

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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- 15-126. 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 of the City of Belle Meade 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. (Ord. 71-5, § 1.01. 1987 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. (Ord. 71-5, § 1.06. 1987 Code, § 9-106)

15-103. 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. 71-5, § 1.07. 1987 Code, § 9-107)

15-104. Careless driving. Every person operating a vehicle upon the streets within the City of Belle Meade, or upon any private road or driveway or parking area, shall drive the same in a careful and prudent manner, having regard for the width, grade, curves, corners, traffic and use of these streets and private areas and all other attendant circumstances, so as not to endanger the life, limb or property of any person. Failure to drive in such manner shall constitute careless driving and a violation of this chapter. (1987 Code, § 9-108, as replaced by ord. 88-13)

15-105. 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.

(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. 71-5, § 1.10, modified. 1987 Code, § 9-109)

15-106. 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, except for Belle Meade Boulevard 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 Belle Meade Boulevard, the proper lane for travel shall be the extreme right-hand lane, and it shall be unlawful to use the lane nearer the median except when lawfully passing another vehicle or when preparing for a left turn. (Ord. 71-5, § 1.11, modified, and amended by ord. 84-6. 1987 Code, § 9-110)

15-107. 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. 71-5, § 1.12. 1987 Code, § 9-111)

15-108. Arterial highways. In order to promote traffic safety within the corporate limits of the City of Belle Meade, certain roads within the city limits may be designated as arterial highways, and traffic on them shall have the right of way over traffic on roads entering and leaving these roads. All of the roads so designated shall be known and considered as arterial highways, and shall be so marked with the proper road signs. (Ord. 16, §§ 1 and 2. 1987 Code, § 9-112)

15-109. 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 city. (Ord. 71-5, § 1.13. 1987 Code, § 9-113)

15-110. 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 city. (Ord. 71-5, § 1.14. 1987 Code, § 9-114)

15-111. 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. (Ord. 71-5, § 1.15. 1987 Code, § 9-115)

15-112. Presumption with respect to traffic-control signs, etc. When a traffic-control sign, signal, marking, or device has been placed, the presumption shall be that it is official and that it has been lawfully placed by the proper authority. (Ord. 71-5, § 1.16, modified. 1987 Code, § 9-116)

15-113. 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 or other competent authority 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. 71-5, § 1.17. 1987 Code, § 9-117)

15-114. 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

¹Municipal code references

Stop signs, yield signs, flashing signals, traffic control signals generally: §§ 15-504--15-507.

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

they are in motion and when such vehicles are conspicuously designated. (Ord. 71-5, § 1.18. 1987 Code, § 9-118)

15-115. Clinging to vehicles in motion. 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. 71-5, § 1.20. 1987 Code, § 9-121)

15-116. 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. It shall also be unlawful for the owner or operator of any motor vehicle being operated on a street, alley, or other public way or place to permit a greater number of persons to ride on or within such vehicle than the seating space provided therein by the manufacturer of such vehicle. 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. 71-5, § 1.21. 1987 Code, § 9-122)

15-117. 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. (Ord. 71-5, § 1.22. 1987 Code, § 9-123)

15-118. 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. (Ord. 71-5, § 1.23. 1987 Code, § 9-124)

15-119. 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. 71-5, § 1.24. 1987 Code, § 9-125)

15-120. 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." (Ord. 71-5, § 1.25. 1987 Code, § 9-126)

15-121. 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. (Ord. 71-5, § 1.26. 1987 Code, § 9-127)

15-122. Damaging pavements. 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 track is likely to damage the surface or foundation of the street. (Ord. 71-5, § 1.19. 1987 Code, § 9-119)

15-123. Jogging, bicycling, etc. (1) Reflecting clothing and lights. No person shall run, walk, jog, cycle on, or otherwise use or occupy any street or roadway within the City of Belle Meade except when wearing clothing, or a device, capable of reflecting light or, in the case of a cyclist, a battery or generator powered lamp emitting a white light on the front visible from a distance of five hundred feet (500') and a red reflector and a red light on the rear visible from all distances from fifty (50') feet to three hundred (300') feet, during the period from one-half (1/2) hour before sunset to one-half (1/2) hour after sunrise and at all other times when vehicles are required to use lighting equipment.

