

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.

²State law references

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

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15-101. Statutes adopted. Pursuant to Tennessee Code Annotated, § 55-10-307, the City of Sparta hereby adopts by reference as part of this chapter, Tennessee Code Annotated, §§ 55-8-101 through 55-8-180 and 55-10-101 through 55-10-310, 55-9-603 and 55-9-107. Any person violating any provisionals of the state laws hereby adopted shall be guilty of a misdemeanor. (Ord. #97-693, March 1997, as amended by Ord. #07-826, Nov. 2007)

15-102. Vehicles to be equipped as prescribed by state law. Neither the operator nor the owner of any vehicle shall cause or permit such vehicle to be operated upon any street, alley or other public place unless the vehicle is equipped and maintained with warning devices, lights, brakes, mufflers, windshield wipers, rear view mirrors, and other equipment as is

prescribed by the Tennessee Code Annotated, title 55, chapter 9. (Ord. 97-693, March 1997)

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

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

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

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

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

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

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

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

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

15-108. Laned streets. On streets marked with traffic lanes, it shall be unlawful for the operator of any vehicle to fail or refuse to keep his vehicle within the boundaries of the proper lane for his direction of travel except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

On two (2) lane and three (3) lane streets, the proper lane for travel shall be the right hand lane unless otherwise clearly marked. On streets with four

(4) or more lanes either of the right hand lanes shall be available for use except that traffic moving at less than the normal rate of speed shall use the extreme right hand lane. On one-way streets either lane may be lawfully used in the absence of markings to the contrary. (Ord. #97-694, March 1997)

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

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

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

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

15-112. Presumption of official nature of signs, devices. When a traffic-control sign, signal, marking or device has been placed, the presumption shall be that it is official and that it has been lawfully placed by the proper municipal authority. All presently installed traffic-control signs, signals, markings, and devices are hereby authorized, ratified, and made official. (Ord. #97-693, March 1997)

15-113. Driving in a procession. Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as

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.

practicable and shall follow the vehicle ahead as close as is practicable and safe. (Ord. #97-694, March 1997)

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

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

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

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

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

15-119. Operators to be licensed. It shall be unlawful for any person to operate a motor vehicle in violation of the Tennessee "Uniform Classified and Commercial Drivers License Act of 1988." Including violations of Tennessee Code Annotated, § 55-50-331, Section (d) which states the department of safety, upon issuing a license, shall have the authority to impose restrictions suitable to the licensee's driving ability with respect to the type of, or special, mechanical control devices required on a motor vehicle which the licensee may operate, or

such other restrictions applicable to the licensee as the department may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee. (Ord. #97-693, March 1997)

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

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

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

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

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

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

15-125. Use of coasters and similar devices restricted. No person upon roller skates, or riding in or by means of any coaster, toy vehicle or similar device, shall go upon any roadway except while crossing a street on a crosswalk and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. (Ord. #97-693, March 1997)

15-126. Bicycles to obey traffic-control devices. (1) Any person operating a bicycle shall obey the instructions of official traffic-control signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer.

(2) Whenever authorized signs are erected indicating that no right or left or U turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians. (Ord. #97-693, March 1997)

15-127. Riding bicycles on sidewalks regulated. (1) No person shall ride a bicycle upon a sidewalk within the business district.

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

(3) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian. (Ord. #97-693, March 1997)

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

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

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

15-130. Load restrictions upon vehicles using certain streets. When signs are erected giving notice hereof, no person shall operate any vehicle with a gross weight in excess of the weight so posted at any time upon any of the streets or parts of streets affected by such signs. (Ord. #97-693, March 1997)

15-131. License plates, title card required for vehicles. Neither the operator nor the owner of any vehicle shall cause or permit such vehicle to be upon any street, alley or other public place unless the license plates and title card are attached, exhibited and maintained thereon in conformity with state law. (Ord. #97-693, March 1997)

15-132. Chief of police to designate crosswalks, safety zones. The chief of police is hereby empowered as follows:

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

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

15-133. Boarding, alighting from moving vehicles. No person shall board or alight from any vehicle while such vehicle is in motion. (Ord. #97-693, March 1997)

