

TITLE 15

MOTOR VEHICLES, TRAFFIC AND PARKING

CHAPTER

1. GENERAL OPERATION AND RULES OF THE ROAD.
2. SPEED LIMITS.
3. INTERSECTIONS AND CROSSINGS (INCLUDING RAILROAD).
4. TURNING MOVEMENTS.
5. RESTRICTIONS, PROHIBITIONS ON USE OF STREETS BY CERTAIN VEHICLES.
6. EMERGENCY VEHICLES AND EQUIPMENT.
7. PEDESTRIANS.
8. PARKING, STOPPING AND STANDING.
9. PARKING METERS.
10. TRAFFIC CONTROL DEVICES, SIGNALS AND MARKINGS.
11. ADMINISTRATION AND ENFORCEMENT.
12. REGULATING MOTOR VEHICLE RACING.
13. REGULATING PARKING AND SETTING PARKING FINES FOR THE DOWNTOWN AREA.

CHAPTER 1

GENERAL OPERATION AND RULES OF THE ROAD

SECTION

- 15-101. Definitions.
- 15-102. License plates, registration certificate required for vehicles.
- 15-103. Vehicles to be equipped as prescribed by state law.
- 15-104. Operators to use reasonable care.
- 15-105. Reckless driving.
- 15-106. Operators to obey directions, signals, signs and devices.
- 15-107. Driving when alertness or ability is impaired.
- 15-108. Driving on right required; exceptions.
- 15-109. Driving while intoxicated or drugged.
- 15-110. Driving on sidewalks.
- 15-111. Driving through safety zone.
- 15-112. Driving across private, public property.
- 15-113. Backing.
- 15-114. Coasting.
- 15-115. Entry onto, exit from controlled access roadways.
- 15-116. Passing in opposite directions.
- 15-117. Overtaking another vehicle.
- 15-118. Vehicles being overtaken and passed.

- 15-119. Following too closely.
- 15-120. Driving in a procession.
- 15-121. Driving through authorized procession.
- 15-122. Unlawful riding.
- 15-123. Clinging to vehicles.
- 15-124. Boarding, alighting from moving vehicles.
- 15-125. Physicians' emblem.
- 15-126. Use of coasters and similar devices restricted.
- 15-127. Use of spotlights restricted.
- 15-128. Opening, closing of vehicle doors.
- 15-129. Occupancy of front seat restricted.
- 15-130. "Lap" driving prohibited.
- 15-131. Operation of dangerous, unsound vehicles prohibited.
- 15-132. Trains obstructing streets.
- 15-133. Applicability of title to public employees.
- 15-134. Applicability of title to animals, animal-drawn vehicles, pushcarts.
- 15-135. Violations.
- 15-136. One way streets and alleys.
- 15-137. Restricting direction of traffic during certain periods.
- 15-138. Motorcycles, bicycles, etc.

15-101. Definitions. The following words and phrases when used in this chapter shall for the purposes of said chapter have the meanings respectively ascribed to them in this section. Whenever any words and phrases used herein are not defined herein but are defined in the state laws regulating the operation of vehicles, any such definition therein shall be deemed to apply to such words and phrases used herein:

(1) "Authorized emergency vehicle." Fire department vehicles, police vehicles and such ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the chief of police.

(2) "Bicycle." Every device propelled by human power upon which any person may ride, having two tandem wheels either or which is more than twenty (20) inches in diameter.

(3) "Business district." 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 side or three hundred (300) feet collectively on both sides of the highway.

(4) "Central business district." All streets and portions of streets within the area designated on the zoning map of the city as C-1.

(5) "Commercial vehicle." Every vehicle designed, maintained or used primarily for the transportation of property.

(6) "Controlled-access highway." 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.

(7) "Crosswalk."

(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 travelable 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.

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

(15) "Double parking." The standing of a vehicle alongside and parallel to another vehicle which is parked parallel with the curb or the standing of a vehicle at the rear of another vehicle which is parked at an angle with the curb.

(10) "Driver." Every person who drives or is in actual physical control of a vehicle.

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

(12) "Highway." 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 purposes of vehicular travel. The terms street and highway are synonymous and interchangeable.

(13) "Intersection."

(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 area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(b) Where a highway includes two roadways thirty (30) feet or more apart, then every crossing of each roadway of such 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.

(14) "Laned roadway." A roadway which is divided into two (2) or more clearly marked lanes for vehicular traffic.

(15) "Motor vehicle." Every 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) "Motorcycle." Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor.

(17) "Official time standard." Whenever certain hours are named herein they shall mean standard time or daylight-saving time as may be in current use in this city.

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

(19) "Park, parking." The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers, or in obedience of traffic regulations.

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

(21) "Pedestrian." Any person afoot.

(22) "Person." Every natural person, firm, copartnership, association or corporation.

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

(24) "Private road or driveway." Every 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.

(25) "Railroad." A carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

(26) "Railroad train." A steam engine, electric or other motor vehicle, with or without cars coupled thereto, operated upon rails, except streetcars.

(27) "Residence district." The territory contiguous to and including a highway not comprising a business district.

(28) "Right-of-way." The privilege of the immediate use of the roadway.

(29) "Roadway." 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 as used herein shall refer to any such roadway separately but not to all such roadways collectively.

(30) "Safety zone." 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.

(31) "School hours." School hours are from forty (40) minutes prior to the opening of any school in the city on a school day until forty (40) minutes after the closing of any such school.

(32) "School patrol." School patrol members are those boys and/or girls designated by a school principal or a school teacher to assist in safeguarding school children when crossing the streets.

(33) "School zones." Streets adjacent to the grounds of schools and for a distance of fifty (50) feet beyond such grounds.

(34) "Sidewalk." 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.

(35) "Stand, standing." The halting of a vehicle, whether occupied or not, otherwise than for the purpose of, and while engaged in, receiving or discharging passengers.

(36) "Stop." When required means complete cessation of movement.

(37) "Stopping." When prohibited means 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.

(38) "Street, highway." 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.

(39) "Streetcar." A car other than a railroad train for transporting persons or property and operated upon rails principally within a municipality.

(40) "Through highway." Every 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 right-of-way to vehicles on such through highway in obedience to either a stop sign or a yield sign, when such signs are erected as provided in this chapter.

(41) "Traffic." Pedestrians, ridden or herded animals, vehicles, streetcars and other conveyances either singly or together while using any highway for purposes of travel.

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

(43) "Traffic division." The traffic division of the police department of this city. In the event a traffic division is not established, then said term whenever used herein shall be deemed to refer to the police department of this city.

(44) "Vehicle." Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices moving by human power or used exclusively upon stationary rails or tracks. (1983 Code, § 9-101)

15-102. License plates, registration certificate required for vehicles.¹ 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 registration certificate are attached, exhibited and/or maintained thereon or therein in conformity with state law. (1983 Code, § 9-102)

15-103. Vehicles to be equipped as prescribed by state law.² 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 in accordance with the provisions of state law. (1983 Code, § 9-103)

15-104. Operators to use reasonable care. The operator of a vehicle shall make every reasonable effort to start, stop, turn and otherwise operate and control such vehicle so as to avoid risk or injury to person or damage to property.

Before starting, turning, slowing or stopping a vehicle, the operator shall give a signal clearly indicating the movement contemplated. The signal shall be plainly visible to all persons who might be affected and given in ample time to give adequate warning to such persons. (1983 Code, § 9-104)

15-105. Reckless driving. It shall be unlawful and reckless driving for any person to drive any vehicle in willful or wanton disregard for the safety of persons or property. (1983 Code, § 9-105)

15-106. Operators to obey directions, signals, signs and devices. Drivers or operators of vehicles and pedestrians shall observe and obey all directions, orders and signals given by every official or other person lawfully engaged in directing or controlling traffic upon any street or other public place in this city, and shall likewise observe and comply with all signals, signs, guides and devices provided for in this chapter or lawfully installed or placed for the purpose of directing or controlling traffic and parking.