(2) Portions of street where running allowed. Every person running, walking, jogging, or otherwise traveling by foot upon a street or roadway other than Belle Meade Boulevard shall travel single file facing approaching vehicular traffic no more than eighteen (18) inches from the left edge of the pavement. Those running, walking, jogging, or otherwise traveling by foot on Belle Meade Boulevard shall travel single file facing approaching vehicular traffic alongside the median no more than eighteen (18) inches from the edge of the pavement alongside the median. In either event those so running, walking, jogging, or

otherwise traveling by foot on streets or roads other than Belle Meade boulevard shall, by moving onto the shoulder of the road or otherwise clearing the pavement, and those so running, walking, jogging or otherwise traveling by foot on Belle Meade Boulevard, shall, by moving onto the median, respectively, yield to approaching traffic legally in the land occupied by such traffic as set forth in §15-106 of this code.

(3) **Bicycles.** Every person operating a bicycle upon a street or roadway, within the City of Belle Meade, shall ride single file, except when

(i) overtaking and passing another vehicle proceeding in the same direction,

(ii) preparing for a left turn, or actually turning left, at an intersection or into a private driveway, or

(iii) when reasonably necessary to avoid road conditions, fixed or moving objects, or other surface hazards that make it unsafe to continue along the right hand edge of the pavement, as close as practicable to, and, in any event within three (3) feet of, the right side of the roadway, moving with vehicular traffic, exercising due care at all times for his or her own safety and the safety of others.

(4) **Permits for races, etc.** Any person or organization desiring to conduct a race, run, or meet upon any street or roadway within the City of Belle Meade shall obtain the permission and approval of the board of commissioners by written application filed with the city manager not less than thirty (30) days prior to the date of the scheduled event. (1987 Code, § 9-128, as replaced by ord. 87-12, and amended by Ord. #2002-1, Jan. 2002)

15-124. Driving upon or across public ways. It shall be unlawful for any person to drive upon or across any unpaved portion of the Belle Meade Boulevard median. (As added by ord. 85-4. 1987 Code, § 9-129)

15-125. Classification of streets; weight limit; permits; exceptions; definitions. Streets, roads, and alleyways within the city shall be classified by ordinance or resolution as Class A streets or Class B streets, or Class C streets.

It shall be lawful to operate a vehicle of any weight, not otherwise prohibited by law, over class A streets.

It shall be unlawful to operate a vehicle whose gross weight, including its load, shall exceed 18,000 pounds, over class B streets, unless a permit shall have been applied for and issued pursuant to this section, and unless such permit shall be in the possession of the driver or operator at the time of such operation over such street. Operation of any truck, tractor, or freight vehicle over such streets, bearing private carrier or public carrier licenses of the State of Tennessee or of any other state, issued for any class other than class 1, 2, or 3, as defined in Tennessee Code Annotated, § 55-4-113, constitute a prima facie violation of this section.

It shall be unlawful to operate any truck or truck tractor over any street in the City of Belle Meade unless the declared maximum gross weight, including motor vehicle and load, shall be painted with durable paint in letters and figures not less than four (4) inches in height on the right side of trucks and truck tractors within five (5) feet of the front wheel.

Upon the filing of a written application signed by the owner of the vehicle for a permit therefor with the city manager, and if it be made to appear to the satisfaction of the city manager from such application that, either

(1) the operation of a vehicle in excess of the weight limit over a street or streets of any class is necessary in the furtherance of the construction of any building or structure, including driveways or private roads, within the City of Belle Meade, for which a building permit has already been issued by the City of Belle Meade, or in the maintenance of an existing building; or

(2) the point of origin or destination of the vehicle is so located that it cannot be reached without violation of the weight limits stated above and that it is not reasonably possible to divide or transfer the load or cargo of the vehicle so as to place same on vehicles whose gross weight will be in compliance with the weight limits stated above, then, and in either such case, the city manager shall issue a permit to such owner to pass over any designated streets, despite the weight limitations set out above, which permit shall specify the date or dates on which it shall be valid, the approximate loaded weight of such vehicle, and the route to be followed by such vehicle. Provided, that if in the judgment of the city manager the proposed load is of such excessive weight that it is reasonably calculated to damage or injure any culvert or bridge along the proposed route, he may, as a condition of granting the permit, require the applicant to post a bond payable to the city with good and sufficient sureties, in such penal sum as in the judgment of the city manager will adequately indemnify the city against such possible damage.

