

TITLE 15

MOTOR VEHICLES, TRAFFIC AND PARKING¹

CHAPTER

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CHAPTER 1

MISCELLANEOUS²

SECTION

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¹Municipal code reference

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

Traffic regulations in park and recreation facilities: § 20-305.

²See title 11, chapter 8, Miscellaneous for the following municipal offenses:

Use of safety belts in passenger vehicles--violations--penalties--arrest--applicability; Child passenger restraint systems--violations--penalties, Trespass by motor vehicle; Motor vehicle windows with tinting, reflecting or sun screen; Transporting child in truck bed; Crash helmet required for driver and passenger--exceptions; and Following too closely (Tennessee Code Annotated, §§ 55-9-603, 55-99-602, 39-14-407, 55-9-107, 55-8-189, 55-9-302, and 55-8-124).

- 15-112. Driving through funerals or other processions.
- 15-113. Clinging to vehicles in motion.
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- 15-124. Pedestrians' right-of-way in crosswalks.
- 15-125. Crossing at other than crosswalks.
- 15-126. Compliance with financial responsibility law required.

15-101. Motor vehicle requirements. It shall be unlawful for any person to operate any motor vehicle within the corporate limits unless such vehicle is equipped with properly operating muffler, lights, brakes, horn and such other equipment as is prescribed and required by Tennessee Code Annotated, title 55, chapter 9. (1972 Code, § 9-101)

15-102. Driving on streets closed for repairs, etc. Except for necessary access to property abutting thereon, no motor vehicle shall be driven upon any street that is barricaded or closed for repairs or other lawful purpose. (1972 Code, § 9-106)

15-103. One-way streets. On any street for one-way traffic with posted signs indicating the authorized direction of travel at all intersections offering access thereto, no person shall operate any vehicle except in the indicated direction. (1972 Code, § 9-109)

15-104. Unlaned streets. (1) Upon all unlaned streets of sufficient width a vehicle shall be driven upon the right half of the street except:

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

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

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

(2) All vehicles proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven as close as practicable to the right hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn. (1972 Code, § 9-110)

15-105. Laned streets. On streets marked with traffic lanes, it shall be unlawful for the operator of any vehicle to fail or refuse to keep his vehicle within the boundaries of the proper lane for his direction of travel except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

On two (2) lane and three (3) lane streets the proper lane for travel shall be the right hand lane unless otherwise clearly marked. On streets with four (4) or more lanes, either of the right hand lanes shall be available for use except that traffic moving at less than the normal rate of speed shall use the extreme right hand lane. On one-way streets either lane may be lawfully used in the absence of markings to the contrary. (1972 Code, § 9-111)

15-106. Yellow lines. On streets with a yellow line placed to the right of any lane line or center line such yellow line shall designate a no-passing zone, and no operator shall drive his vehicle or any part thereof across or to the left of such yellow line except when necessary to make a lawful left turn from such street. (1972 Code, § 9-112)

15-107. Miscellaneous traffic-control signs, etc.¹ It shall be unlawful for any pedestrian or the operator of any vehicle to violate or fail to comply with any traffic-control sign, signal, marking or device placed or erected by the state or the municipality. (1972 Code, § 9-113)

15-108. General requirements for traffic-control signs, etc. 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,² published by the U. S. Department of Transportation, Federal Highway Administration, and shall, so far as practicable, be uniform as to type and location throughout the municipality. (1972 Code, § 9-114)

¹Municipal code references

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

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

15-109. Unauthorized traffic-control signs, etc. No person shall place, maintain or display upon or in view of any street any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic-control sign, signal, marking or device or railroad sign or signal, or which attempts to control the movement of traffic or parking of vehicles, or which hides from view or interferes with the effectiveness of any official traffic-control sign, signal, marking or device or any railroad sign or signal. (1972 Code, § 9-115)

