person dismounts from the bicycle to make the turn, in which event the person shall then obey the regulations applicable to pedestrians. (1973 Code, § 11-185)

**15-1304. Manner of riding on bicycles.** (1) A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto.

(2) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped. (1973 Code, § 11-186)

**15-1305. Riding on roadways and bicycle paths.** (1) Each person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(2) Persons riding bicycles upon a roadway shall not ride more than two (2) abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

(3) Wherever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use the path and shall not use the roadway. (1973 Code, § 11-187)

**15-1306. Speed.** No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing. (1973 Code, § 11-188)

**15-1307. Carrying articles.** No person operating a bicycle shall carry any package, bundle or article which prevents the rider from keeping at least one (1) hand upon the handlebars. (1973 Code, § 11-189)

**15-1308. Parking.** No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such manner as to afford the least obstruction to pedestrian traffic. (1973 Code, § 11-190)

**15-1309. Riding on sidewalks.** (1) No person shall ride a bicycle upon a sidewalk within a business district.

(2) No person fifteen (15) or more years of age shall ride a bicycle upon any sidewalk in any district.

(3) Whenever any person is riding a bicycle upon a sidewalk, the person shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian. (1973 Code, § 11-191)

**15-1310. Lamps and other equipment on bicycle.** (1) Each bicycle when in use at night shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front and with a red reflector on the rear, of a type which shall be visible from all distances from fifty (50) feet to three hundred (300) feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred (500) feet to the rear may be used in addition to the red reflector.

(2) No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving audible sound for a signal a distance of at least one hundred (100) feet, except that a bicycle shall not be equipped with or shall any person use upon a bicycle any siren or whistle.

(3) Each bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement. (1973 Code, § 11-192)

**15-1311. Responsibility of parent or guardian.** The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter. (1973 Code, § 11-193)

## CHAPTER 14

### STOPPING, STANDING OR PARKING

#### SECTION

- 15-1401. Manner of parking generally.
- 15-1402. Signs or markings indicating angle parking.
- 15-1403. Obedience to angle parking signs or markings.
- 15-1404. Permits for loading or unloading at an angle to the curb.
- 15-1405. Lamps on parked vehicles.
- 15-1406. Locations where stopping, standing or parking prohibited.
- 15-1407. When parking signs required.
- 15-1408. Parking not to obstruct traffic.
- 15-1409. Parking in alleys.
- 15-1410. Parking for certain purposes prohibited.
- 15-1411. Parking adjacent to schools.
- 15-1412. Parking may be prohibited on narrow streets.
- 15-1413. Standing or parking on one-way streets.
- 15-1414. Standing or parking on roadways laned for traffic.
- 15-1415. Stopping, standing or parking near hazardous or congested places.
- 15-1416. Opening and closing vehicle doors.
- 15-1417. Designation of curb loading zones.
- 15-1418. Observance of curb loading zones.
- 15-1419. Designation of public carrier stops and stands.
- 15-1420. Stopping, standing and parking of buses and taxicabs regulated.
- 15-1421. Restricted use of bus and taxicab stands.
- 15-1422. Authority to impound unlawfully stopped vehicles; notice.
- 15-1423. Disabled or abandoned vehicles; removal.
- 15-1424. Handicapped parking.

**15-1401. Manner of parking generally.** Except as otherwise provided in this chapter, every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right-hand wheels of such vehicle parallel to and within eighteen (18) inches of the right-hand curb. (1973 Code, § 11-204)

**15-1402. Signs or markings indicating angle parking.** (1) The traffic engineer shall determine upon which streets angle parking shall be permitted and shall mark or sign the streets; however, angle parking shall not be indicated upon any federal-aid or state highway within the city unless the state department of highways and public works has determined that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

(2) Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street. (1973 Code, § 11-205)

**15-1403. Obedience to angle parking signs or markings.** On those streets which have been signed or marked by the traffic engineer for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by the signs or markings. (1973 Code, § 11-206)

**15-1404. Permits for loading or unloading at an angle to the curb.**

(1) The traffic engineer is authorized to issue special permits to allow the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of the permit. The permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such persons the privilege as therein stated and authorized in this section.

(2) It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any permit issued pursuant to subsection (1). (1973 Code, § 11-207)

**15-1405. Lamps on parked vehicles.** (1) Whenever a vehicle is lawfully parked upon a street or highway during the hours between one-half ( $\frac{1}{2}$ ) hour after sunset and one-half ( $\frac{1}{2}$ ) hour before sunrise and in the event there is sufficient light to reveal any person or object within a distance of five hundred (500) feet upon the street or highway, no lights need be displayed upon the parked vehicle.