Nothing herein shall apply to vehicles of any person, firm, or corporation rendering services to the city by contract or agreement with the city, nor to vehicles of any public utility or public body when the same are en route to or from points within the city in connection with the business of the public utility or other public body.

Where the word "vehicle" or "truck" is used herein, all combinations of vehicles or trucks using a single motive power are intended, and the word "vehicle" shall be understood as including all forms of movable transportation, whether self-propelled or not, including equipment used in road building, construction, or excavation of any kind. (Ord. 58-1, §§ 1 -- 8, as amended by ords. 58-8, § 1; 62-3, § 1. 1987 Code, § 9-120, and ord. 91-8, § 1)

15-126. Compliance with financial responsibility law required.¹

(1) Every vehicle operated within the corporate limits of the City of Belle Meade 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

(a) Tennessee Code Annotated, title 55, chapters 8 and 10, parts 1-5, or chapter 50 or

(b) any provision of title 15 of the Belle Meade Municipal Code; or at the time of an accident for which notice is required under Tennessee Code Annotated, § 55-10-106, the arresting, or investigating, officer, as the case may be, 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 of the State of Tennessee, 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 Tennessee 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

¹Ord. #2001-2, April 2001 (formerly § 15-126, Baby carriages, strollers and bicycle-drawn carts prohibited on Belle Meade Boulevard) was deleted by Ord. #2011-7, July 2011.

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 so charged may submit evidence of financial responsibility at the time of the violation. If it is the person's first violation of this section and the court is satisfied that the financial responsibility was in effect at the time of the violation, the charge of failure to provide evidence of financial responsibility shall be dismissed. Upon the person's second or subsequent violation of this section, if the court is satisfied that the financial responsibility was in effect at the time of the violation, the charge of failure to provide evidence of financial responsibility may be dismissed. Any charge that is dismissed pursuant to this subsection shall be dismissed without costs to the defendant and no litigation tax shall be due or collected. (as added by Ord. #2002-2, March 2002, amended by Ord. #2009-2, June 2009, and renumbered by Ord. #2011-7, July 2011)

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 fighting vehicles, police vehicles, and such ambulances and other emergency vehicles as are designated by the chief of police of the City of Belle Meade, by the Metropolitan Government of Nashville and Davidson County, or by other competent authority. (Ord. 71-5, § 1.02. 1987 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, 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

¹Municipal code reference

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

consequences of his reckless disregard for the safety of others. (Ord. 71-5, § 1.03. 1987 Code, § 9-103)

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 the block where fire apparatus has stopped in answer to a fire alarm. (Ord. 71-5, § 1.04. 1987 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. (Ord. 71-5, § 1.05. 1987 Code, § 9-105)

CHAPTER 3

SPEED LIMITS

SECTION

- 15-301. In general.
- 15-302. At intersections.
- 15-303. In school zones.
- 15-304. In congested areas.
- 15-305. Speed limits for trucks.

15-301. In general. It shall be unlawful for any person to operate or drive a motor vehicle other than a truck (as defined in § 15-305(1)) upon any highway, street, or public way in the City of Belle Meade at a rate of speed in excess of thirty (30) miles per hour except where official signs authorized by resolution adopted by the board of commissioners, have been posted indicating other speed limits, in which cases the posted speed limit shall apply.

(1) "Motor vehicle" as used in this code shall not include "truck" as defined by § 15-305(1).

(2) The special, lower speed limits for trucks shall be governed by § 15-305. (Ord. #71-5, § 2.01. 1987 Code, § 9-201, as amended by Ord. #2013-6, Aug. 2013)

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. (Ord. 71-5, § 2.02. 1987 Code, § 9-202)

15-303. In school zones. Generally, pursuant to Tennessee Code Annotated, § 55-8-152, special speed limits in school zones shall be enacted based on an engineering investigation; shall not be less than fifteen (15) miles per hour; and shall be in effect only when proper signs are posted with a warning flasher or flashers in operation. It shall be unlawful for any person to violate any such special speed limit enacted and in effect in accordance with this paragraph. Speed limits enacted pursuant to this paragraph shall not apply at school entrances and exists to and from controlled access highways on the system of state highways.