15-110. Presumption with respect to traffic-control signs, etc. When a traffic-control sign, signal, marking or device has been placed, the presumption shall be that it is official and that it has been lawfully placed by the proper - municipal authority. (1972 Code, § 9-116)

15-111. School safety patrols. All motorists and pedestrians shall obey the directions or signals of school safety patrols, when such patrols are assigned under the authority of the chief of police, and are acting in accordance with instructions; provided, that such persons giving any order, signal, or direction shall at the time be wearing some insignia and/or using authorized flags for giving signals. (1972 Code, § 9-117)

15-112. Driving through funerals or other processions. Except when otherwise directed by a police officer no driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated. (1972 Code, § 9-118)

15-113. Clinging to vehicles in motion. It shall be unlawful for any person traveling upon any bicycle, motorcycle, coaster, sled, roller skates, skate board or any other vehicle to cling to, or attach himself or his vehicle to any other moving vehicle upon any street, alley, or other public way or place. (1972 Code, § 9-120, modified)

15-114. Riding on outside of vehicles. It shall be unlawful for any person to ride, or for the owner or operator of any motor vehicle being operated on a street, alley or other public way or place, to permit any person to ride on any portion of such vehicle not designed or intended for the use of passengers. This section shall not apply to persons engaged in the necessary discharge of lawful duties nor to persons riding in the load-carrying space of trucks. (1972 Code, § 9-121)

15-115. Backing vehicles. The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic. (1972 Code, § 9-122)

15-116. Projections from the rear of vehicles. Whenever the load or any projecting portion of any vehicle shall extend beyond the rear of the bed or body thereof the operator shall display at the end of such load or projection, in such position as to be clearly visible from the rear of such vehicle, a red flag being not less than twelve (12) inches square. Between one-half (½) hour after sunset and one-half (½) hour before sunrise there shall be displayed in place of the flag a red light plainly visible under normal atmospheric conditions at least two hundred (200) feet from the rear of such vehicle. (1972 Code, § 9-123)

15-117. Causing unnecessary noise, etc. It shall be unlawful for any person to cause unnecessary noise by unnecessarily sounding the horn, "racing" the motor, or causing the "screeching" or "squealing" of the tires on any motor vehicle. Furthermore, no person shall drive a motor vehicle on any road, street, or highway unless such motor vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke.

It shall be unlawful to use a "muffler cutout" on any motor vehicle upon any road, street or highway. (1972 Code, § 9-124)

15-118. Vehicles and operators to be licensed. It shall be unlawful for any person to operate a motor vehicle in violation of the "Tennessee Motor Vehicle Title and Registration Law" or the "Uniform Motor Vehicle Operators' and Chauffeurs' License Law." (1972 Code, § 9-125)

15-119. Passing. Except when overtaking and passing on the right is permitted, the driver of a vehicle passing another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the street until safely clear of the overtaken vehicle. The driver of the overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

When the street is wide enough, the driver of a vehicle may overtake and pass upon the right of another vehicle which is making or about to make a left turn.

The driver of a vehicle may overtake and pass another vehicle proceeding in the same direction either upon the left or upon the right on a street of sufficient width for four (4) or more lanes of moving traffic when such movement can be made in safety.

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

No vehicle operator shall attempt to pass another vehicle proceeding in the same direction unless he can see that the way ahead is sufficiently clear and unobstructed to enable him to make the movement in safety. (1972 Code, § 9-126)

15-120. Damaging pavements. No person shall operate upon any street of the municipality any vehicle, motor propelled or otherwise, which by reason of its weight or the character of its wheels or track is likely to damage the surface or foundation of the street. (1972 Code, § 9-119)

15-121. Weight limits. No person shall operate within the corporate limits any tandem vehicle so loaded as to have a gross weight of over 46,000 pounds or any single axle vehicle so loaded as to have a gross weight of over 26,000 pounds. (1972 Code, § 9-127)

15-122. City manager authorized to erect traffic control signs, etc. After proper determination of the traffic situation in the City of Athens, the city manager is empowered to erect traffic control signs, speed limit signs, street markers to control traffic, and to post any and all signs within the corporate limits of the City of Athens that may be so needed for the control of the traffic therein.

