

TITLE 15

MOTOR VEHICLES, TRAFFIC AND PARKING¹

CHAPTER

1. MISCELLANEOUS.
2. DELETED.
3. SPEED LIMITS.
4. DELETED.
5. DELETED.
6. PARKING.
7. ADMINISTRATION AND ENFORCEMENT.

CHAPTER 1

MISCELLANEOUS²

SECTION

- 15-101. Adoption of state traffic statutes.
- 15-102. Vehicles to be equipped as prescribed by state law.
- 15-103. Driving on streets closed for repairs, etc.
- 15-104. Reckless driving.
- 15-105. Following too closely.
- 15-106. One-way streets.
- 15-107. Unlaned streets.
- 15-108. Laned streets.
- 15-109. Yellow lines.
- 15-110. Miscellaneous traffic-control signs, etc.
- 15-111. Types of signs, devices generally.

¹Municipal code reference

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

²State law references

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

- 15-112. Presumption of official nature of signs, devices.
- 15-113. Driving in a procession.
- 15-114. Driving through processions.
- 15-115. Clinging to vehicles.
- 15-116. Riding on outside of vehicles.
- 15-117. Loads projecting from the rear of vehicles.
- 15-118. Causing unnecessary noise.
- 15-119. Operators to be licensed.
- 15-120. No-passing zones.
- 15-121. One-way streets and rotary traffic islands.
- 15-122. Number of passengers in front seat.
- 15-123. "Lap" driving prohibited.
- 15-124. Vehicles damaging pavements prohibited.
- 15-125. Use of coasters and similar devices restricted.
- 15-126. Bicycles to obey traffic-control devices.
- 15-127. Riding bicycles on sidewalks regulated.
- 15-128. Child passenger restraint systems.
- 15-129. Size, weight, load restricted generally.
- 15-130. Load restrictions upon vehicles using certain streets.
- 15-131. License plates, title card required for vehicles.
- 15-132. Chief of police to designate crosswalks, safety zones.
- 15-133. Boarding, alighting from moving vehicles.
- 15-134. Opening doors into traffic.
- 15-135. "Jaywalking" regulated.
- 15-136. Driving through safety zone.
- 15-137. Driving across private, public property.
- 15-138. Traffic-control signals.
- 15-139. Pedestrian-control signals.
- 15-140. Flashing signals.
- 15-141. At yield signs.
- 15-142. At stop signs.
- 15-143. Compliance with financial responsibility law required.

15-101. Adoption of state traffic statutes. By the authority granted under Tennessee Code Annotated, § 16-18-302, the City of Sparta hereby adopts by reference as if fully set forth in this section, the "Rules of the Road," as codified in Tennessee Code Annotated, §§ 55-8-101 through 55-8-131, and 55-8-133 through 55-8-180. Additionally, the City of Sparta adopts Tennessee Code Annotated §§ 55-4-101 through 55-4-133, §§ 55-4-135 through 55-4-137, §§ 55-8-181 through 55-8-191, §§ 55-8-193, § 55-8-199, § 55-8-207, §§ 55-9-601 through 55-9-606, §§ 55-12-139, § 55-21-108, and §§ 55-50-351, by reference as if fully set forth in this section. (Ord. #97-693, March 1997, as amended by Ord. #07-826, Nov. 2007, and replaced by Ord. #19-926, Aug. 2019 *Ch14_04-21-22*)

15-102. Vehicles to be equipped as prescribed by state law. Neither the operator nor the owner of any vehicle shall cause or permit such vehicle to be operated upon any street, alley or other public place unless the vehicle is equipped and maintained with warning devices, lights, brakes, mufflers, windshield wipers, rear view mirrors, and other equipment as is prescribed by the Tennessee Code Annotated, title 55, chapter 9. (Ord. 97-693, March 1997)

15-103. Driving on streets closed for repairs, etc. Except for necessary access to property abutting thereon, no motor vehicle shall be driven upon any street that is barricaded or closed for repairs or for any other lawful purpose. (Ord. #97-693, March 1997)