The direction or instruction of a police officer or other person lawfully directing traffic shall supersede the other provisions of this chapter regulating traffic. (1983 Code, § 9-106)

¹State law reference

Tennessee Code Annotated §§ 55-4-108 and 55-4-110.

²State law reference

Tennessee Code Annotated, title 55, chapter 9.

15-107. Driving when alertness or ability is impaired. No one shall drive a vehicle while his ability or alertness is so impaired through fatigue, illness or other cause that it is unsafe for him to drive a vehicle. No one shall require, or knowingly permit, an employee or anyone subject to his control, while in such a condition, to drive a vehicle. (1983 Code, § 9-107)

15-108. Driving on right required; exceptions. Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

- (1) When overtaking and passing under the rules governing such movement.
- (2) When the right half of a roadway is closed to traffic while under construction or repair.
- (3) Upon a roadway designated and signposted for one-way traffic.
- (4) When preparing for a left turn at an intersection or into a private road or driveway. (1983 Code, § 9-108)

15-109. Driving while intoxicated or drugged. (See Tennessee Code Annotated §§ 55-10-401, 55-10-303 and 55-10-307). (1983 Code, § 9-109)

15-110. Driving on sidewalks. The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway. (1983 Code, § 9-110)

15-111. Driving through safety zone. No vehicle shall at any time be driven through or within a safety zone. (1983 Code, § 9-111)

15-112. 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. (1983 Code, § 9-112)

15-113. Backing. The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic.

Before backing any vehicle, ample warning shall be given and due care exercised by the driver of such vehicle so as to avoid injuries to other vehicles or pedestrians. (1983 Code, § 9-113)

15-114. Coasting. No driver of a motor vehicle shall coast or operate such vehicle with the gears in neutral. (1983 Code, § 9-114)

15-115. Entry onto, exit from 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. (1983 Code, § 9-115)

15-116. Passing in opposite directions. Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and upon roadways allowing for only one (1) lane of traffic in each direction each driver shall yield to the other at least one-half (1/2) of the main traveled portion of the roadway as nearly as possible. (1983 Code, § 9-116)

15-117. Overtaking another vehicle. (1) Passing to left. The operator of any vehicle overtaking another vehicle going in the same direction, shall pass at a safe distance to the left thereof, and shall not again drive to the right until entirely clear of such overtaken vehicle.

(2) Road to be clear of traffic. The operator of a vehicle shall not drive to the left side of the center line of a street in overtaking and passing another vehicle going in the same direction unless such left side is clearly visible and is free from oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be made in safety.

(3) Crossings, intersections. The operator of a vehicle shall not overtake and pass another vehicle proceeding in the same direction at any railroad grade crossing nor at any intersection of streets or highways.

(4) Vehicles abreast. No driver shall pass or attempt to pass two (2) other vehicles abreast moving in the same direction.

(5) Pedestrians. No one shall drive a vehicle so as to pass another vehicle going in the same direction while a pedestrian is passing or is about to pass in front of either vehicle.

(6) Obstructed view. The driver of a vehicle shall not overtake and pass another vehicle proceeding in the same direction upon the crest of a grade or upon a curve in any road, street or highway where the driver's view along the road, street or highway is obstructed within a distance of three hundred (300) feet. (1983 Code, § 9-117)

15-118. Vehicles being overtaken and passed. The speed of a motor vehicle shall not be increased to prevent being overtaken by another vehicle attempting to pass.

The operator of a vehicle upon a highway or street about to be overtaken and passed by another vehicle approaching from the rear, shall give way to the right in favor of the overtaking vehicle on suitable signal being given by the driver of the overtaking vehicle, and shall not increase the speed of his vehicle until completely passed by the overtaken vehicle. (1983 Code, § 9-118)

15-119. Following too closely. The operator of a vehicle shall not follow another vehicle more closely than is reasonably safe and prudent, having due

regard for the speed of both vehicles and for other traffic and road conditions. (1983 Code, § 9-119)

15-120. 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. (1983 Code, § 9-120)

15-121. Driving through authorized 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 such vehicles are conspicuously designated as required in this chapter. (1983 Code, § 9-121)

15-122. 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. (1983 Code, § 9-122)

15-123. Clinging to vehicles. No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon the roadway. (1983 Code, § 9-123)

15-124. Boarding, alighting from moving vehicles. No person shall board or alight from any vehicle while such vehicle is in motion. (1983 Code, § 9-124)

15-125. Physicians' emblem. For the purpose of identification, physicians' cars may carry an emblem approved by the county medical society. No one other than a licensed physician shall use such emblem on a vehicle. (1983 Code, § 9-125)

15-126. Use of coasters and similar devices restricted. No person upon roller skates, skate boards, 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. (1983 Code, § 9-126)

15-127. Use of spotlights restricted. Spotlights shall not be used on vehicles except on emergency vehicles or vehicles owned by the city or by a public utility company or motor vehicles equipped for wrecker service. (1983 Code, § 9-127)

15-128. Opening, 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. (1983 Code, § 9-128)

15-129. Occupancy of front seat restricted. No one shall drive or operate a vehicle if more than two (2) other people are on the front seat. (1983 Code, § 9-129)

15-130. "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. (1983 Code, § 9-130)

15-131. Operation of dangerous, unsound vehicles prohibited. No person shall drive or operate a vehicle that is in such condition or is so constructed or loaded as to be likely to delay traffic or to injure persons or damage property. (1983 Code, § 9-131)

15-132. Trains obstructing streets. Neither the directing official nor the operator of any railway train, engine or car, shall direct or permit such train, engine or car to be operated or stopped in such manner as to prevent the use of a street for purposes of travel longer than five (5) minutes. (1983 Code, § 9-132)

15-133. Applicability of title to public employees.¹ The provisions of this title 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 said driver to violate any of the provisions of this title except as otherwise permitted in this chapter or by state statute. (1983 Code, § 9-133)

15-134. Applicability of title to animals, animal-drawn vehicles, pushcarts.² Every person propelling any pushcart or riding an animal upon a roadway, and every person driving any animal-drawn vehicle, shall be subject to the provisions of this title applicable to the driver of any vehicle, except those provisions which by their very nature can have no application. (1983 Code, § 9-134)

¹State law reference
Tennessee Code Annotated § 55-8-106.

²State law reference
Tennessee Code Annotated § 55-8-105.

15-135. Violations. It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this title. (1983 Code, § 9-135)

15-136. One way streets and alleys. The chief of police shall have the authority to designate one way streets and alleys. Whenever this code, any city ordinance, or the chief of police designates any one way street or alley the chief of police shall place and maintain signs giving notice thereof at every intersection where the movement of traffic in the opposite direction is prohibited. When the appropriate signs are erected, vehicular traffic shall move only in the indicated direction. (1983 Code, § 9-501)

15-137. Restricting direction of traffic during certain periods.

(1) Authority of chief of police. The chief of police is hereby authorized to determine and designate streets, parts of streets or specific lanes thereon upon which vehicular traffic shall proceed in one direction during one 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 chief of police 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) Effect of regulation. It shall be unlawful for any person to operate any vehicle in violation of such markings, signs, barriers or other devices so placed in accordance with this section. (1983 Code, § 9-502)

15-138. Motorcycles, bicycles, etc. (1) Every person riding or operating a bicycle, motorcycle, or motor driven cycle shall be subject to the provisions of this chapter and all other traffic ordinances, rules, and regulations of the city applicable to the driver or operator of other vehicles except as to those provisions which by their nature can have no application to bicycles, motorcycles, or motor driven cycles.

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

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

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

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

(6) All motorcycles and motor driven cycles operated on public ways within the corporate limits shall be equipped with crash bars approved by the state's commissioner of safety.

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

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

(9) (a) Lamps. Every bicycle when in use at nighttime 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.

(b) Bell, horn. No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred (100) feet, except that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.

(c) Brake. Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

(10) 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.