After said traffic control legends, signs, etc., are posted, any person operating a vehicle contrary to the traffic control signals, signs, speed limit signs, and street markers shall be guilty of a misdemeanor. (1972 Code, § 9-128)

15-123. City manager authorized to issue permits for twin trailers. The city manager is empowered to issue permits for designated routes to transportation firms wanting to operate twin trailers within the corporate limits of the City of Athens, as provided by the Tennessee Code Annotated, § 55-7-208. The designated routes shall be determined by the city manager. (1972 Code, § 9-129)

15-124. Pedestrians' right-of-way in crosswalks. (1) When traffic-control signals are not in place or not in operation the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

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

(3) Paragraph (1) shall not apply under the conditions stated in § 15-125(2).

(4) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle. (1972 Code, § 9-130)

15-125. Crossing at other than crosswalks. (1) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

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

(3) Between adjacent intersections at which traffic-control signals are in operation pedestrians shall not cross at any place except in a marked crosswalk. (1972 Code, § 9-131)

15-126. Compliance with financial responsibility law required.

(1) Every vehicle operated within the corporate limits must be in compliance with the financial responsibility law (Tennessee Code Annotated, § 55-12-139).

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

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

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

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

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

It is a civil offense to fail to provide evidence of financial responsibility pursuant to this section. Any violation of this section is punishable by a civil penalty not to exceed the maximum amount provided in Tennessee Code

Annotated, § 55-12-139(c). The civil penalty prescribed by this section shall be in addition to any other penalty prescribed by the laws of this state or by the city's municipal code of ordinances.

On or before the court date, the person charged with a violation of this section may submit evidence of compliance with this section in effect at the time of the violation. If the court is satisfied that compliance was in effect at the time of the violation, the charge of failure to provide evidence of financial responsibility may be dismissed. (as added by Ord. #893, April 2002)

CHAPTER 2

EMERGENCY VEHICLES

SECTION

15-201. Authorized emergency vehicles defined.

15-202. Operation of authorized emergency vehicles.

15-203. Following emergency vehicles.

15-204. Running over fire hoses, etc.

15-201. Authorized emergency vehicles defined. Authorized emergency vehicles shall be fire department vehicles, police vehicles, and such ambulances and other emergency vehicles as are designated by the chief of police. (1972 Code, § 9-102)

15-202. Operation of authorized emergency vehicles.¹ (1) The driver of an authorized emergency vehicle, when responding to an emergency call, or when in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, subject to the conditions herein stated.

(2) The driver of an authorized emergency vehicle may park or stand, irrespective of the provisions of this title; proceed past a red or stop signal or stop sign, but only after slowing down to ascertain that the intersection is clear; exceed the maximum speed limit and disregard regulations governing direction of movement or turning in specified directions so long as he does not endanger life or property.

(3) The exemptions herein granted for an authorized emergency vehicle shall apply only when the driver of any such vehicle while in motion sounds an audible signal by bell, siren, or exhaust whistle and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.

(4) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others. (1972 Code, § 9-103)

¹Municipal code reference

Operation of other vehicle upon the approach of emergency vehicles:
§ 15-501.

15-203. Following emergency vehicles. No driver of any vehicle shall follow any authorized emergency vehicle apparently travelling in response to an emergency call closer than five hundred (500) feet or drive or park such vehicle within five hundred (500) feet of where fire apparatus has stopped in answer to a fire alarm. (1972 Code, § 9-104)

15-204. Running over fire hoses, etc. It shall be unlawful for any person to drive over any hose lines or other equipment of the fire department except in obedience to the direction of a fireman or policeman. (1972 Code, § 9-105)

CHAPTER 3

SPEED LIMITS

SECTION

15-301. In general.