15-104. Reckless driving. Irrespective of the posted speed limit, no person, including operators of emergency vehicles, shall drive any vehicle in willful or wanton disregard for the safety of persons or property. (Ord. #97-694, March 1997)

15-105. Following too closely. The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the highway. (Ord. #97-694, March 1997)

15-106. One-way streets. On any street for one-way traffic with posted signs indicating the authorized direction of travel at all intersections offering access thereto, no person shall operate any vehicle except in the indicated direction. (Ord. #97-694, March 1997)

15-107. Unlaned streets. (1) Upon all unlaned streets of sufficient width a vehicle shall be driven upon the right half of the street except:

(a) When lawfully overtaking and passing another vehicle proceeding in the same direction.

(b) When the right half of a roadway is closed to traffic while under construction or repair.

(c) Upon a roadway designated and signposted by the municipality for one-way traffic.

(2) All vehicles proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven as close as practicable to the right hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn. (Ord. #97-694, March 1997)

15-108. Laned streets. On streets marked with traffic lanes, it shall be unlawful for the operator of any vehicle to fail or refuse to keep his vehicle

within the boundaries of the proper lane for his direction of travel except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

On two (2) lane and three (3) lane streets, the proper lane for travel shall be the right hand lane unless otherwise clearly marked. On streets with four (4) or more lanes either of the right hand lanes shall be available for use except that traffic moving at less than the normal rate of speed shall use the extreme right hand lane. On one-way streets either lane may be lawfully used in the absence of markings to the contrary. (Ord. #97-694, March 1997)

15-109. Yellow lines. On streets with a yellow line placed to the right of any lane line or center line such yellow line shall designate a no-passing zone, and no operator shall drive his vehicle or any part thereof across or to the left of such yellow line except when necessary to make a lawful left turn from such street. (Ord. #97-694, March 1997)

15-110. Miscellaneous traffic-control signs, etc.¹ It shall be unlawful for any pedestrian or the operator of any vehicle to violate or fail to comply with any traffic-control, sign, signal, marking, or device placed or erected by the state or the municipality unless otherwise directed by a police officer.

It shall be unlawful for any pedestrian or the operator of any vehicle to willfully violate or fail to comply with the reasonable directions of any police officer. (Ord. #97-694, March 1997)

15-111. Type of signs, devices generally. All traffic-control signs, signals, markings and devices shall conform to the latest revision of the Manual of Uniform Traffic Control Devices for Streets and Highways,² published by the U. S. Department of Transportation, Federal Highway Administration and shall, so far as practicable, be uniform as to type and location throughout the municipality. This section is merely directive and not mandatory. (Ord. #97-693, March 1997)

15-112. Presumption of official nature of signs, devices. When a traffic-control sign, signal, marking or device has been placed, the presumption shall be that it is official and that it has been lawfully placed by the proper municipal authority. All presently installed traffic-control signs, signals,

¹Municipal code references

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

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

markings, and devices are hereby authorized, ratified, and made official. (Ord. #97-693, March 1997)

15-113. Driving 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. (Ord. #97-694, March 1997)

15-114. Driving through processions. Except when otherwise directed by a police officer no driver of a vehicle other than an authorized emergency vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated. (Ord. #97-694, March 1997)

15-115. Clinging to vehicles. It shall be unlawful for any person traveling upon any bicycle, motorcycle, coaster, sled, roller skates, or any other vehicle to cling to or attach himself or his vehicle to any other moving vehicle upon any street, alley, or other public way or place. (Ord. #97-694, March 1997)

15-116. Riding on outside of vehicles. It shall be unlawful for any person to ride on or for the owner or operator of any motor vehicle being operated on a street, alley, or other public way or place to permit any person to ride on any portion of such vehicle not designed or intended for the use of passengers. This section shall not apply to persons engaged in the necessary discharge of lawful duties nor to persons riding in the load-carrying space of trucks. (Ord. #97-694, March 1997)