(11) It shall be unlawful for any person to operate or ride on any vehicle in violation of this section, and it shall also be unlawful for any parent or guardian knowingly to permit any minor to operate a bicycle, motorcycle or motor driven cycle in violation of this section. (1983 Code, §§ 9-701 through 9-707)

CHAPTER 2

SPEED LIMITS¹

SECTION

- 15-201. Signs, signals to regulate speed.
- 15-202. Speed limits established.
- 15-203. Intersections.
- 15-204. School zones.
- 15-205. Playgrounds.
- 15-206. Congested areas.

15-201. Signs, signals to regulate speed. The chief of police is authorized to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner at speed slightly at variance from the speeds otherwise applicable within the district or at intersections and shall erect appropriate signs giving notice thereof. (1983 Code, § 9-201)

15-202. Speed limits established. (1) Signs posted. It shall be unlawful for any person to operate or drive a motor vehicle upon any of the highways and streets of the city upon which signs to restrict speed have been erected, in excess of the maximum speed limit indicated by such sign.

(2) Signs not posted. It shall be unlawful for any person to operate or drive a motor vehicle upon any of the highways and streets of the city upon which signs to restrict speed have not been erected, in excess of thirty (30) miles per hour.

(3) Additional restrictions. The maximum speed limits prescribed in subsections (1) and (2) shall not apply at intersections, in school zones and congested areas where other maximum speed limits are prescribed. (1983 Code, § 9-202)

15-203. Intersections. It shall be unlawful for any person to operate or drive a motor vehicle through any intersection at a rate of speed in excess of fifteen (15) miles per hour unless such person is driving on a through street or on one regulated by traffic-control signals or signs which stop or require traffic to yield on the intersecting streets. (1983 Code, § 9-203)

¹State law reference

Tennessee Code Annotated § 55-8-153.

15-204. School zones.¹ It shall be unlawful for any person to operate or drive a motor vehicle through any school zone at a speed in excess of the posted special speed limit when a warning flasher or flashers are also in operation.

Where there is no special speed limit established as provided for above, any person who drives or operates a motor vehicle at a speed exceeding fifteen (15) miles per hour when passing a school during a recess period when a warning flasher or flashers is in operation, or during a period of forty (40) minutes before the opening hours of a school or a period of forty (40) minutes after the closing hour of a school, while children are actually going to or leaving school, shall be prima facie guilty of reckless driving. (1983 Code, § 9-204)

15-205. Playgrounds. It shall be unlawful for any person to operate or drive a motor vehicle past any playground in excess of the posted speed limit when official signs indicating such speed limits have been posted by authority of the city. (1983 Code, § 9-205)

15-206. Congested areas. It shall be unlawful for any person to drive a motor vehicle through any congested area at a rate of speed in excess of the posted speed limit when such speed limit has been posted by authority of the city. (1983 Code, § 9-206)

¹State law reference

Tennessee Code Annotated § 55-8-152(e)(1).

CHAPTER 3

INTERSECTIONS AND CROSSINGS (INCLUDING RAILROAD)

SECTIONS

- 15-301. Placement of control signs at intersections.
- 15-302. Unmarked intersections.
- 15-303. Vehicles entering "stop" intersection.
- 15-304. Vehicles entering "yield" intersection.
- 15-305. Vehicles emerging from alleys, driveways or buildings.
- 15-306. Obstructed intersections.
- 15-307. Railroad crossings.
- 15-308. Through streets; duty of operator to stop.

15-301. Placement of control signs at intersections. The chief of police is hereby authorized to determine and designate intersections where particular hazards exist upon the streets and to determine:

(1) Whether vehicles shall stop at one or more entrances to any such intersection, in which event he shall cause to be erected a stop sign at every such place where a stop is required; or

(2) Whether vehicles shall yield the right-of-way to vehicles on a different street at such intersection as prescribed in § 15-304(1), in which event he shall cause to be erected a yield sign at every place where obedience thereto is required. (1983 Code, § 9-301)

15-302. Unmarked intersections. The operator of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection.

When two (2) vehicles enter an intersection at the same time, the operator of the vehicle on the left shall yield the right-of-way to the vehicle on the right.

The operator of a vehicle intending to turn to the left shall yield the right-of-way to a vehicle approaching from the opposite direction, and may make such left turn only after a signal as required by law, and after affording a reasonable opportunity to the operator of the approaching vehicle to avoid a collision. (1983 Code, § 9-302)

15-303. Vehicles entering "stop" intersection. (1) Except when directed to proceed by a police officer or traffic-control signal, every 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) Such 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 said highway as to constitute an immediate hazard, but said 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. (1983 Code, § 9-303)

15-304. Vehicle entering "yield" intersection. (1) The driver of a vehicle approaching a "yield" sign shall in obedience to such 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 pedestrian 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. Said driver having so yielded may proceed, and the drivers of all other vehicles approaching the intersection shall yield to the vehicle so proceeding; provided however, that 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. The foregoing shall not relieve the drivers of other vehicles approaching the intersection at such 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. (1983 Code, § 9-304)

15-305. Vehicle emerging from alleys, driveways or buildings. The driver of a vehicle within a business or residence district emerging from an alley, driveway or building shall stop such 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 collision, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway. (1983 Code, § 9-305)

15-306. Obstructed intersections. 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. (1983 Code, § 9-306)

15-307. Railroad crossings. (1) Stop required. Whenever any person driving a vehicle approaches a railroad grade crossing under any of the

circumstances stated in this section, the driver of such vehicle shall stop within fifty (50) feet but not less than fifteen (15) feet from the nearest rail of such 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 flagman gives or continues to give a signal of the approach or passage of a railroad train;

(c) A railroad train approaching within approximately fifteen hundred (1,500) feet of the highway crossing emits a signal audible from such distance and such railroad train, which 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) Driving under or around barrier. No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed. (1983 Code, § 9-307)

15-308. Through streets; duty of operator to stop. Whenever this code or any ordinance of the city designates and describes a through street it shall be the duty of the chief of police 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 intersection on such through street unless traffic at any such intersection is controlled at all times by traffic-control signals; provided however, that at the intersection of two (2) such 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 said streets as may be determined by the chief of police upon the basis of an engineering and traffic study.

When appropriate signs have been erected by the chief of police designating a particular street or streets as through streets, operators of vehicles shall bring such vehicles to a complete stop before entering such through streets. (1983 Code, § 9-308)

CHAPTER 4

TURNING MOVEMENTS

SECTION

- 15-401. Turning at intersections.
- 15-402. Signals by vehicle operators.
- 15-403. Markers, buttons, signs at intersections.
- 15-404. No-turn signs.
- 15-405. "U" turns prohibited.

15-401. 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 such center line where it enters the intersection. 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 the other than two-way roadways. At any intersection where traffic is restricted to one (1) direction on one (1) or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left-hand lane lawfully available to traffic moving in such direction upon the roadway being entered. (1983 Code, § 9-401)

15-402. Signals by vehicle operators. (1) Required. Every driver who intends to start, stop or turn, or partly turn from a direct line, shall first see that such movement can be made in safety and whenever the operation of any other vehicle may be affected by such movement shall give a signal either by means of the hand and arm or by some mechanical or electrical device approved by the state department of safety.¹

¹State law reference

Tennessee Code Annotated §§ 55-8-143 and 55-8-144.

(2) Hand, arm signals. Whenever the signal is given by means of the hand and arm, the driver shall indicate his intention to start, stop or turn, or partly turn, by extending the hand and arm from and beyond the left side of the vehicle, in the following manner:

(a) For a left turn, or the pull to the left, the arm shall be extended in a horizontal position straight from and level with the shoulder.

(b) For a right turn, or the pull to the right, the arm shall be extended upward.

(c) For slowing down or the stop, the arm shall be extended downward.

(3) Distance from which signal must be given. The signals required by this section shall be given continuously for a distance of at least fifty (50) feet before stopping, turning, partly turning or materially altering the course of a vehicle.