15-302. At intersections.

15-303. In school zones and near play grounds.

15-304. In congested areas.

15-305. On parking lots.

15-306. Cruising in motor vehicles on shopping center parking areas and roadways.

15-301. In general. It shall be unlawful for any person to operate or drive a motor vehicle upon any highway or street at a rate of speed in excess of thirty (30) miles per hour except where official signs have been posted indicating other speed limits in which cases the posted speed limit shall apply. (1972 Code, § 9-201)

15-302. At intersections. It shall be unlawful for any person to operate or drive a motor vehicle through any intersection at a rate of speed in excess of fifteen (15) miles per hour unless such person is driving on a street regulated by traffic control signals or signs which require traffic to stop or yield on the intersecting streets. (1972 Code, § 9-202)

15-303. In school zones and near play grounds. It shall be unlawful for any person to operate or drive a motor vehicle through any school zone or near any playground at a rate of speed in excess of twenty (20) miles per hour when official signs indicating such speed limit have been posted by authority of the municipality. This section shall not apply at times when children are not in the vicinity of a school and such posted signs have been covered by direction of the chief of police. (1972 Code, § 9-203, modified)

15-304. In congested areas. It shall be unlawful for any person to operate or drive a motor vehicle through any congested area at a rate of speed in excess of any posted speed limit when such speed limit has been posted by authority of the municipality. (1972 Code, § 9-204)

15-305. On parking lots. It shall be unlawful for any person to drive or operate a motor vehicle upon any parking lot at a rate of speed in excess of 15 m.p.h. (1972 Code, § 9-205)

15-306. Cruising in motor vehicles on shopping center parking areas and roadways. (1) That owners and operators of shopping centers in the city are

hereby authorized to post signs on and about the parking areas and private roadways on their properties giving notice that cruising on the property is prohibited.

(2) That the term "cruising" as used in this section is defined as the continual, repeated, and aimless operation of a motor vehicle back and forth, through, around or within the parking areas and private roadways of a shopping center after 8:00 p.m. until the following sunrise other than for the purpose of entering or leaving a parking space where the vehicle has been parked while the driver or passenger(s) is or was visiting the shopping center or business.

(3) That it shall be a violation of this section and a trespass for any person to cruise on any shopping center parking area and/or private roadways that have been posted by the owner or operator as authorized in subsection (1). (1972 Code, § 9-206)

CHAPTER 4

TURNING MOVEMENTS

SECTION

15-401. Signals.

15-402. Right turns.

15-403. Left turns on two-way roadways.

15-404. Left turns on other than two-way roadways.

15-405. U-turns.

15-401. Signals. No person operating a motor vehicle shall make any turning movement which might affect any pedestrian or the operation of any other vehicle without first signaling his intention in accordance with the requirements of the state law.¹ (1972 Code, § 9-301)

15-402. Right turns. Both the approach for a right turn and a right turn shall be made as close as practicable to the right hand curb or edge of the roadway. (1972 Code, § 9-302)

15-403. Left turns on two-way roadways. At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of the intersection of the center lines of the two roadways. (1972 Code, § 9-303)

15-404. Left turns on other than two-way roadways. At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left hand lane lawfully available to traffic moving in the direction of travel of such vehicle and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left hand lane lawfully available to traffic moving in such direction upon the roadway being entered. (1972 Code, § 9-304)

15-405. U-turns. U-turns are prohibited. (1972 Code, § 9-305)

¹State law reference

Tennessee Code Annotated, § 55-8-143.

CHAPTER 5

STOPPING AND YIELDING

SECTION

- 15-501. Upon approach of authorized emergency vehicles.
- 15-502. When emerging from alleys, etc.
- 15-503. To prevent obstructing an intersection.
- 15-504. At railroad crossings.
- 15-505. At "stop" signs.
- 15-506. At "yield" signs.
- 15-507. At traffic control signals generally.
- 15-508. At flashing traffic control signals.
- 15-509. At pedestrian control signals.
- 15-510. Stops to be signaled.