15-117. Loads projecting from rear of vehicles. Whenever the load or any projecting portion of any vehicle shall extend beyond the rear of the bed or body thereof the operator shall display at the end of such load or projection, in such position as to be clearly visible from the rear of such vehicle, a red flag being not less than twelve (12) inches square. Between one-half ($\frac{1}{2}$) hour after sunset and one-half ($\frac{1}{2}$) hour before sunrise there shall be displayed in place of the flag a red light plainly visible under normal atmospheric conditions at least two hundred (200) feet from the rear of such vehicle. (Ord. #97-693, March 1997)

15-118. Causing unnecessary noise. It shall be unlawful for any person to cause unnecessary noise by unnecessarily sounding the horn, racing the motor, or causing the screeching or squealing of the tires on any motor vehicle. (Ord. #97-694, March 1997)

15-119. Operators to be licensed. It shall be unlawful for any person to operate a motor vehicle in violation of the Tennessee "Uniform Classified and

Commercial Drivers License Act of 1988." Including violations of Tennessee Code Annotated, § 55-50-331, Section (d) which states the department of safety, upon issuing a license, shall have the authority to impose restrictions suitable to the licensee's driving ability with respect to the type of, or special, mechanical control devices required on a motor vehicle which the licensee may operate, or such other restrictions applicable to the licensee as the department may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee. (Ord. #97-693, March 1997)

15-120. No-passing zones. The board of mayor and aldermen is hereby authorized to determine those portions of any street where overtaking and passing or driving to the left of the roadway would be especially hazardous and the street department shall by a yellow line on the roadway to the right of the lane line indicate the beginning and end of such zones. No operator shall drive his vehicle or any part thereof across or to the left of such yellow line except when necessary to make a lawful left turn from such street. (Ord. #97-694, March 1997)

15-121. One-way streets and rotary traffic islands. (1) The board of mayor and aldermen may designate any street or any separate roadway under its jurisdiction for one-way traffic and the street department shall erect appropriate signs giving notice thereof.

(2) A vehicle passing around a rotary traffic island shall be driven only to the right of such island. (Ord. #97-694, March 1997)

15-122. Number of passengers in front seat. No one shall drive or operate a vehicle if more than two (2) other people are on the front seat. (Ord. #97-694, March 1997)

15-123. "Lap" driving prohibited. While a vehicle is in motion, the operator thereof shall not have in his lap any other person, adult or minor, nor shall the operator be seated in the lap of another. (Ord. #97-694, March 1997)

15-124. Vehicles damaging pavements prohibited. No person shall operate upon any street of the city any vehicle, motor propelled or otherwise, which by reason of its weight or the character of its wheels or tracks is likely to damage the surface or foundation of the street. (Ord. #97-694, March 1997)

15-125. Use of coasters and similar devices restricted. 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. (Ord. #97-693, March 1997)

15-126. Bicycles to obey 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 or left or U turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians. (Ord. #97-693, March 1997)

15-127. Riding bicycles on sidewalks regulated. (1) No person shall ride a bicycle upon a sidewalk within the 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, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian. (Ord. #97-693, March 1997)

15-128. Child passenger restraint systems. Any person transporting a child under the age of four (4) years in a motor vehicle upon a road, street, or highway in the city limits is responsible for providing for the protection of the child and properly using a child passenger restraint system meeting federal motor vehicle safety standards.

Nothing in this subsection restricts a mother from removing the child from the restraint system and holding the child when the mother is nursing the child, or attending to its other physiological needs, Tennessee Code Annotated, § 55-8-602d. (Ord. #97-694, March 1997)

15-129. Size, weight, load restricted generally. It shall be unlawful for any person to operate upon any street or alley of the municipality any vehicle which violates the size, weight or load restrictions of Tennessee Code Annotated, title 55, chapter 7 law, unless he/she shall first obtain a permit from the chief of police. The chief shall issue such a permit only upon a written application which reasonably establishes that such an operation can and probably will be accomplished without injury or damage to any person or property. The application must be submitted at least three (3) days in advance of the contemplated operation, must be in such form as is prescribed by the chief of police, and must be accompanied by an indemnity bond in the amount of one thousand dollars (\$1,000.00), which indemnity bond shall be designated for the benefit of any person who suffers personal injury or property damage as a result of such vehicle's operation and for which the permittee is found to be liable. (Ord. #97-693, March 1997)

15-130. Load restrictions upon vehicles using certain streets.