15-134. Opening doors into traffic. No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, nor shall any person leave a door open on the side of a motor vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers. (Ord. #97-693, March 1997)

15-135. "Jaywalking" regulated. No pedestrians shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a crosswalk. However, at intersections where traffic-control signals have traffic stopped in all directions these provisions shall not apply to pedestrians crossing within the area common to both intersecting roadways. (Ord. #97-693, March 1997)

15-136. Driving through safety zone. No vehicle shall at any time be driven through or within a safety zone. (Ord. #97-694, March 1997)

15-137. Driving across private, public property. No one shall drive a vehicle from a street or alley across premises on which a filling station, store or other business concern is located, or across public property, for the sole purpose of passing from one street or alley to another. (Ord. #97-694, March 1997)

15-138. Traffic-control signals. The board of mayor and aldermen may designate intersections and other places at which traffic-control signals

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

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

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

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

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

15-143. Compliance with financial responsibility law required.

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

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

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

(a) Documentation, such as the declaration page of an insurance policy, an insurance binder, or an insurance card from an insurance

company authorized to do business in Tennessee, stating that a policy of insurance meeting the requirements of the Tennessee Financial Responsibility Law of 1977, compiled in Tennessee Code Annotated, chapter 12, title 55, has been issued;

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

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

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

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

CHAPTER 2

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

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

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 any vehicle within the block where fire apparatus has stopped in answer to a fire alarm. (Ord. #97-693, March 1997)

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

CHAPTER 3

SPEED LIMITS

SECTION

15-301. Speed limit generally.

15-302. Speed limit at intersections.

15-303. Speed limit in school zones and near playgrounds.

15-304. Speed limit in specific areas.

15-305. Careless driving.

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

15-302. Speed limit at intersections. It shall be unlawful for any person to operate or drive a motor vehicle through any intersection at a rate of speed in excess of fifteen (15) miles per hour unless 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. (Ord. #97-694, March 1997)

15-303. Speed limit in school zones and near playgrounds. 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 fifteen (15) 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 school. (Ord. #97-694, March 1997)

15-304. Speed limit in specific areas. The board of mayor and aldermen may establish speed limits different from those set out in this chapter, and it shall be the duty of the street department to place and maintain signs or other markings giving notice of such speed limits. It shall be unlawful for any person to operate or drive a motor vehicle at a rate of speed in excess of any posted speed limit. (Ord. #97-694, March 1997)

15-305. Careless driving. Every person operating a motor vehicle, motorcycle, or motor driven cycle on any public road, highway, street, alley, or on any area open to the use of the public for purposes of vehicular traffic within the corporate limits of the City of Sparta, shall drive such vehicle in a careful and prudent manner, having due regard for the width, grade, curves, corners, traffic, and use of these roadways and areas and all other attendant circumstances, so as not to endanger the life, limb, or property of any person.

Failure to drive in such a manner shall constitute careless driving. (Ord. #97-694, March 1997)

CHAPTER 4**TURNING MOVEMENTS****SECTION**

15-401. Turn regulations.

15-402. "U" turns prohibited.

15-401. Turn regulations. The board of mayor and aldermen may regulate, restrict or prohibit the making of turning movements. The street department shall place and maintain markings, buttons or signs giving notice of such regulations, restrictions or prohibitions, and it shall be unlawful to disobey or fail to comply with any such markings, buttons or signs. (Ord. #97-694, March 1997)

15-402. "U" turns prohibited. No driver of a motor vehicle shall make a "U" turn upon any street of the municipality. (Ord. #97-694, March 1997)

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, the driver of every other vehicle 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. (Ord. #97-695, March 1997)

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. (Ord. #97-695, March 1997)

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 indication to proceed. (Ord. #97-695, March 1997)

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. (Ord. #97-695, March 1997)

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 it is safe to proceed through the intersection. (Ord. #97-695, March 1997)

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. (Ord. #97-695, March 1997)

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) Vehicle 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 to do so 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.