15-501. Upon approach of authorized emergency vehicles.¹ Upon the immediate approach of an authorized emergency vehicle making use of audible and/or visual signals meeting the requirements of the laws of this state, or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall immediately drive to a position parallel to, and as close as possible to, the right hand edge of 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. (1972 Code, § 9-401)

15-502. When emerging from alleys, etc. The drivers of all vehicles emerging from alleys, parking lots, driveways or buildings shall stop such vehicles immediately prior to driving onto any sidewalk or street. They shall not proceed to drive onto the sidewalk or street until they can safely do so without colliding or interfering with approaching pedestrians or vehicles. (1972 Code, § 9-402)

15-503. To prevent obstructing an intersection. No driver shall enter any intersection or marked crosswalk unless there is sufficient space on the other side of such intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of traffic in or on the intersecting street or crosswalk. This provision shall be effective notwithstanding any traffic-control signal indication to proceed. (1972 Code, § 9-403)

¹Municipal code reference

Special privileges of emergency vehicles: title 15, chapter 2.

15-504. At railroad crossings. Any driver of a vehicle approaching a railroad grade crossing shall stop within not less than fifteen (15) feet from the nearest rail of such railroad and shall not proceed further while any of the following conditions exist:

(1) A clearly visible electrical or mechanical signal device gives warning of the approach of a railroad train.

(2) A crossing gate is lowered or a human flagman signals the approach of a railroad train.

(3) A railroad train is approaching within approximately fifteen hundred (1500) feet of the highway crossing and is emitting an audible signal indicating its approach.

(4) An approaching railroad train is plainly visible and is in hazardous proximity to the crossing. (1972 Code, § 9-404)

15-505. At "stop" signs. The driver of a vehicle facing a "stop" sign shall bring his vehicle to a complete stop immediately before entering the crosswalk on the near side of the intersection or, if there is no crosswalk, then immediately before entering the intersection, and shall remain standing until he can proceed through the intersection in safety. (1972 Code, § 9-405)

15-506. At "yield" signs. The drivers of all vehicles shall yield the right of way to approaching vehicles before proceeding at all places where "yield" signs have been posted. (1972 Code, § 9-406)

15-507. At traffic-control signals generally. Traffic-control signals exhibiting the words "Go," "Caution," or "Stop," or exhibiting different colored lights successively one at a time, or with arrows, shall show the following colors only and shall apply to drivers of vehicles and pedestrians as follows:

(1) Green alone, or "Go":

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

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

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

(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 vehicular traffic facing such signal may cautiously enter the intersection to make a right turn 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.

(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. (1972 Code, § 9-407)

15-508. At flashing traffic-control signals. (1) Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal placed or erected by the municipality it shall require obedience by vehicular traffic as follows:

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

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

(2) This section shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules set forth in § 15-504 of this code. (1972 Code, § 9-408)

15-509. At pedestrian-control signals. Wherever special pedestrian-control signals exhibiting the words "Walk" or "Wait" or "Don't Walk" have been placed or erected by the municipality, such signals shall apply as follows:

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

(2) Wait or Don't Walk. No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the walk signal shall proceed to the nearest sidewalk or safety zone while the wait signal is showing. (1972 Code, § 9-409)

15-510. Stops to be signaled. No person operating a motor vehicle shall stop such vehicle whether in obedience to a traffic sign or signal or otherwise, without first signaling his intention in accordance with the requirements of the state law,¹ except in an emergency. (1972 Code, § 9-410)

¹State law reference
Tennessee Code Annotated, § 55-8-143.