(4) Change of signals. Drivers having once given a signal must continue the course thus indicated unless they alter the original signal and take care that other drivers and pedestrians have seen and are aware of the change.

(5) Other vehicles. Drivers receiving a signal from another driver shall keep their vehicles under complete control so as to be able to avoid an accident resulting from a misunderstanding of such signal. (1983 Code, § 9-402)

15-403. Markers, buttons, signs at intersections.¹ (1) Placement. The chief of police is authorized to place markers, buttons or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled as so indicated may conform to or be other than as prescribed by law or ordinance.

(2) Obedience required. 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. (1983 Code, § 9-403)

15-404. No-turn signs. Whenever authorized signs are erected indicating that no right or left turn is permitted, no driver of a vehicle shall disobey the directions of any such sign. (1983 Code, § 9-404)

15-405. "U" turns prohibited. No driver of a motor vehicle shall make a "U" turn upon any street of the city. (1983 Code, § 9-405)

¹State law reference

Tennessee Code Annotated § 55-8-140(4).

CHAPTER 5

RESTRICTIONS, PROHIBITIONS ON USE OF STREETS
BY CERTAIN VEHICLES

SECTION

- 15-501. Chief of police may prohibit certain vehicles from certain streets.
- 15-502. Height, width restrictions for vehicles.
- 15-503. Maximum width of load on passenger vehicles.
- 15-504. Flags, lights at end of projecting load.
- 15-505. Load restrictions upon vehicles using certain streets.
- 15-506. Commercial vehicles prohibited from using certain streets.
- 15-507. Truck routes designated.
- 15-508. Operation of tractors.
- 15-509. Operation of advertising vehicles in business district.

15-501. Chief of police may prohibit certain vehicles from certain streets.

(1) The chief of police is hereby authorized to determine and designate those heavily traveled streets upon which shall be prohibited the use of the roadway by motor-driven cycles, bicycles, horsedrawn vehicles or other non-motorized traffic and shall erect appropriate signs giving notice thereof. (2) When signs are so erected giving notice thereof, no person shall disobey the restrictions stated on such signs. (1983 Code, § 9-601)

15-502. Height, width restrictions for vehicles. It shall be unlawful for any person to operate upon any street or alley of the city any vehicle which with its load exceeds ten (10) feet in width or sixteen (16) feet in height, unless he 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 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 inure to 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. (1983 Code, § 9-602)

15-503. Maximum width of load on passenger vehicles. No passenger vehicle shall be used for carrying any load extending beyond the left extremity of such vehicle nor extending more than six (6) inches beyond the right extremity thereof. (1983 Code, § 9-603)

15-504. Flags, lights at end of projecting load. Whenever the load of any vehicle is extended more than four (4) feet beyond the rear of the bed or body thereof, the vehicle operator shall see that there is displayed at the end of such load, in such position as to be clearly visible at all times from the rear of such vehicle, a red flag not less than twelve (12) inches in width and length.

Between one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise there shall be displayed at the end of such load a red light plainly visible under normal atmospheric conditions at least two hundred (200) feet from the rear of such vehicle. (1983 Code, § 9-604)

15-505. 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. (1983 Code, § 9-605)

15-506. Commercial vehicles prohibited from using certain streets. When signs are erected giving notice hereof, no person shall operate any commercial vehicle exceeding the posted weight at any time upon any of the streets or parts of streets where such signs are posted, except that such vehicles may be operated thereon for the purpose of delivering or picking up materials or merchandise and then only by entering such street at the intersection nearest the destination of the vehicle and proceeding therefrom no farther than the nearest intersection thereafter. (1983 Code, § 9-606)

15-507. Truck routes designated. All motor vehicles which are reasonably described as "trucks", including but not limited to pick-up trucks, tank trucks, dump trucks, trailer trucks, trucks of the Armed Forces (state and federal), and special purpose trucks, shall observe and follow marked truck routes while traveling in or through the city. When signs designating truck routes are erected it shall be a misdemeanor for any person to drive, park or tow any vehicle described herein on any street, alley or highway not marked as a truck route unless the person has legal and reasonable business which reasonably necessitates his using such vehicle on such unauthorized street, alley or highway. (1983 Code, § 9-607)

15-508. Operation of tractors. No one shall drive or operate a tractor upon a street, pavement or sidewalk unless the wheels are properly equipped with rubber tires or otherwise so protected that the street, highway or pavements will not be damaged. (1983 Code, § 9-608)

15-509. Operation of advertising vehicles in business district. Vehicles used primarily for advertising purposes, and displaying either posters or placards, or displaying for public inspection any article for sale, or for the inspection of the public, shall not stop in the business district, but shall move

continuously at a rate of speed exceeding ten (10) miles per hour, except when stopped by a traffic officer or by a traffic-control signal or upon the approach of an emergency vehicle. (1983 Code, § 9-609)

CHAPTER 6

EMERGENCY VEHICLES AND EQUIPMENT

SECTION

- 15-601. Authority of operator of emergency vehicles.
15-602. Approach of authorized emergency vehicles.
15-603. Following fire apparatus; approaching fires.
15-604. Crossing fire hose.
15-605. Ambulance drivers responding to automobile accident calls required to obtain police clearance.

15-601. Authority of operator of emergency vehicles. (1) The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions herein stated.

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

- (a) Park or stand, irrespective of the provisions of this title.
- (b) Proceed past a red 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 herein granted to an authorized emergency vehicle shall apply only when the driver of any said 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 conditions from a distance of five hundred (500) feet to the front of such vehicle, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.

(4) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others. (1983 Code, § 9-801)

15-602. Approach of authorized emergency vehicles. (1) Duty of vehicle operator. Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of the laws of this state, or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall 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. (1983 Code, § 9-802)

15-603. Following fire apparatus; approaching fire. The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a 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. (1983 Code, § 9-803)

15-604. 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. (1983 Code, § 9-804)

15-605. Ambulance drivers responding to automobile accident calls required to obtain police clearance. It shall be unlawful for any ambulance driver or operator in the City of Winchester to respond to any automobile accident call without first obtaining clearance from the Winchester Police Department. (1983 Code, § 9-805)

CHAPTER 7

PEDESTRIANS

SECTION

- 15-701. Subject to traffic-control signals.
- 15-702. Right-of-way in crosswalks.
- 15-703. Congregating on streets.
- 15-704. "Jaywalking" prohibited.
- 15-705. When pedestrian does not have right-of-way.
- 15-706. Certain crossings prohibited.
- 15-707. Obedience to railroad signals.
- 15-708. Walking along roadways.
- 15-709. Soliciting rides or business.
- 15-710. Drivers to exercise due care.

15-701. Subject to traffic-control signals. Pedestrians shall be subject to traffic-control signals as here declared in §§ 15-1006 and 15-1007 of this title, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this article. (1983 Code, § 9-901)

15-702. Right-of-way in crosswalks. (1) Duty of vehicle operator. 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 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) Duty of pedestrian. 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) Approaching vehicles. 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.

Pedestrians shall move, whenever practicable, upon the right half of crosswalks. (1983 Code, § 9-902)

15-703. Congregating on streets. People shall not congregate on a street, street corner, or sidewalk so as to interfere with the progress of either vehicular or pedestrian traffic. (1983 Code, § 9-903)

15-704. "Jaywalking" prohibited. 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. (1983 Code, § 9-904)

15-705. When pedestrian does not have right-of-way. (1) Every pedestrian crossing a roadway at any point other than within a marked or 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 foregoing rules in this section have no application under the conditions stated in § 15-706 below when pedestrians are prohibited from crossing at certain designated places. (1983 Code, § 9-905)

15-706. Certain crossings prohibited. (1) Adjacent intersections with traffic signals. Between adjacent intersections at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a crosswalk.