When signs are erected giving notice hereof, no person shall operate any vehicle with a gross weight in excess of the weight so posted at any time upon any of the streets or parts of streets affected by such signs. (Ord. #97-693, March 1997)

15-131. License plates, title card required for vehicles.

Neither the operator nor the owner of any vehicle shall cause or permit such vehicle to be upon any street, alley or other public place unless the license plates and title card are attached, exhibited and maintained thereon in conformity with state law. (Ord. #97-693, March 1997)

15-132. Chief of police to designate crosswalks, safety zones.

The chief of police is hereby empowered as follows:

(1) Crosswalks. 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 places as he may deem necessary.

(2) Safety zones. To establish zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians. (Ord. #97-693, March 1997)

15-133. Boarding, alighting from moving vehicles.

No person shall board or alight from any vehicle while such vehicle is in motion. (Ord. #97-693, March 1997)

15-134. Opening doors into traffic.

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. (Ord. #97-693, March 1997)

15-135. "Jaywalking" regulated.

No pedestrians 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. (Ord. #97-693, March 1997)

15-136. Driving through safety zone.

No vehicle shall at any time be driven through or within a safety zone. (Ord. #97-694, March 1997)

15-137. Driving across private, public property.

No one shall drive a vehicle from a street or alley across premises on which a filling station, store or other business concern is located, or across public property, for the sole

purpose of passing from one street or alley to another. (Ord. #97-694, March 1997)

15-138. Traffic-control signals. The board of mayor and aldermen may designate intersections and other places at which traffic-control signals complying with Tennessee Code Annotated, § 59-810 shall be used to regulate traffic. Said signals shall be erected and maintained by the electric department. It shall be unlawful to fail to comply with any such signal in the manner provided by Tennessee Code Annotated, § 59-810 except that vehicles facing a red alone or stop signal may proceed to make a right turn after coming to a complete stop and yielding the right-of-way if there is in place a sign or other marking authorizing such movement. (Ord. #97-694, March 1997)

15-139. Pedestrian-control signals. The board of mayor and aldermen may designate intersections and other places at which pedestrians shall be controlled by signals, conforming to Tennessee Code Annotated, § 59-811. Said signals shall be erected and maintained by the electric department. It shall be unlawful to fail to comply with any such signal in the manner provided by Tennessee Code Annotated, § 59-811. (Ord. #97-694, March 1997)

15-140. Flashing signals. The board of mayor and aldermen may designate intersections and other places at which vehicular traffic shall be controlled by flashing red or flashing yellow signals. Said signals shall be erected and maintained by the electric department. It shall be unlawful to fail to comply with any such signal in the manner provided by Tennessee Code Annotated, § 59-812. (Ord. #97-694, March 1997)

15-141. At yield signs. The drivers of all vehicles shall yield the right of way to approaching vehicles before proceeding at all places where "yield" signs have been posted. (Ord. #97-694, March 1997)

15-142. At stop signs. The driver of a vehicle facing a "stop" sign shall bring his vehicle to a complete stop immediately before entering the crosswalk on the near side of the intersection or, if there is no crosswalk, then immediately before entering the intersection, and shall remain standing until he can proceed through the intersection safely. (Ord. #97-694, March 1997)

15-143. Compliance with financial responsibility law required.

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

(2) At the time the driver of a motor vehicle is charged with any moving violation under title 55, chapters 8 and 10, parts 1-5, chapter 50; any provision in this title of this municipal code; or at the time of an accident for which notice is required under Tennessee Code Annotated, § 55-10-106, the

officer shall request such evidence for all drivers involved in the accident, without regard to apparent or actual fault.