CHAPTER 6

PARKING

SECTION

- 15-601. Generally.
- 15-602. Angle parking.
- 15-603. Occupancy of more than one space.
- 15-604. Where prohibited.
- 15-605. Loading and unloading zones.
- 15-606. Regulation of parking.
- 15-607. Unlawful to park in space designated for handicapped persons.
- 15-608. Presumption with respect to illegal parking.
- 15-609. Municipally owned parking lots.

15-601. Generally. Except as hereinafter provided, every vehicle parked upon a street within this municipality shall be so parked that its right wheels are parallel to and within eighteen (18) inches of the right edge or curb of the street. On one-way streets where the municipality has not placed signs prohibiting the same, vehicles may be permitted to park on the left side of the street and in such cases the left wheels shall be required to be within eighteen (18) inches of the left edge or curb of the street.

No person shall park or leave a vehicle, motorized or non-motorized, or any trailer parked on any other public street for more than twenty-four (24) hours without prior approval of the chief of police. Upon written request, the chief of police, or his/her designee, will investigate the proposed parking to ensure that the parked vehicle or trailer does not pose a traffic hazard and, upon determining that no hazard exists, may grant approval for the vehicle or trailer to be parked on the public street. In no case will permission be granted for more than seven (7) days.

Furthermore, no person shall wash, grease, or work on any vehicle, except to make repairs necessitated by an emergency, while such vehicle is parked on a public street. (1972 Code, § 9-501, as amended by Ord. #917, April 2004)

15-602. Angle parking. On those streets which have been signed or marked by the municipality for angle parking no person shall park or stand a vehicle other than at the angle indicated by such signs or markings. No person shall angle park any vehicle which has a trailer attached thereto or which has a length in excess of twenty-four (24) feet. (1972 Code, § 9-502)

15-603. Occupancy of more than one space. No person shall park a vehicle in any designated parking space so that any part of such vehicle occupies more than one such space or protrudes beyond the official markings on the street or curb designating such space unless the vehicle is too large to be parked within a single designated space. (1972 Code, § 9-503)

15-604. Where prohibited. No person shall park a vehicle in violation of any sign placed or erected by the municipality, nor:

- (1) On a sidewalk.
- (2) In front of a public or private driveway.
- (3) Within an intersection or within fifteen (15) feet thereof.
- (4) Within fifteen (15) feet of a fire hydrant.
- (5) Within a pedestrian crosswalk.
- (6) Within fifty (50) feet of a railroad crossing.
- (7) Within twenty (20) feet of the driveway entrance to any fire station, and on the side of the street opposite the entrance to any fire station within seventy-five (75) feet of the entrance.
- (8) Alongside or opposite any street excavation or obstruction when other traffic would be obstructed.
- (9) On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- (10) Upon any bridge.
- (11) Alongside any curb painted yellow or red by the municipality.
- (12) Alongside or within a fire lane provided such fire lane has been properly sign posted or indicated by pavement marking. (1972 Code, § 9-504, as amended by Ord. #783, Nov. 1993)

15-605. Loading and unloading zones. No person shall park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers or merchandise in any place marked by the municipality as a loading and unloading zone. (1972 Code, § 9-505)

15-606. Regulation of parking. (1) Lines, markings to designate free parking spaces. The city manager shall have lines or markings painted or placed upon the curb and/or upon the street for the purpose of designating the parking spaces to be used and each vehicle parking adjacent or next to any parking space shall park within the lines or markings so established. It shall be unlawful to park any vehicle across any such line or marking or to park said vehicle in such position that the same shall not be entirely within the area designated by such lines or markings.

(2) Overtime parking prohibited. It shall be unlawful for any person to cause, allow, permit, or suffer any vehicle registered in the name of, or operated by such person, to be parked overtime or beyond the period of legal parking time established for any parking zone.