(2) Business district. No pedestrian shall cross a roadway other than in a crosswalk in any business district. (1983 Code, § 9-906)

15-707. 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 such grate or barrier is closed or is being opened or closed. (1983 Code, § 9-907)

15-708. 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. (1983 Code, § 9-908)

15-709. 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. (1983 Code, § 9-909)

15-710. Drivers to exercise due care. Notwithstanding the foregoing provisions of this article 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 when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway. (1983 Code, § 9-910)

CHAPTER 8

PARKING, STOPPING AND STANDING

SECTION

- 15-801. Parking signs required.
- 15-802. Parallel parking on right-hand side required unless otherwise indicated.
- 15-803. Angle parking - permitted where chief of police designates; limitation.
- 15-804. Use of lamps on parked vehicles.
- 15-805. Parking lights for non-motor vehicles.
- 15-806. Parking, standing of unattended vehicles.
- 15-807. Parking, standing of trailers.
- 15-808. Removal of unlawfully parked vehicles.
- 15-809. Responsibility for illegal parking.
- 15-810. Stopping, standing, parking prohibited - signs not required.
- 15-811. Parking not to obstruct vehicular traffic.
- 15-812. "No parking" zones.
- 15-813. One way roadways; parking, standing on left hand side regulated.
- 15-814. Chief of police may prohibit parking on narrow streets.
- 15-815. Parking in alleys regulated.
- 15-816. Chief of police may regulate standing, parking on one-way streets.
- 15-817. Chief of police may regulate parking adjacent to schools.
- 15-818. Chief of police may prohibit stopping, standing, parking near hazardous or congested place.
- 15-819. Chief of police authorized to establish the hours of permitted or prohibited parking.
- 15-820. Parking vehicle for display; repairs prohibited.
- 15-821. Chief of police to designate public carrier stops, stands.
- 15-822. Stopping, standing, parking of buses, and taxicabs.
- 15-823. Use of bus, taxicab stands.
- 15-824. Chief of police to designate passenger, freight curb loading zones.
- 15-825. Use of passenger curb loading zones.
- 15-826. Use of freight curb loading zones.
- 15-827. Permits for loading, unloading.

15-801. Parking signs required. Whenever by this code or any other ordinance of this city any parking time limit is imposed or parking is prohibited on designated streets it shall be the duty of the chief of police to erect appropriate signs giving notice thereof and no such regulations shall be effective unless said signs are erected and in place at the time of any alleged offense except as otherwise provided in § 15-810. (1983 Code, § 9-1001)

15-802. Parallel parking on right-hand side required unless otherwise indicated. 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. (1983 Code, § 9-1002)

15-803. Angle parking - permitted where chief of police designates; limitation. (1) Authority of chief of police. The chief of police shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets but such angle parking shall not be indicated upon any federal-aid or state highway within this 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) Limitation. 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.

(3) Restrictions. On those streets which have been signed or marked by the chief of police 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 such signs or markings. (1983 Code, § 9-1003)

15-804. Use of lamps on parked vehicles. Any lighted head lamps upon a parked vehicle shall be depressed or dimmed. (1983 Code, § 9-1004)

15-805. Parking lights for non-motor vehicles. Every non-motor vehicle operating or standing in the streets shall, being parked as required herein, during the period from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise, and at any other time when there is not sufficient light to render clearly discernible any person on the highway at a distance of two hundred (200) feet, be equipped with a light visible from both the front and rear of such vehicle. This light shall be on the side of the vehicle that is nearest to the center of the street. (1983 Code, § 9-1005)

15-806. Parking, standing of unattended vehicles. No person having control or charge of a motor vehicle shall allow such vehicle to stand on any street unattended without first efficiently setting the brakes, locking the ignition, and, when left standing upon any grade, turning the wheels of such vehicle toward the curb. (1983 Code, § 9-1006)

15-807. Parking, standing of trailers. No trailer shall be parked or left standing on any sidewalk, street, alley, or other public place within the business district unless such trailer is attached or fastened to a tractor, truck, automobile, or other motor vehicle with sufficient motive power to easily and quickly move and haul it away. (1983 Code, § 9-1007)

15-808. Removal of unlawfully parked vehicles. Any member of the police department or fire department is authorized to move vehicles unlawfully parked, either by the use of wrecker service or by propelling the vehicle under its own power or by pushing the same with another vehicle or by other power. Any expense incurred for moving the vehicle shall be charged to its owner. (1983 Code, § 9-1008)

15-809. Responsibility for illegal parking. Whenever a person is arrested for the violation of a parking rule or regulation of the city, proof of the registration of the motor-propelled vehicle involved in the name of the person shall be prima facie evidence of the ownership of such motor-propelled vehicle by the person in whose name the vehicle is registered. This proof of registration shall likewise be prima facie evidence that said motor vehicle was parked by the owner. (1983 Code, § 9-1009)

15-810. Stopping, standing, parking prohibited - signs not required.

(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 the 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 chief of police indicates a different length by signs or markings.
- (i) Within fifty (50) feet or 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 officials signs prohibit stopping.

(o) On a sidewalk, sidewalk space or footpath used by pedestrians.

(p) On any street or alley where, on account of its width or on account of a previously parked vehicle or other obstruction, such stopping or parking would interfere with the free and easy passage of other vehicles through such street or alley.

(q) (1) In a "no parking" zone;

(2) In a bus stop, except buses;

(3) In a taxi stand, except taxis for which it is reserved.

(4) In a loading zone, except vehicles while engaged in delivering or receiving merchandise.

(2) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful. (1983 Code, § 9-1010)

15-811. Parking not to obstruct vehicular 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. (1983 Code, § 9-1011)

15-812. "No parking" zones. The chief of police is authorized to designate "no parking" zones or spaces on either side of streets in the city. These shall be located for public convenience and to aid traffic conditions. Vehicles shall not be parked in places so designated by signs or other devices. (1983 Code, § 9-1012)

15-813. One-way roadways; parking, standing on left hand side regulated. 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 such one-way roadway unless signs are erected to permit such standing or parking. The chief of police is authorized to determine when standing or parking may be permitted upon the left-hand side of any such one-way roadway and to erect signs giving notice thereof. (1983 Code, § 9-1013)

15-814. Chief of police may prohibit parking on narrow streets.

(1) Authority. The chief of police is hereby 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 side of a street as indicated by such signs when the width of the roadway does not exceed thirty (30) feet.

(2) Signs required. When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign. (1983 Code, § 9-1014)

15-815. Parking in alleys regulated. No person shall park a vehicle within 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 the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property. (1983 Code, § 9-1015)

15-816. Chief of police may regulate standing, parking on one-way streets. The chief of police 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 such signs are in place, no person shall stand or park a vehicle upon such left-hand side in violation of any such sign. (1983 Code, § 9-1016)

15-817. Chief of police may regulate parking adjacent to schools.

(1) Authority. The chief of police is hereby authorized to erect signs indicating no parking upon either or both sides of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation.

(2) Signs required. When official signs are erected indicating no parking upon either side of a street adjacent to any school property as authorized herein, no person shall park a vehicle in any such designated place. (1983 Code, § 9-1017)

15-818. Chief of police may prohibit stopping, standing, parking near hazardous or congested places. (1) Authority. The chief of police is hereby authorized to determine and designate by proper signs places not exceeding one hundred (100) feet apart in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.

(2) Signs required. When official signs are erected at hazardous or congested places as authorized herein no person shall stop, stand or park a vehicle in any such designated place. (1983 Code, § 9-1018)

15-819. Chief of police authorized to establish the hours of permitted or prohibited parking. The chief of police shall be authorized to erect signs establishing the hours during which parking may be prohibited or permitted, and time limits for parking. When such signs are erected, no person shall park a vehicle for a period of time longer than specified on the sign, nor during the hours prohibited by such sign, on any day except Sunday and public holidays, on any of the streets or parts of streets where such signs are erected. (1983 Code, § 9-1019)

15-820. Parking vehicle for display; repairs 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 such vehicle except repairs necessitated by an emergency. (1983 Code, § 9-1020)

15-821. Chief of police to designate public carrier stops, stands. The chief of police is hereby 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 manner as he shall determine to be of the greatest benefit and convenience to the public, subject to the limitations imposed by 9-303 and 9-304 of this code,¹ and every such bus stop, bus stand, taxicab stand or other stand shall be designated by appropriate signs. (1983 Code, § 9-1021)

15-822. Stopping, standing, parking of buses, and taxicabs.²

(1) Buses.

