

TITLE 15

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

CHAPTER

1. MISCELLANEOUS.

CHAPTER 1

MISCELLANEOUS<sup>2</sup>

SECTION

- 15-101. Speed limit on streets.
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15-101. Speed limit on streets. It shall be unlawful for any person to operate or drive a motor vehicle upon any street or highway in the Town of Kimball, Tennessee, in excess of forty-five (45) miles per hour, and if by authority of the board of mayor and aldermen, a proper sign clearly visible to motorist driving upon a street or highway, is posted upon any street or highway setting a limit lower than 45 MPH, it shall be unlawful for any person to operate a motor vehicle upon such street or highway in excess of such posted speed limit. (Ord. #6, April 1965)

15-102. Time limits for parking on streets. The board of mayor and aldermen shall have full power and authority from time to time as they deem advisable to fix and designate time limits for the parking of motor vehicles on

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<sup>1</sup>Municipal code reference

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

<sup>2</sup>State law references

Under Tennessee Code Annotated, § 55-10-30, the following offenses are exclusively state offenses and must be tried in a state court or a court having state jurisdiction: driving while intoxicated or drugged, as prohibited by Tennessee Code Annotated, § 55-10-401; failing to stop after a traffic accident, as prohibited by Tennessee Code Annotated, § 55-10-101, et seq.; driving while license is suspended or revoked, as prohibited by Tennessee Code Annotated, § 55-7-116; and drag racing, as prohibited by Tennessee Code Annotated, § 55-10-501.

the streets and highways in the Town of Kimball, Tennessee, and when such time limits have been fixed and appropriate signs have been erected warning the public that such area has been limited for parking to the time stated on such sign, they shall be observed by all operators of motor vehicles and the parking of a motor vehicle in such area continuously for a period in excess of the time limit established for that particular area shall be unlawful and a violation of this chapter. (Ord. #6, April 1965)

15-103. Parking areas. The board of mayor and aldermen shall have full power and authority from time to time and as they deem advisable to mark off and designate on all streets and highways in the Town of Kimball, Tennessee, parking areas, no parking areas, and special reserved parking areas; and when such parking areas, no parking areas and special parking areas have been so marked off and plainly designated by appropriate signs or otherwise, they shall be observed by all operators of motor vehicles, and the parking of any motor vehicle shall be confined to one parking area as marked off. (Ord. #6, April 1965)

15-104. Stop signs. The board of mayor and aldermen shall have full power and authority from time to time and as they deem advisable to designate stop streets by erecting appropriate signs thereat, and when such streets are so designated as stop streets and plainly visible stop signs erected thereat, they shall be observed by all operators of motor vehicles. (Ord. #6, April 1965)

15-105. TCA sections adopted. Tennessee Code Annotated, §§ 55-8-101 to 55-8-179 designated as "Rules of the Road," and Tennessee Code Annotated, §§ 55-9-201 to 55-9-211 inclusive, designated "Equipment-Lighting Regulations," and all amendments and additions thereto be and the same are hereby incorporated herein by reference and made a part hereof as fully as if copied verbatim herein, and the violation of any of said statutes shall be deemed a violation of this chapter punishable not as provided by said statutes but as hereinafter set out for the violation of any of the provisions of this chapter. (Ord. #6, April 1965)

15-106. Violation and penalty. The violation of any section, part or provision of this chapter is hereby declared to be a misdemeanor punishable upon conviction by a fine of not less than two dollars (\$2.00), nor more than fifty dollars (\$50.00), provided however, the city judge may in his discretion waive said fine for a parking violation upon payment into town treasury the sum of fifty cents (50¢), within forty-eight (48) hours from the time of a violation by the responsible person. (Ord. #6, April 1965).

15-107. Compliance with financial responsibility law required.

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

(2) At the time the driver of a motor vehicle is charged with any moving violation under title 55, chapters 8 and 10, parts 1-5, chapter 50; any provision in this title of the Kimball 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 the purposes of this section, "financial responsibility" means:

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

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

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

(4) Civil offense. It is a civil offense to fail to provide evidence of financial responsibility pursuant to this section. Any violation of this section is punishable by a civil penalty of up to fifty dollars (\$50). The civil penalty prescribed by this section shall be in addition to any other penalty prescribed by the laws of this state or the city's municipal code of ordinances.

(5) Evidence of compliance after violation. On or before the court date, the person charged with a violation of this section may submit evidence of compliance with this section in effect at the time of the violation. If the court is satisfied that compliance was in effect at the time of the violation, the charge of failure to provide evidence of financial responsibility may be dismissed. (as added by Ord. #145, April 2002)