(3) Drivers implied consent to parking control marks on tires; erasure or concealment of parking control marks on vehicle tires prohibited; evading parking time limitation prohibited. (a) Any person who operates any vehicle upon the streets, thoroughfares and public travelways within the corporate limits of the city and who utilizes the two (2) hour free on-street

parking spaces provided herein gives his or her consent to the placement of nonpermanent parking control marks upon the tires of any vehicle parked in said designated two-hour free parking spaces.

(b) It shall be unlawful for any person to cause, allow, or permit the movement of any vehicle within the same parking space as to cover up or otherwise conceal said nonpermanent parking control marks placed upon vehicle tires by law enforcement officers to compute overtime parking or to in any manner, erase, wash, remove, obscure, obliterate, or otherwise wipe off said time marks placed upon said vehicle's tires while parked in the same parking space.

(c) It shall be unlawful for a vehicle to be moved with the purpose of evading parking time limitation to another parking space located within the same city block. The movement of a vehicle less than thirty (30) minutes before or after the expiration of said parking time limitation from one parking space to such other parking space shall be presumed to have been moved with the purpose of evading the parking limitation.

(d) Any person found in violation of this section shall be deemed guilty of an offense and upon conviction shall pay a fine as assessed by the city judge. (Ord. #770, Dec. 1992)

15-607. Unlawful to park in space designated for handicapped persons. Unless qualified, it shall be unlawful for the operator of a vehicle to park in a space designated for handicapped persons, unless the driver or an occupant of the vehicle meets the definition of a medically handicapped person.

A handicap parking stall is defined as a stall so designated by a handicap parking sign as well as pavement marking symbols. Said sign shall be in accordance with the Tennessee Manual on Uniform Traffic Control Devices. (1972 Code, § 9-507)

15-608. Presumption with respect to illegal parking. When any unoccupied vehicle is found parked in violation of any provision of this chapter, there shall be a prima facie presumption that the registered owner of the vehicle is responsible for such illegal parking. (1972 Code, § 9-508)

15-609. Municipally owned parking lots. On any municipally owned parking lots, not used in connection with a municipal function or facility, the same may be used by the general public for parking motor vehicles, under such rules and regulations as the city council may make. No spaces may be reserved except by special permission of the city council. No vehicle shall be parked on said municipally owned parking lots more than 24 consecutive hours. Any vehicle parked in violation of this section or parking regulations made by the city council may be removed at the owner's expense and the owner or operator would be guilty of a misdemeanor. (1972 Code, § 9-509)

CHAPTER 7

BICYCLES AND MOTOR DRIVEN CYCLES

SECTION

15-701. Restrictions on carrying passengers, riding on sidewalks, height of handlebars, and holding to other moving vehicles.

15-702. Required equipment for motorcycles, motor scooters, and motor driven cycles.

15-701. Restrictions on carrying passengers, riding on sidewalks, height of handlebars, and holding to other moving vehicles. No driver of a two or three wheel motor vehicle or bicycle shall carry any other person on, upon, or within such vehicle on any street or highway in the City of Athens, except as hereinafter provided. If any two or three wheel motor vehicle with a wheel diameter of twelve (12) inches or greater, or any bicycle, shall have either a double seating device with double foot rests or a side car attachment providing a separate seat space within such side car attachment for each person riding therein so that such person shall be seated entirely within the body of said side car, then it shall be permissible for an operator who has attained the age of sixteen (16) years or older to carry a passenger. A demonstration ride by a licensed dealer or his employee is excepted from the provisions hereof. No motorcycle or motor scooter shall be ridden upon any sidewalk of the City of Athens. No bicycle shall be ridden upon a sidewalk, unless such sidewalk is part of the city-wide bikeway and is marked accordingly. Handlebars on bicycles, motorcycles, and motor scooters shall not exceed twelve (12) inches in height, measured from the crown or point of attachment. No rider of a motorcycle, bicycle, or motor scooter shall hold to any moving vehicle for the purpose of being propelled. (1972 Code, § 9-602)

15-702. Required equipment for motorcycles, motor scooters, and motor driven cycles. The following provisions shall apply for all motorcycles, motor scooters, and motor driven cycles operated on public streets of the city:

(1) Rear view mirrors: All vehicles covered under this section shall be equipped with two (2) mirrors, containing a reflection surface of not less than three (3) inches in diameter, mounted one on each side of the vehicle and positioned so as to enable the operator to clearly view the roadway for a distance of two hundred (200) feet to the rear of his vehicle.