(a) Bus stands: The operator of a bus shall not stand or park such vehicle upon any street at any place other than a bus stand so designated as provided herein.

(b) Passenger loading zones, bus stops: The operator of a bus shall not stop such vehicle upon any street at any place for the purpose of loading or unloading passengers or their luggage other than at a bus stop, bus stand or passenger loading zone so designated as provided herein, except in case of an emergency.

(c) Entry into bus stops, bus stands, passenger zones: 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 further 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.

(2) Taxicabs. The operator of a taxicab shall not stand or park such vehicle upon any street at any place other than in a taxicab stand so designated as provided herein. This provision 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. (1983 Code, § 9-1022)

¹Municipal code reference
Vehicles for hire: title 9, chapter 3.

²Municipal code reference
Vehicles for hire: title 9, chapter 3.

15-823. Use of bus, 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, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone. (1983 Code, § 9-1023)

15-824. Chief of police to designate passenger, freight curbs loading zones. The chief of police is hereby authorized to determine the location of passenger and freight curbs loading zones and shall place and maintain appropriate signs indicating the same and stating the hours during which the provisions of this section are applicable. (1983 Code, § 9-1024)

15-825. Use of passenger curbs 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 curbs loading zone during hours when the regulations applicable to such curbs loading zone are effective, and then only for a period not to exceed three (3) minutes. (1983 Code, § 9-1025)

15-826. Use of freight curbs loading zones. (1) Vehicles generally. 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 curbs loading zone during hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading of materials exceed thirty (30) minutes.

(2) Passenger vehicles. The driver of a passenger vehicle may stop temporarily at a place marked as a freight curbs 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. (1983 Code, § 9-1026)

15-827. Permits for loading, unloading. (1) Authorized; conditions. The chief of police is authorized to issue special permits to permit the backing of a vehicle to the curbs for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permit may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized.

(2) Violation of permit prohibited. It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit. (1983 Code, § 9-1027)

CHAPTER 9

PARKING METERS

SECTION

- 15-901. Applicability of chapter.
- 15-902. Chief of police authorized to designate parking meter zones.
- 15-903. Designation of meter space; installation of meters.
- 15-904. Parking within meter spaces.
- 15-905. Hours of operation designated.
- 15-906. Use of slugs prohibited.
- 15-907. Tampering with meters prohibited.

15-901. Applicability of chapter. Nothing contained in this chapter shall be construed to permit parking of vehicles in a parking meter zone when, by other provisions of this code, such parking is prohibited. (1983 Code, § 9-1101)

15-902. Chief of police authorized to designate parking meter zones. The chief of police shall be authorized to designate parking meter zones within the city, subject to approval of the city council. (1983 Code, § 9-1102)

15-903. Designation of meter spaces; installation of meters. In the designated parking meter zones, except in front of alleys, garage entrances, filling station entrances, the fire department, and officially designated loading and unloading zones, the police department shall cause parking spaces approximately twenty-two (22) feet in length to be marked by lines on the street or sidewalk, or by other appropriate means. At the side or end of each designated space the police department shall install a parking meter or device, which, upon the deposit of a proper coin in accordance with the instructions on the meter will indicate the duration and expiration of the legal parking period in accordance with the legend on such meter. (1983 Code, § 9-1103)

15-904. Parking within meter spaces. It shall be unlawful to park any vehicle across any line or marking designating a parking meter space, or to park such vehicle in any way that the same shall not be wholly within the parking space as designated by such lines or markings. (1983 Code, § 9-1104)

15-905. Hours of operation designated. (1) Daily. Monday through Friday, between the hours of 7:00 a.m. and 6:00 p.m. and Saturday between the hours of 7:00 a.m. and 8:00 p.m., it shall be unlawful for the owner or operator of any vehicle to leave such vehicle standing in a parking meter space when the parking meter for such space indicates that the lawful parking period has elapsed.

(2) Sundays, holidays, other exceptions. Parking meter spaces may be used without charge on Sundays, national holidays when business houses are closed, and on other days specially designated by the police committee or the city council.

(3) Loading, unloading. Vehicles actually being loaded or unloaded may be parked in parking meter spaces without charge for a period not to exceed ten (10) minutes.

(4) Official use. Official federal, state, county and city vehicles, while in use on official business, may be parked in parking meter spaces without charge. (1983 Code, § 9-1105)

15-906. Use of slugs prohibited. It shall be unlawful to deposit or cause to be deposited in a parking meter a metal slug or other substitute for a coin of the United States. (1983 Code, § 9-1106)

15-907. Tampering with meters prohibited. It shall be unlawful for any person to deface, tamper with, damage, open or wilfully break, destroy or impair the usefulness of a parking meter. (1983 Code, § 9-1107)

CHAPTER 10

TRAFFIC CONTROL DEVICES, SIGNALS, AND MARKINGS

SECTION

- 15-1001. Standard to which traffic control devices, signs and markings should conform.
- 15-1002. Chief of police to install, maintain traffic-control devices.
- 15-1003. Drivers to obey traffic-control devices, signs and markings.
- 15-1004. Presumption with respect to traffic-control signs, etc.
- 15-1005. Placement of signs, devices and markings.
- 15-1006. Traffic-control signal legend.
- 15-1007. Pedestrian control signal legend.
- 15-1008. Display of unauthorized signs, signals and markings.
- 15-1009. Interference with traffic-control devices, railroad signs and signals prohibited.
- 15-1010. Chief of police to designate crosswalk, safety zones.
- 15-1011. Chief of police to establish play street; traffic restricted.
- 15-1012. Chief of police to mark traffic lanes; operators required to obey markings.

15-1001. Standard to which traffic control devices, signs and markings should conform. All traffic-control signs, signals, markings, and devices shall conform to the latest revision of the Manual on Uniform Traffic Control Devices for Streets and Highways,¹ 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 shall not be construed as being mandatory but is merely directive. (1983 Code, § 9-1201)

15-1002. Chief of police to install, maintain traffic-control devices. The chief of police shall place and maintain traffic-control signs, signals and devices when and as required under the traffic laws of the city to make effective the provisions of said laws, 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, subject to approval of city council. (1983 Code, § 9-1202)

15-1003. Drivers to obey traffic-control devices, signs and markings. The driver of any vehicle shall obey the instructions of any official traffic-control

¹This manual may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

device, sign or marking applicable thereto placed in accordance with the provisions of this title, unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an emergency vehicle in this title. (1983 Code, § 9-1203)

15-1004. Presumption with respect to traffic-control signs, etc. When a traffic-control sign, signal, marking, or device has been placed, the presumption shall be that it is official and that it has been lawfully placed by the proper authority. All presently installed traffic-control signs, signals, markings, and devices are hereby expressly authorized, ratified, approved, and made official. (1983 Code, § 9-1204)

9-1005. Placement of signs, devices and markings. No provisions of this title 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 eligible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective even though no signs are erected or in place. (1983 Code, § 9-1205)

15-1006. Traffic-control signal legend. 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 said terms and lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(1) Green alone, or "Go":

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

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

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

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

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

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

(a) Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before

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

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

(4) Steady red with green arrow:

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

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

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

(6) At flashing traffic-control signals.

(a) Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal placed or erected in the municipality it shall require obedience by vehicular traffic as follows:

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

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

(b) This section shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall

be governed by the rules set forth in § 15-307 of this title. (1983 Code, § 9-1206)

15-1007. Pedestrian-control signal legend. Whenever special pedestrian-control signals exhibiting the words "walk," "wait" or "don't walk" are in place such signals shall indicate as follows:

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

(2) Wait, don't walk. No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the walk signal shall proceed to a sidewalk or safety zone while the "wait" signal is showing. (1983 Code, § 9-1207)

15-1008. Display of unauthorized signs, signals, markings.