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

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

(b) A certificate, valid for one (1) year, issued by the commissioner of safety, stating that a cash deposit or bond in the amount required by the Tennessee Financial Responsibility Law of 1977, compiled in Tennessee Code Annotated, chapter 12, title 55, has been paid or filed with the commissioner, or has qualified as a self-insured under Tennessee Code Annotated, § 55-12-111; or

(c) The motor vehicle being operated at the time of the violation was owned by a carrier subject to the jurisdiction of the department of safety or the interstate commerce commission, or was owned by the United States, the State of Tennessee or any political subdivision thereof, and that such motor vehicle was being operated with the owner's consent.

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

(5) Evidence of compliance after violation. On or before the court date, the person charged with a violation of this section may submit evidence of compliance with this section in effect at the time of the violation. If the court is satisfied that compliance was in effect at the time of the violation, the charge of failure to provide evidence of financial responsibility may be dismissed. (as added by Ord. #02-744, March 2002, and replaced by Ord. #06-812, Oct. 2006)

CHAPTER 2

[DELETED]

(as deleted by Ord. #19-926, Aug. 2022 *Ch14_04-21-22*)

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

15-301. Speed limit generally.

15-302. Deleted.

15-303. Deleted.

15-304. Deleted.

15-305. Deleted.

15-301. Speed limit generally. It shall be unlawful for any person to operate or drive a motor vehicle upon any highway or street at a rate of speed in excess of thirty-five (35) miles per hour except where official signs have been posted indicating other speed limits, in which cases the posted speed limit shall apply. (Ord. #97-694, March 1997)

15-302. Deleted. (Ord. #97-694, March 1997, as deleted by Ord. #19-926, Aug. 2019 *Ch14_04-21-22*)

15-303. Deleted. (Ord. #97-694, March 1997, as deleted by Ord. #19-926, Aug. 2019 *Ch14_04-21-22*)

15-304. Deleted. (Ord. #97-694, March 1997, as deleted by Ord. #19-926, Aug. 2019 *Ch14_04-21-22*)

15-305. Deleted. (Ord. #97-694, March 1997, as deleted by Ord. #19-926, Aug. 2019 *Ch14_04-21-22*)

CHAPTER 4

[DELETED]

(as deleted by Ord. #19-926, Aug. 2019 *Ch14_04-21-22*)

CHAPTER 5

[DELETED]

(as deleted by Ord. #19-926, Aug. 2019 *Ch14_04-21-22*)

CHAPTER 6

PARKING

SECTION

- 15-601. Deleted.
- 15-602. Deleted.
- 15-603. Deleted.
- 15-604. Parking for washing, greasing, repairing.
- 15-605. Parking for sale.
- 15-606. Prohibited in loading and unloading zones.
- 15-607. Deleted.
- 15-608. Regulations at specific locations.
- 15-609. Deleted.
- 15-610. Deleted.
- 15-611. Deleted.
- 15-612. Deleted.
- 15-613. Deleted.
- 15-614. Deleted.
- 15-615. Deleted.

15-601. Deleted. (Ord. #97-695, March 1997, as deleted by Ord. #19-926, Aug. 2019 *Ch14_04-21-22*)

15-602. Deleted. (Ord. #97-695, March 1997, as deleted by Ord. #19-926, Aug. 2019 *Ch14_04-21-22*)

15-603. Deleted. (Ord. #97-695, March 1997, as deleted by Ord. #19-926, Aug. 2019 *Ch14_04-21-22*)

15-604. Parking for washing, greasing, repairing. No person shall wash, grease, or work on any vehicle, except to make repairs necessitated by an emergency, while such vehicle is parked on a public street. (Ord. #97-695, March 1997)

15-605. Parking for sale. It shall be unlawful to park or leave standing on any street any motor vehicle for the purpose of offering said vehicle for sale. (Ord. #97-695, March 1997)

15-606. Prohibited in loading and unloading zones. No person shall park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers or merchandise in any place marked by the city as a loading and unloading zone. (Ord. #97-695, March 1997)

15-607. Deleted. (Ord. #97-695, March 1997, as deleted by Ord. #19-926, Aug. 2019 *Ch14_04-21-22*)