(2) Windshield: All vehicles covered under this section shall be equipped with a windshield of sufficient quality, size, and thickness to protect the operator from foreign objects, except that in lieu of such windshield the operator shall wear goggles or a face shield of material and design to protect him from foreign objects.

(3) Brakes: All vehicles covered under this section shall be equipped with brakes adequate to control the movement of same, to stop and hold such vehicle, including two separate means of applying the brakes. One means shall be effective to apply the brakes to the front wheel and one means shall be effective to apply the brakes to the rear wheels.

(4) Speedometer: All vehicles covered under this section shall be equipped with a properly operating speedometer capable of registering at least thirty-five (35) miles per hour.

(5) Fenders: All vehicles covered under this section shall be equipped with a fender over each wheel. All fenders shall be of the type provided by the manufacturer.

(6) Lights: All vehicles covered under this section shall carry at least one (1) lighted headlamp capable of showing a white light visible at least three hundred (300) feet in the direction in which the same are proceeding, and one tail lamp mounted on the rear which, when lighted, shall emit a red light plainly visible from at least three hundred (300) feet to the rear. Such lights required by this section shall be burning whenever such vehicles are in motion during the period from one-half hour after sunset and one-half hour before sunrise and at any other time when due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the streets are not clearly discernible at a distance of at least five hundred (500) feet ahead; provided that a bicycle in lieu of the red light in the rear may carry a red or ruby glass reflector.

(7) Headgear: No person shall operate or ride upon any vehicle covered under this section unless such person is equipped with and wearing on the head a crash helmet of the type and design manufactured for use by the operators of such vehicles. All crash helmets shall have a lining, padding, and chin straps.

(8) Mufflers: No person shall drive a motor vehicle on any road, street or highway unless such motor vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke.

It shall be unlawful to use a "muffler cutout" on any motor vehicle upon any road, street or highway. (1972 Code, § 9-604)

CHAPTER 8

ENFORCEMENT

SECTION

15-801. Issuance of traffic citations.

15-802. Failure to obey citation.

15-803. Illegal parking.

15-804. Impoundment of vehicles.

15-801. Issuance of traffic citations.¹ When a police officer halts a traffic violator other than for the purpose of giving a warning, and does not take such person into custody under arrest, he shall take the name, address, and operator's license number of said person, the license number of the motor vehicle involved, and such other pertinent information as may be necessary, and shall issue to him a written traffic citation containing a notice to answer to the charge against him in the city court at a specified time. The officer, upon receiving the written promise of the alleged violator to answer as specified in the citation, shall release such person from custody. (1972 Code, § 9-702)

15-802. Failure to obey citation. It shall be unlawful for any person to violate his written promise to appear in court after giving said promise to an officer upon the issuance of a traffic citation, regardless of the disposition of the charge for which the citation was originally issued. (1972 Code, § 9-703)

15-803. Illegal parking. Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by this code, the officer finding such vehicle shall take its license number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a citation for the driver and/or owner to answer for the violation within four (4) days during the hours and at a place specified in the citation. (1972 Code, § 9-704)

15-804. Impoundment of vehicles. Members of the police department are hereby authorized to remove from the streets and impound any vehicle whose operator is arrested, or any vehicle which is illegally parked or abandoned. Any vehicle left parked on any street or alley for more than seventy-two (72) consecutive hours without permission from the chief of police shall be presumed to have been abandoned if the owner cannot be located after a reasonable investigation. (1972 Code, § 9-701, modified)

¹State law reference

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