(1) Prohibited. 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) Commercial advertising. 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) Directional information. 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 signs.

(4) Violation is a nuisance. Every such prohibited sign, signal or marking is hereby declared to be a public nuisance and the city traffic engineer is hereby empowered to remove the same or cause it to be removed without notice. (1983 Code, § 9-1208)

15-1009. Interference with traffic-control devices, railroad signs and signals prohibited. 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. (1983 Code, § 9-1209)

15-1010. Chief of police to designate crosswalk, safety zones. The chief of police is hereby authorized:

(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. (1983 Code, § 9-1210)

15-1011. Chief of police to establish play streets; traffic restricted.

(1) Authority. The chief of police 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 same.

(2) Restriction on vehicular traffic. Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed area, and then any said driver shall exercise the greatest care in driving upon any such street or portion thereof. (1983 Code, § 9-1211)

15-1012. Chief of police to mark traffic lanes; operators required to obey markings. (1) Authority. The chief of police is hereby authorized to mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.

(2) Operation of vehicles. Where such traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement. (1983 Code, § 9-1212)

CHAPTER 11

ADMINISTRATION AND ENFORCEMENT

SECTION

- 15-1101. Authority of police, fire department officials, school patrols.
- 15-1102. Obedience to orders of police, fire department officials, school patrols.
- 15-1103. City traffic engineer - office established and duties.
- 15-1104. Promulgation of regulations; testing traffic-control devices.
- 15-1105. Records of traffic violations.
- 15-1106. Accidents - duty of driver.
- 15-1107. Garages to make reports of damaged vehicles.
- 15-1108. Purposes, availability of accident reports.
- 15-1109. Records of drivers - purpose and maintenance.
- 15-1110. Records of traffic cases.
- 15-1111. Disposition of fines, forfeitures.
- 15-1112. Impounding of vehicles.
- 15-1113. Disposal of abandoned vehicles.
- 15-1114. Procedure in effecting traffic arrest.
- 15-1115. Forms, records of traffic citations and arrests.
- 15-1116. Traffic citations, warrants and complaints.
- 15-1117. Cancellation of citations.
- 15-1118. Audit of records and reports.
- 15-1119. Requirements of citation to be deemed a complaint.
- 15-1120. Violation of promise to appear prohibited.
- 15-1121. Illegal parking - issuance of citation.
- 15-1122. Failure to obey citation for illegal parking.
- 15-1123. Presumption as to registered owner of illegally parked vehicle.
- 15-1124. Issuance of warrant for arrest for illegally parked vehicle.

15-1101. 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 of the police department may direct traffic as conditions 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 there or in the immediate vicinity.

(4) During the period of time on days when the public schools are in session members of school patrols, when wearing or displaying a badge, symbol or flag furnished or approved by the police department may halt traffic at street intersections and at crosswalks where school children are crossing or appear ready to or about to cross a street. (1983 Code, § 9-1301)

15-1102. Obedience to orders of police, fire department officials, school patrols. No person shall wilfully fail or refuse to comply with any lawful order or direction of a police officer, fire department official or school patrol member. (1983 Code, § 9-1302)

15-1103. City traffic engineer - office established and duties.

(1) Chief of police may serve. The office of city traffic engineer is hereby established. In the absence of a full-time traffic engineer the chief of police shall 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) Duties. 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 investigation of traffic conditions, to plan the operation of traffic on the streets and highways of this 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 ordinances of this city. (1983 Code, § 9-1303)

15-1104. Promulgation of regulations, testing traffic-control devices.

(1) Authority of chief of police and traffic engineer; limitation. The chief of police is hereby empowered to make regulations necessary to make effective the provisions of the traffic laws of this city and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than ninety (90) days.

(2) Authority of traffic engineer. The city traffic engineer may test traffic-control devices under actual conditions of traffic. (1983 Code, § 9-1304)

15-1105. Records of traffic violations. (1) Police department or traffic division. The police department or the traffic division thereof shall keep a record of all 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 five-year records. Said record shall accumulate during at least a five-year period and from that time on the record shall be maintained complete for at least the most recent five-year period.

(4) Records to be numbered. 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.

(5) Records to be public. All such records and reports shall be public records. (1983 Code, § 9-1305)

15-1106. Accidents - duty of driver. (1) The operator of any vehicle involved in an accident resulting in injury or death to a person or damage to property shall stop his vehicle at the scene of the accident, give his name, address, driver's license number and the license number of his vehicle to the person injured, to the driver or occupants of any vehicle collided with and to the owner of any property damaged. He shall also render to anyone injured in the accident reasonable assistance and if possible shall deliver the injured person or persons to a physician if that appears advisable or if requested by an injured person.

(2) 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 one hundred dollars (\$100) or more shall immediately by the quickest means of communication give notice of such accident to the police department if such accident occurs within this city.

(3) 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 one hundred dollars (\$100) or more shall, within ten (10) days after such accident, forward a written report of such 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 such driver was present thereat.

(4) Whenever the driver of a vehicle is physically incapable of giving immediate notice of an accident as required above and there was another occupant in the vehicle at the time of the accident capable of doing so, such occupant shall give or cause to be given, the notice not given by the driver.

Whenever the driver is physically incapable of making a written report of an accident and such driver is not the owner of the vehicle, then the owner of the vehicle involved in such accident shall within ten (10) days after learning of the accident make such report not made by the driver. (1983 Code, § 9-1306)

15-1107. Garages to make reports of damaged vehicles. The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of 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 such motor vehicle is received, giving the engine number, registration number and the name and address of the owner or operator of such vehicle if known. (1983 Code, § 9-1307)

15-1108. Purposes, availability of accident reports.

(1) Purposes. 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 this 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) Confidentiality of report. All accident reports and supplemental information filed in connection with the administration of the laws of this 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; except, however, that such reports and supplemental information may be examined by any person named therein or by his representative designated in writing.

(3) Admissibility in evidence. 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 such 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. (1983 Code, § 9-1308)

15-1109. Records of drivers - purpose and maintenance.

(1) Keeping system of records. The police department 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) Study of records; purpose. The police department 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 same or to have the licenses of such persons suspended or revoked.

(3) To be five-year records. Such records shall accumulate during at least a five-year period and from that time on such records shall be maintained complete for at least the most recent five-year period. (1983 Code, § 9-1309)

15-1110. Record of traffic cases. (1) Duty of city clerk.¹ The city clerk 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 the city court and shall keep a record of every official action by said court, 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 said traffic complaint or citation deposited with or presented to said court.

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

(3) Form, content. Said abstract must be made upon a form furnished by said 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.

(4) Effect of noncompliance. The failure, refusal or neglect of any such judicial officer to comply with any of the requirements of this section shall constitute a misconduct in office and shall be grounds for removal therefrom. (1983 Code, § 9-1310)

15-1111. Disposition of fines, forfeitures. All fines or forfeitures collected upon conviction or upon the forfeitures of bail of any person charged with a violation of any of the provisions of this title shall be paid into the general fund to the city. (1983 Code, § 9-1311)

15-1112. Impounding of vehicles. (1) Who may impound. Members of the police department are hereby authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety, or to a garage designated or maintained by the police department or otherwise maintained by the city under the circumstances hereinafter enumerated:

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

¹Municipal code references

City clerk: title 1, chapter 3.

City judge: title 3, chapter 1.

(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 physically 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 or traffic.