(2) Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended, during the hours between one-half ( $\frac{1}{2}$ ) hour after sunset and one-half ( $\frac{1}{2}$ ) hour before sunrise and there is not sufficient light to reveal any person or object within a distance of five hundred (500) feet upon the highway, the vehicle so parked or stopped shall be equipped with one (1) or more lamps meeting the following requirements: At least one (1) lamp shall display a white or amber light visible from a distance of five hundred (500) feet to the front of the vehicle and the same lamp or at least one (1) other lamp shall display a red light visible from a distance of five hundred (500) feet to the rear of the vehicle and the location of the lamp shall always be such that at least one (1) lamp or combination of lamps meeting the requirements of this subsection is installed as near as practicable to the side of the vehicle which is closest to passing traffic. The provisions of this subsection shall not apply to a motor-driven cycle.

(3) Any lighted head lamps upon a parked vehicle shall be depressed or dimmed. (1973 Code, § 11-208)

**15-1406. Locations where stopping, standing or parking prohibited.** (1) No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic control device, in any of the following places:

- (a) On a sidewalk;
- (b) In front of a public or private driveway;
- (c) Within an intersection;
- (d) Within fifteen (15) feet of a fire hydrant;
- (e) On a crosswalk;
- (f) Within twenty (20) feet of a crosswalk at an intersection;
- (g) Within thirty (30) feet upon the approach to any flashing beacon, stop sign or traffic-control signal located at the side of a roadway;
- (h) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the traffic engineer indicates a different length by signs or markings;
- (i) Within fifty (50) feet of the nearest rail of a railroad crossing;
- (j) Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of said entrance.
- (k) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
- (l) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- (m) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
- (n) At any place where official signs prohibit stopping.

(2) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such a distance as is unlawful. (1973 Code, § 11-209)

**15-1407. When parking signs required.** Whenever by this code or any other ordinance of the city, any parking time limit is imposed or parking is prohibited on designated streets, it shall be the duty of the traffic engineer to erect appropriate signs giving notice thereof and no such regulations shall be effective unless the signs are erected and in place at the time of any alleged offense. (1973 Code, § 11-210)

**15-1408. Parking not to obstruct traffic.** No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for free movement of vehicular traffic. (1973 Code, § 11-211)

**15-1409. Parking in alleys.** No person shall park a vehicle within an alley in such manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for the free movement of vehicular traffic and no person shall stop, stand or park a vehicle within an alley in such a position as to block the driveway entrance to an abutting property. (1973 Code, § 11-212)

**15-1410. Parking for certain purposes prohibited.** No person shall park a vehicle upon a roadway for the principal purpose of:

- (1) Displaying such vehicle for sale.
- (2) Washing, greasing or repairing the vehicle, except repairs necessitated by an emergency. (1973 Code, § 11-213)

**15-1411. Parking adjacent to schools.** (1) The traffic engineer is authorized to erect signs indicating no parking upon either or both sides of any street adjacent to any school property when parking would, in his opinion, interfere with traffic or create a hazardous situation.

(2) When official signs are erected indicating no parking upon either side of a street adjacent to any school property as authorized by subsection (1), no person shall park a vehicle in any such designated place. (1973 Code, § 11-214)

**15-1412. Parking may be prohibited on narrow streets.** (1) The traffic engineer is authorized to erect signs indicating no parking upon any street when the width of the roadway does not exceed twenty (20) feet or upon one (1) side of a street as indicated by such signs when the width of the roadway does not exceed thirty (30) feet.

(2) When official signs prohibiting parking are erected upon narrow streets as authorized by subsection (1), no person shall park a vehicle upon any such street in violation of any such sign. (1973 Code, § 11-215)

**15-1413. Standing or parking on one-way streets.** The traffic engineer is authorized to erect signs upon the left-hand side of any one-way street to prohibit the standing or parking of vehicles and, when the signs are in place, no person shall stand or park a vehicle upon the left-hand side in violation of any such sign. (1973 Code, § 11-216)

**15-1414. Standing or parking on roadways laned for traffic.** In the event a highway includes two (2) or more separate roadways and traffic is restricted to one (1) direction upon any such roadway, no person shall stand or park a vehicle upon the left-hand side of the one-way roadway unless signs are erected to permit such standing or parking. The traffic engineer is authorized to determine when standing or parking may be permitted upon the left-hand

side of any one-way roadway and to erect signs giving notice thereof. (1973 Code, § 11-217)

**15-1415. Stopping, standing or parking near hazardous or congested places.** (1) The traffic engineer is authorized to determine and designate by proper signs places not exceeding one hundred (100) feet in length in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.