15-608. Regulations at specific locations. The board of mayor and aldermen may from time to time regulate, restrict or prohibit the standing or parking of vehicles on specified streets or parts of streets or in specified areas. Signs or markings shall be installed and maintained by the street department giving notice of such regulations, restrictions and prohibitions, and it shall be unlawful to violate or fail to comply with any such sign or marking. (Ord. #97-695, March 1997)

15-609. Deleted. (Ord. #97-695, March 1997, as deleted by Ord. #19-926, Aug. 2019 *Ch14_04-21-22*)

15-610. Deleted. (Ord. #97-695, March 1997, as deleted by Ord. #19-926, Aug. 2019 *Ch14_04-21-22*)

15-611. Deleted. (Ord. #97-695, March 1997, as deleted by Ord. #19-926, Aug. 2019 *Ch14_04-21-22*)

15-612. Deleted. (Ord. #97-695, March 1997, as deleted by Ord. #19-926, Aug. 2019 *Ch14_04-21-22*)

15-613. Deleted. (Ord. #97-695, March 1997, as deleted by Ord. #19-926, Aug. 2019 *Ch14_04-21-22*)

15-614. Deleted. (Ord. #97-695, March 1997, as deleted by Ord. #19-926, Aug. 2019 *Ch14_04-21-22*)

15-615. Deleted. (Ord. #97-695, March 1997, as deleted by Ord. #19-926, Aug. 2019 *Ch14_04-21-22*)

CHAPTER 7

ADMINISTRATION AND ENFORCEMENT

SECTION

- 15-701. Authority of police, fire department officials, school patrols.
- 15-702. Records of moving traffic violations.
- 15-703. Disposition of fines, forfeitures.
- 15-704. Issuance of citations.
- 15-705. Failure to obey citation.
- 15-706. Interfering with citations; "fixing tickets."
- 15-707. Authority to impound vehicles generally; fees.
- 15-708. Enforcement of parking violations; parking penalties.
- 15-709. Disposal of "abandoned motor vehicles."
- 15-710. Deposit of chauffeur's or operator's license in lieu of bond.
- 15-711. Violation and penalty.

15-701. Authority of police, fire department officials, school patrols. (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 street traffic laws of this city and all of the state vehicle laws applicable to street traffic in this 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, provided, that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers may require notwithstanding the provisions of the traffic laws.

(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.

(4) All motorists and pedestrians shall obey the directions or signals of school safety patrols, when such patrols are assigned under the authority of the chief of police, and are acting in accordance with instructions; provided, that such persons giving any order, signal or direction shall at the time be wearing some insignia and/or using authorized flags for giving signals. (Ord. #97-696, March 1997)

15-702. Records of moving traffic violations. (1) Police department. The police department shall keep a record of all moving violations of the traffic laws of this city or of the state vehicle laws with which any person has been charged, together with a record of the final disposition of all such alleged offenses.

(2) Contents. Such record shall be so maintained as to show all types of violations and the total of each.

(3) To be three-year records. Said record shall accumulate during at least a three-year period and from that time on the record shall be maintained complete for at least the most recent three-year period.

(4) Records to be numbered. All forms for records of violations and notices of violations shall be serially numbered.

(5) Records to be public. All such records and reports shall be public records. (Ord. #97-696, March 1997)

15-703. Disposition of fines, 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. (Ord. #97-696, March 1997)

15-704. Issuance of citations. When a police officer halts a traffic violator other than for the purpose of giving a warning, and does not take such person into custody under arrest, he shall take the name, address and operator's license number of said person, the license number of the motor vehicle involved, and such other pertinent information as may be necessary, and shall issue to him a written traffic citation containing a notice to answer to the charge against him in the municipal court at a specified time. The officer, upon receiving the written promise of the alleged violator to answer as specified in the citation, shall release such person from custody. (Ord. #97-696, March 1997)

15-705. Failure to obey citation. It shall be unlawful for any person to violate his written promise to appear in court after giving said promise to an officer upon the issuance of a traffic citation, regardless of the disposition of the charge for which the citation was originally issued. (Ord. #97-696, March 1997)