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

(3) Reclamation of impounded vehicle. Any impounded vehicle shall be stored until the owner or other person entitled thereto claims it, gives satisfactory evidence of ownership or right to possession, and pays all applicable fees and costs, or until it is otherwise lawfully disposed of. The fee for impounding vehicles shall be five dollars (\$5.00) and the storage cost shall be one dollar (\$1.00) for each twenty-four (24) hour period or fraction thereof that the vehicle is stored. (1983 Code, § 9-1312)

15-1113. Disposal of abandoned vehicles. "Abandoned motor vehicles" as defined in Tennessee Code Annotated, § 55-16-103, shall be impounded and disposed of by the police in accordance with Tennessee Code Annotated, §§ 55-16-103 through 55-16-109. (1983 Code, § 9-1313)

15-1114. Procedure in effecting traffic arrest.¹ 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 halts a person for such 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 said person, the registered 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 city clerk a traffic citation containing a notice to answer to the charge against him in the city court of this city at a time at least five (5) days after such alleged violation, to be specified in said citation. The officer, upon receiving the written promise

¹Municipal code reference
Arrest procedures: title 6, chapter 2.

of the alleged violator to answer as specified in this citation, shall release such person from custody. (1983 Code, § 9-1314)

15-1115. Forms, records of traffic citations and arrests. (1) The city clerk shall provide books to include traffic citation forms for notifying alleged violators to appear and answer to charges of violating traffic laws and ordinances in the city court. Said 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 city clerk shall issue such books to the chief of police or his duly authorized agent and shall maintain a record of every book so issued and shall require a written receipt for every such book.

(3) The chief of police shall be responsible for the issuance of such books to individual members of the police department. The chief of police shall require a written receipt for every book and each set of citations contained therein. (1983 Code, § 9-1315)

15-1116. Traffic citations, warrants and complaints. (1) Disposition of original, duplicate citations. Every 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 traffic laws of this city shall deposit the original and a duplicate copy of the citation with his immediate superior officer who shall cause the original to be delivered to the city court of this city and said 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 such superior officer to the city clerk together with such book when all traffic citations therein have been used.

(2) Trial. Upon the filing of such original citation in the city court, said citation may be disposed of only by trial in said court or by other official action of the said court.

(3) Copies to chief of police. 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 herein, which has been spoiled or upon which any entry has been made and has not been issued to an alleged violator.

(4) Record of disposition. 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 city court or its traffic violations bureau.

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

(6) Altering, defacing documents. 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 any manner other than as required in this chapter. (1983 Code, § 9-1316)

15-1117. Cancellation of 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. (1983 Code, § 9-1317)

15-1118. Audit of records and reports. (1) Duty of city clerk. Every record of traffic citations, complaints thereon, and warrants issued therefor required in this chapter shall be audited at least quarterly by the city clerk who shall submit a report of such audit together with a summary thereof to the mayor. Such reports shall be public records.

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

(3) Availability of records. For the purpose of this chapter, the city clerk or his duly authorized representative shall have access at all times to all necessary records, files and papers of the city court of this city and the police department. (1983 Code, § 9-1318)

15-1119. Requirements of citation to be deemed a complaint. In the event the form of citation provided under section 15-1114 includes information and is sworn to as required under the general laws of this state in respect to a complaint charging commission of the offense alleged in said citation to have been committed, then such citation when filed with a court having jurisdiction shall be deemed to be a lawful complaint for the purpose of prosecution under this code. (1983 Code, § 9-1319)

15-1120. Violation of promise to appear prohibited. 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. (1983 Code, § 9-1320)

15-1121. Illegal parking - issuance of citation. Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by this code, ordinance, or by state law, the officer finding such 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 such vehicle a traffic citation, on a form provided by the city clerk, for the driver to answer to the charge against him within five (5) days during the hour and at a place specified on the citation. (1983 Code, § 9-1321)

15-1122. Failure to obey citation for illegal parking. If a violator of the restrictions on stopping, standing or parking under the traffic laws or ordinances does not appear in response to a traffic citation affixed to such motor vehicle within a period of five (5) days the city clerk shall send to the owner of the motor 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. (1983 Code, § 9-1322)

15-1123. Presumption as to registered owner of illegally parked vehicles.

(1) In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was at the time of such parking the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which such violation occurred.

(2) The foregoing stated presumption shall apply only when the procedure as prescribed in §§ 15-1121 and 15-1122 has been followed. (1983 Code, § 9-1323)

15-1124. Issuance of warrant for arrest for illegally parked vehicle. In the event any person fails to comply with a traffic citation given to such person or summons directing an appearance in the city court or traffic violations bureau, or if any person fails or refuses to deposit bail as required and within the time permitted by law, the city judge shall issue a warrant for his arrest. (1983 Code, § 9-1324)

CHAPTER 12

REGULATING MOTOR VEHICLE RACING

SECTION

- 15-1201. License required.
- 15-1202. Application.
- 15-1203. Restrictions.
- 15-1204. Expiration dates of licenses.
- 15-1205. Revocation of license.
- 15-1206. Penalty for violation.

15-1201. License required. No person, firm, or corporation shall operate or conduct any motor vehicle races on any permanent racetrack or other place for the holding of such a race upon which motor vehicles of any description are raced or are in direct competition, unless license to operate and conduct the same shall be first obtained from the city clerk of the City of Winchester. (Ord. #605, Feb. 1990)

15-1202. Application. (1) Application for a License to operate or conduct a racetrack or other place for the holding of such races or exhibitions shall be made in writing to the city clerk of the City of Winchester at least thirty (30) days prior to the date on which any race or exhibition or series of races or exhibitions shall be held thereon, which application shall describe the track or place desired to be licensed and shall contain such other information as the city clerk may require.

(2) Such application shall be accompanied by fee of seventy five dollars (\$75.00) of which twenty five dollars (\$25.00) shall be returned to the applicant if the license is refused.

(3) No license shall be issued for the operation or conduct of any such track or other place unless the applicant has first obtained a license for the operation of said racetrack from the State of Tennessee and said applicant has met the requirements as provided by Tennessee Code Annotated § 55-22-101 et seq. (Ord. #605, Feb. 1990)

15-1203. Restrictions. It shall be unlawful for any person, firm, or corporation to operate or conduct any motor vehicle races on any permanent racetrack or other place for the holding of such races upon which motor vehicles of any description are raced between the hours of 11:30 p.m. and 1:00 p.m. (Ord. #605, Feb. 1990)

15-1204. Expiration dates of licenses. The license granted hereunder shall expire on December 31 of each year and may be renewed during the month

of December upon proper application and compliance with the terms of this ordinance and payment of the license fee. (Ord. #605, Feb. 1990)

15-1205. Revocation of license. (1) Any licensee under this chapter may have his, her, or its license revoked by the city council for violation of any provision of this ordinance.

(2) A licensee shall be afforded at least five (5) days notice of revocation and a reasonable opportunity to be heard prior thereto. A license which has been revoked may be reinstated by the mayor and councilmen upon compliance with the requirement of the chapter and payment of a reinstatement fee of twenty dollars (\$20.00).

(3) A license which has been revoked three (3) times for violation of this ordinance may not be reinstated. (Ord. #605, Feb. 1990)

15-1206. Penalty for violation. Whoever knowingly or intentionally violates any provision of this chapter shall, upon conviction, be punished by a fine of fifty dollars (\$50.00). (Ord. #605, Feb. 1990)

CHAPTER 13

REGULATING PARKING AND SETTING PARKING FINES
FOR THE DOWNTOWN AREA

SECTION

15-1301. Fines.15-1302. Juror parking.

15-1301. Fines. Downtown parking, which includes the public square and one block off the public square or any other parking areas deemed by the city council as appropriate for two hour parking and posted as such will be strictly enforced and a fine of ten dollars (\$10.00) will be imposed for each violation. An additional ten dollar (\$10.00) charge may be levied if the fine is not paid in twenty-one (21) calendar days of the issuance of the parking ticket. (as added by Ord. #665, April 1994, and replaced by Ord. #675, Oct. 1994)

15-1302. Juror parking. The City Council of Winchester does hereby provide for juror parking and approves for the dismissal for downtown parking violations incurred as a result of jury duty, upon the proper validation by the circuit court clerks office. (as added by Ord. #675, Oct. 1994)