(2) When official signs are erected at hazardous or congested places as authorized by subsection (1), no person shall stop, stand or park a vehicle in any such designated place. (1973 Code, § 11-218)

**15-1416. Opening and closing vehicle doors.** No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, nor shall any person leave a door open on the side of a motor vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers. (1973 Code, § 11-219)

**15-1417. Designation of curb loading zones.** The traffic engineer is authorized to determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs indicating the same and stating the hours during which the loading zones are in effect. (1973 Code, § 11-220)

**15-1418. Observance of curb loading zones.** (1) Passenger curb loading zones. No person shall stop, stand or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when the regulations applicable to the curb loading zone are effective and then only for a period not to exceed three (3) minutes.

(2) Freight curb loading zone. (a) No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pick-up and loading of materials in any place marked as a freight curb loading zone during hours when the provisions applicable to the zones are in effect. In no case shall the stop for loading and unloading of materials exceed thirty (30) minutes.

(b) The driver of a passenger vehicle may stop temporarily at a place marked as a freight curb loading zone for the purpose of, and while actually engaged in, loading or unloading passengers when such stopping does not interfere with any motor vehicle used for the transportation of materials which is waiting to enter or about to enter such zone. (1973 Code, § 11-221)

**15-1419. Designation of public carrier stops and stands.** The traffic engineer is authorized and required to establish bus stops, bus stands, taxicab



stands and stands for other passenger, common-carrier motor vehicles on such public streets in such places and in such number as he shall determine to be of the greatest benefit and convenience to the public. Each bus stop, bus stand, taxicab stand or other stand shall be designated by appropriate signs. (1973 Code, § 11-222)

**15-1420. Stopping, standing and parking of buses and taxicabs regulated.** (1) The operator of a bus shall not stand or park the vehicle upon any street at any place other than a bus stand so designated as provided in this section.

(2) The operator of a bus shall not stop the vehicle upon any street at any place for the purpose of loading or unloading passengers or their baggage other than at a bus stop, bus stand or passenger loading zone so designated as provided in this section, except in the case of an emergency.

(3) The operator of a bus shall enter a bus stop, bus stand or passenger loading zone on a public street in such a manner that the bus, when stopped to load or unload passengers or baggage, shall be in a position with the right front wheel of such vehicle not farther than eighteen (18) inches from the curb and the bus approximately parallel to the curb so as not to unduly impede the movement of other vehicular traffic.

(4) The operator of a taxicab shall not stand or park the vehicle upon any street at any place other than in a taxicab stand so designated as provided in this section. This subsection shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers. (1973 Code, § 11-223)

**15-1421. Restricted use of bus and taxicab stands.** No person shall stop, stand or park a vehicle other than a bus in a bus stop or other than a taxicab in a taxicab stand, when any such stop or stand has been officially designated and appropriately signed; however, the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when the stopping does not interfere with any bus or taxicab waiting to enter or about to enter the zone. (1973 Code, § 11-224)

**15-1422. Authority to impound unlawfully stopped vehicles; notice.** (1) Members of the police department are authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety, to a garage designated or maintained by the police department or otherwise maintained by the city under the following circumstances:

(a) When any vehicle is left unattended upon any bridge, viaduct, or causeway or in any tube or tunnel where the vehicle constitutes an obstruction to traffic.

(b) When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal.

(c) When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.

(2) Whenever an officer removes a vehicle from a street as authorized in subsection (1) and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, the officer shall immediately give or cause to be given notice in writing to the owner of the fact of the removal and the reasons therefor and of the place to which the vehicle has been removed. In the event any vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of the garage.

(3) Whenever an officer removes a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner or for any other reason is unable to give the notice to the owner as provided in subsection (2), and in the event the vehicle is not returned to the owner within a period of three (3) days, then and in that event the officer shall immediately send or cause to be sent a written report of the removal by mail to the state department whose duty it is to register motor vehicles and shall file a copy of the notice with the proprietor of any public garage in which the vehicle may be stored. The notice shall include a complete description of the vehicle, the date, time and place from which removed, the reasons for the removal and name of the garage or place where the vehicle is stored. (1973 Code, § 11-225)

**15-1423. Disabled or abandoned vehicles; removal.** (1) It shall be unlawful for any person to park or leave standing any motor vehicle which has become disabled mechanically or which is not in regular use, for a period of more than five (5) days, upon any of the streets or alleys of the city.