15-706. Interfering with citations; "fixing tickets." It shall be unlawful for any official of the city to interfere with the proper and due processing of a traffic citation. Any official guilty of willfully interfering with the proper and due processing of a traffic citation is subject to removal by appropriate administrative procedures which are prescribed by applicable federal, state, and local laws and regulations. (Ord. #97-696, March 1997)

15-707. Authority to impound vehicles generally; fees. Members of the police department are hereby authorized, when reasonably necessary to prevent obstruction of traffic, to remove from the streets and impound any vehicle whose operator is arrested, or any vehicle which is illegally parked, abandoned, or otherwise stopped so as to constitute an obstruction or hazard to normal traffic. Any vehicle left parked on any street or alley for more than seventy-two (72) consecutive hours without permission from the chief of police shall be presumed to have been abandoned if the owner cannot be located after a reasonable investigation. Such an impounded vehicle shall be stored until the

owner claims it, gives satisfactory evidence of ownership, and pays, all applicable fines and costs. The fee for impounding a vehicle shall be ten dollars (\$10.00) and a storage cost of seven dollars (\$7.00) per day shall also be charged. (Ord. #97-696, March 1997)

15-708. Enforcement of parking violations; parking penalties.

(1) Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by this code, the officer finding such vehicle shall take its license number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a citation for the driver and/or owner to answer for the violation within five (5) days during the hours and at a place specified in the citation.

(2) For parking violations, the offender may waive his right to a judicial hearing and have the charges disposed of out of court by paying the assigned fines for the offense cited during the hours and at a place specified in the citation. (Ord. #97-696, March 1997)

15-709. Disposal of "abandoned motor vehicles." "Abandoned motor vehicles" shall be impounded and disposed of by the police department in accordance with the provisions of Tennessee Code Annotated, §§ 55-16-106 through 55-16-109. (Ord. #97-696, March 1997)

15-710. Deposit of chauffeur's or operator's license in lieu of bond. Pursuant to Tennessee Code Annotated, §§ 55-50-801 through 55-50-804, whenever any person lawfully possessed of a chauffeur's or operator's license theretofore issued to him by the Department of Safety of the State of Tennessee, or under the driver licensing laws of any other state or territory or the District of Columbia, is issued a citation or arrested and charged with the violation of a traffic ordinance of the City of Sparta, except those ordinances which call for mandatory revocation of the chauffeur's or operator's license with the arresting officer or court demanding bail in lieu of any other security required for his appearance in the municipal court in answer to such charge before the municipal court.

Whenever any person hereof deposits his chauffeur's or operator's license as provided, either the officer or the court demanding bail as hereinabove described, shall issue said person a receipt for said license upon a form approved or provided by the department of safety, and thereafter said person shall be permitted to operate a motor vehicle upon the public highways of this state during the pendency of the case in which the license was deposited.

The clerk or judge of a court accepting the license shall thereafter forward to the department of safety, the license of a driver deposited in lieu of bail if the driver fails to appear in answer to the charge filed against him and which license shall not be released by the department of safety until the charge for

which such license was so deposited has been disposed of by the court in which pending. In the case of a nonresident driver whose license is thus received by the department of safety, the department shall forthwith notify the proper motor vehicle administrative authority of the state in which such nonresident driver is licensed that the license of such driver is being held by the department pending disposition of the charge against such driver.

The licensee shall have his license in his immediate possession at all times when driving a motor vehicle and shall display it upon demand of any officer or agent of the department or any police officer of the state, county or municipality, except that where the licensee has previously deposited his license with the officer or court demanding bail, and has received a receipt from the officer or the court, the same to serve as a substitute for the license until the specified date for court appearance of licensee or the license is otherwise returned to the licensee by the officer or court accepting the same for deposit.

The provisions of this section are in addition to the provisions of § 15-704 of the municipal code and may be implemented as alternative procedure to the provisions of § 15-704, but nothing in this section shall be construed to mean that officer or the court shall demand bail on every citation or arrest. (Ord. #97-696, March 1997)

15-711. Violation and penalty. Unless otherwise provided, any violation of this title shall be a civil offense punishable by a civil penalty up to fifty dollars (\$50.00) for each separate offense.