(b) Pedestrians facing such signal shall not enter the roadway unless authorized to do so 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 to do so 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. (Ord. #97-695, March 1997)

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 sign). 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 title. (Ord. #97-695, March 1997)

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 city, 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. (Ord. #97-695, March 1997)

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. (Ord. #97-695, March 1997)

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

CHAPTER 6

PARKING

SECTION

- 15-601. Manner of parking generally.
- 15-602. Angle parking.
- 15-603. Vehicle to be entirely in one space.
- 15-604. Parking for washing, greasing, repairing.
- 15-605. Parking for sale.
- 15-606. Prohibited in loading and unloading zones.
- 15-607. Obstructing traffic.
- 15-608. Regulations at specific locations.
- 15-609. Stopping, standing or parking prohibited in specific spaces.
- 15-610. Use of bus stops, taxicab stands.
- 15-611. Maximum parking time limit.
- 15-612. Occupying more than one space.
- 15-613. Unauthorized parking in spaces designated for handicapped.
- 15-614. Pedestrians' right-of-way in crosswalk.
- 15-615. Presumption of responsibility for parking violation.

15-601. Manner of parking generally. Except as hereinafter provided, every vehicle parked upon a street within this city 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 city 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. (Ord. #97-695, March 1997)

15-602. Angle parking. On those streets which have been signed or marked by the city 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. (Ord. #97-695, March 1997)

15-603. Vehicle to be entirely in 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. (Ord. #97-695, March 1997)

15-604. Parking for washing, greasing, repairing. No person shall wash, grease, or work on any vehicle, except to make repairs necessitated by an

emergency, while such vehicle is parked on a public street. (Ord. #97-695, March 1997)

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

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

15-607. Obstructing traffic. No person shall park any vehicle upon a street or alleyway 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. (Ord. #97-695, March 1997)

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

15-609. Stopping, standing or parking prohibited in specific spaces. No person shall stop, stand or park a vehicle within fifteen (15) feet of a fire hydrant.

(1) **Fire lane.** No person shall stop, stand or park a vehicle at any place where an official sign prohibits stopping in a fire lane.

(2) At any place where official signs prohibit stopping or parking. (Ord. #97-695, March 1997)

15-610. Use of bus stops, 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. (Ord. #97-695, March 1997)

15-611. Maximum parking time limit. Notwithstanding anything else in this code to the contrary, no person shall park or leave a vehicle parked on

any public street or alley for more than seventy-two (72) hours without the prior approval of the chief of police. (Ord. #97-695, March 1997)

15-612. Occupying more than one space. It shall be unlawful for the owner or operator of any vehicle to park or allow his vehicle to be parked across any line or marking designating a parking space or otherwise so that such vehicle is not entirely within the designated parking space; provided, however, that vehicles which are too large to park within one space may be permitted to occupy two (2) adjoining spaces. (Ord. #97-695, March 1997)

15-613. Unauthorized parking in spaces designated for handicapped. It shall be unlawful for any person, except a person who meets the requirements for the issuance of a distinguishing placard or license plate, a disabled veteran's license plate, or who meets the requirements of Tennessee Code Annotated, § 55-21-105(d), to park in any parking space designated with the wheelchair disabled sign. All parking spaces designated for handicapped must be properly marked with the wheelchair disabled sign and the words, "Unauthorized parking is punishable by a fine up to \$100". (Ord. #97-695, March 1997)

15-614. Pedestrians' right-of-way in crosswalk. (1) When traffic control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

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

(3) Subsection (1) does not apply under the condition stated in Tennessee Code Annotated, § 55-8-135(b).

(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. (Ord. #97-695, March 1997)

15-615. Presumption of responsibility for parking violation. When any unoccupied vehicle is found parked in violation of any provision of this chapter there shall be prima facie presumption that the registered owner of the vehicle is responsible for such illegal parking. (Ord. #97-695, March 1997)

CHAPTER 7

ADMINISTRATION AND ENFORCEMENT

SECTION

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

15-701. Authority of police, fire department officials, school patrols. (1) It shall be the duty of the officers of the police department or such officers as are assigned by the chief of police to enforce all street traffic laws of this city and all of the state vehicle laws applicable to street traffic in this city.

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

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

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

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

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

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

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

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

15-703. Disposition of fines, forfeitures. All fines or forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any of the provisions of this chapter shall be paid into the general fund of the city. (Ord. #97-696, March 1997)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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