(2) In the event any person shall violate the provisions of subsection (1), the police department is authorized and directed to cause the vehicle to be removed after giving the owner thereof five (5) days written notice by certified mail, postage prepaid, provided that the name of the owner can be learned. In the event the name of the owner cannot be found upon reasonable inquiry, then the required notice shall be waived. (1973 Code, § 11-226)

**15-1424. Handicapped parking.** It is hereby declared to be a misdemeanor punishable by a fine of fifty dollars (\$50.00) to park in or block access to areas designated as handicapped parking spaces within the City of Newport, Tennessee. Said areas must be clearly marked by signs or by painting on the streets that the area is reserved for handicapped persons.

Tennessee Code Annotated, § 55-21-108, is hereby incorporated in this section as if same were incorporated herein and as may be amended from time to time by the Legislature for the State of Tennessee, all as provided by § 11-101 of the Code of the City of Newport. (Ord. #\_\_\_, March 1993)

## CHAPTER 15

### PARKING METERS

#### SECTION

- 15-1501. Parking meter zones established.
- 15-1502. Deposit of coins; time limits; meters to bear legend.
- 15-1503. When deposit of coins not required.
- 15-1504. Parking meter spaces.
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- 15-1506. Responsibility for installation and operation of meters.
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- 15-1508. Use of slugs.
- 15-1509. Tampering with meters.
- 15-1510. Collection of coins.
- 15-1511. Use of revenue.
- 15-1512. Enforcement.

**15-1501. Parking meter zones established.** The parking of vehicles upon the following named streets or parts of streets shall be regulated by parking meters between the hours of 8:00 A.M. and 6:00 P.M. on all days except Sunday and Christmas:

(1) On the north and south sides of Broadway; beginning at Court Avenue and extending west to Woodlawn Avenue; and from Woodlawn Avenue on the north side of Broadway, to Mill Avenue.

(2) On the south side of West Main Street, beginning at Woodlawn Avenue and extending eastwardly to Court Avenue; and on the north side of East Main Street, beginning at Mims Avenue and extending eastwardly to McSween Avenue.

(3) On the east and west sides of McSween Avenue between Broadway and East Main Street.

(4) On the east and west sides of Mims Avenue, between Broadway and East Main Street; and on the west side of Mims Avenue extending from Broadway south to a point near the entrance to the Masonic Building.

(5) On the east and west sides of McMann Avenue beginning at Broadway and extending north to Main Street.

(6) On the east and west sides of Woodlawn Avenue, beginning at Broadway and extending north to Main Street. (1973 Code, § 11-232)

**15-1502. Deposit of coins; time limits; meters to bear legend.**

(1) No person shall park a vehicle in any parking space upon a street alongside of and next to which a parking meter has been installed, between the hours of 8:00 A.M. and 6:00 P.M. on any day except Sundays and Christmas, unless a coin or coins of United States currency of the appropriate denomination

as provided in this subsection shall have been deposited therein or shall have been previously deposited therein for an unexpired interval of time and the meter has been placed in operation. The deposit of a coin or coins of United States currency in the following denominations shall authorize lawful parking only for the periods indicated:

- (a) Upon the deposit of one (1) dime or two  
(2) nickels. . . . . 120 minute
- (b) Upon the deposit of one (1) nickel. . . . . 60 minutes

(2) Each parking meter shall bear thereon a legend indicating the hours when the requirement to deposit coins therein shall apply, the value of the coins to be deposited and the limited period of time for which parking is lawfully permitted for various coins in the parking meter zone in which the meter is located. (1973 Code, § 11-233)

**15-1503. When deposit of coins not required.** The placing of coins in parking meters shall not be required of the owner or operator of any vehicle while actually engaged in the loading or unloading of persons therefrom, if the parking for such purpose is restricted to such length of time as is absolutely necessary therefor, nor shall it be required in the case of commercial trucks loading or unloading merchandise; however, such loading and unloading of merchandise is continuous and shall be restricted to such length of time as absolutely necessary therefor and to places of business where it is not possible to load, unload, receive or deliver merchandise at a rear entrance. Nothing in this section shall be so construed as to permit double parking at any time for any purpose whatsoever. (1973 Code, § 11-234)

**15-1504. Parking meter spaces.** The traffic engineer shall be responsible for having the parking space adjacent to each parking meter designated by appropriate markings upon the curb or the pavement of the street. Parking meter spaces so designated shall be of appropriate length and width so as to be accessible from the traffic lanes of the street. (1973 Code, § 11-235)

**15-1505. Occupancy of more than one space.** No person shall park a vehicle in any designated parking meter space during the restricted or regulated time applicable to the parking meter zone in which the parking meter is located so that any part of such vehicle occupies more than one (1) such space or protrudes beyond the markings designating such space, except that a vehicle which is of a size too large to be parked within a single designated parking meter zone shall be permitted to occupy two (2) adjoining parking meter spaces when coins shall have been deposited in the parking meter for each space so occupied, as is required in this chapter for the parking of other vehicles in such spaces. (1973 Code, § 11-236)

**15-1506. Responsibility for installation and operation of meters.**

The traffic engineer shall be responsible for having all parking meters installed upon the curb immediately adjacent to the parking space regulated and for maintaining them that they shall display a signal showing lawful parking upon deposit therein of a proper coin of the United States in conformity with the requirements of this section, which said signal shall remain in evidence until the expiration of the lawful parking period, at which time it will indicate by automatic operation of a visible signal that said lawful parking period has expired. (1973 Code, § 11-237)

**15-1507. Unlawful parking.** It shall be unlawful during the hours between 8:00 A.M. and 6:00 P.M., except on Sundays and Christmas, for any person to park or permit a vehicle under his control to be parked in a designated parking meter space while the parking meter for the space indicates that the vehicle is illegally parked, whether the indication is the result of the failure to deposit a coin or operate the lever or other actuating device of the meter, or is the result of the automatic operation of the meter following the expiration of the authorized parking time subsequent to depositing a coin therein at the time the vehicle was parked. However, this section shall not apply to the act of parking or the necessary time which is required to deposit immediately thereafter a coin in such meter. The fact that a vehicle is parked in a metered parking space during the hours of limited parking without the meter time signal showing permitted parking, shall be prima facie evidence that the vehicle has been parked in the space longer than the lawful parking period. It shall be unlawful for any person to cause or permit any vehicle registered in his name to be unlawfully parked as set out in this section. (1973 Code, § 11-238)

**15-1508. Use of slugs.** No person shall deposit or attempt to deposit in any parking meter, any slug, button or any other device or substitute for a coin of United States currency. (1973 Code, § 11-239)

**15-1509. Tampering with meters.** No person shall deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter. (1973 Code, § 11-240)

**15-1510. Collection of coins.** Coins shall be collected weekly from parking meters by such persons as the board of mayor and aldermen shall from time to time designate. For the protection of themselves and the interest of the city, the collectors shall always work in pairs. After collecting and counting the parking meter revenue, the collectors shall deposit it to the city's account in such bank as the board of mayor and aldermen shall designate. The bank deposit slip shall be immediately delivered to the recorder. The collectors shall retain duplicate deposit slips which they shall turn over to the board of mayor and aldermen at the board's next regularly scheduled meeting. It shall be

unlawful for any person other than the collectors designated by the board of mayor and aldermen to open a parking meter coin box. (1973 Code, § 11-241)

**15-1511. Use of revenue.** The coins required by this chapter to be deposited in parking meters are levied and assessed as fees to cover and shall be used to cover, the regulation and control of parking upon public streets; the costs of parking meters, their installation, inspection, supervision, operation, repair and maintenance; the control and use of parking spaces; for regulating the parking of vehicles in parking meter spaces; the costs of acquiring, establishing, improving, maintaining, and operating public off-street parking facilities; and for other lawful purposes. (1973 Code, § 11-242)

**15-1512. Enforcement.** (1) It shall be the duty of the police officers to report the following:

- (a) The serial or identifying number of each parking meter which indicates that the vehicle occupying the parking space adjacent to the parking meter is parked in violation of any of the provisions of this chapter;
- (b) The state license number of the vehicle;
- (c) The time during which such vehicle is parked in violation of any of the provisions of this chapter;
- (d) Any other facts which are necessary for a thorough understanding of the circumstances attending the violation.

(2) Each police officer shall attach to a vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of this chapter and instructing such owner or operator to report at the police headquarters of the city with regard to the violation. Each owner or operator may, within twenty-four (24) hours of the time when the notice was attached to the vehicle, pay to the recorder as penalty for and in full satisfaction for the first such violation, the sum of fifty cents (\$0.50); for the second violation, if paid within twenty-four (24) hours, the fine shall be one dollar (\$1.00); and for the third, two dollars (\$2.00). The failure of an owner or operator to make such payment within twenty-four (24) hours and, in any event, for any fourth or subsequent ticket, the owner or operator shall be subject to arrest and punishment under the penalty provisions of this municipal code. (1973 Code, § 11-243, modified)