When the board of commissioners has not established special speed limits as provided for above, any person who shall drive at a speed exceeding fifteen (15) miles per hour when passing a school during a recess period when a warning flasher or flashers are in operation, or during a period of forty (40) minutes before the opening hour of a school or a period of forty (40) minutes after the closing hour of a school, while children are actually going to or leaving

school, shall be prima facie guilty of reckless driving. (Ord. 71-5, § 2.03, modified. 1987 Code, § 9-203)

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 board of commissioners. (Ord. 71-5, § 2.04. 1987 Code, § 9-204)

15-305. Speed limits for trucks. It shall be unlawful for any person to operate or drive a "truck" upon any highway, street, or public way in the City of Belle Meade at a rate of speed in excess of twenty (20) miles per hour except where official signs authorized by resolution adopted by the board of commissioners, have been posted indicating other speed limits, in which cases, the posted speed limit shall apply.

(1) For the purposes of this section, "truck" is defined as any motor vehicle of one and one-half (1 1/2) ton rated capacity or more.

(2) Other than the provisions of § 15-301 of this code, all other provisions governing the speed and operation of motor vehicles within the City of Belle Meade shall continue to apply to operations of trucks. (As added by Ord. #2013-6, Aug. 2013)

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 the operation of any other vehicle without first signaling his intention so to do in accordance with the requirements of the state law.¹ (Ord. 71-5, § 3.01. 1987 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. (Ord. 71-5, § 3.02. 1987 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 line of the two roadways. (Ord. 71-5, § 3.03. 1987 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. (Ord. 71-5, § 3.04. 1987 Code, § 9-304)

15-405. U-turns. U-turns are prohibited. (Ord. 71-5, § 3.05. 1987 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 "stop" signs.
- 15-505. At "yield" signs.
- 15-506. At traffic-control signals generally.
- 15-507. At flashing traffic-control signals.
- 15-508. 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 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. 71-5, § 4.01. 1987 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. (Ord. 71-5, § 4.02. 1987 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. (Ord. 71-5, § 4.03. 1987 Code, § 9-403)

¹Municipal code reference

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

15-504. 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. (Ord. 71-5, § 4.05. 1987 Code, § 9-404)

15-505. 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. 71-5, § 4.06. 1987 Code, § 9-405)

15-506. 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.

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

(b) Pedestrians facing such signal shall not enter the roadway.

(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.

(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. 71-5, § 4.07, modified. 1987 Code, § 9-406)

15-507. At flashing traffic-control signals. Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal placed or erected by the City of Belle Meade, it shall require obedience by vehicular traffic as follows:

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

(2) Flashing yellow (caution signal). When a yellow lens is illuminated with intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution. (Ord. 71-5, § 4.08, modified. 1987 Code, § 9-407)

15-508. 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. 71-5, § 4.10. 1987 Code, § 9-408)

¹State law reference

Tennessee Code Annotated, § 55-8-143.

CHAPTER 6

PARKING

SECTION

- 15-601. "Illegal parking" generally.
- 15-602. Angle parking.
- 15-603. Occupancy of more than one space.
- 15-604. Gasoline trucks, etc.
- 15-605. Where parking prohibited.
- 15-606. Presumption with respect to illegal parking.

15-601. "Illegal parking" generally. (1) Every vehicle parked upon a street within the City of Belle Meade shall be so parked that it does not create a hazard to traffic.

(2) Every vehicle parked upon a street within the City of Belle Meade shall be so parked that it does not encroach into a lane of traffic.

(a) Vehicles shall only be parked on the right side of the street and/or lane(s) of traffic.

(b) Any vehicle parked in such a manner to require vehicles passing in the same direction to cross any line that marks a lane of traffic violates the prohibition of subsection (2) above.

(c) It is presumed that any vehicle parked such that its left wheels are within the driving lane encroaches into a lane for traffic.

(i) The "lane for traffic" is the area bounded on the left and right as designating the path for vehicles traveling in that direction.

(ii) On a two-way street, the "lane for traffic" is designated by the center line of the street and the outside, right hand boundary of the street.

(iii) In the case of adjoining lanes on Belle Meade Boulevard, the area between the left hand line and center line, and the area between the center line and line on the outer, right hand side of Belle Meade Boulevard.

(d) Where traffic lanes are not marked, vehicles shall be so parked that vehicles passing them in the same direction are not required to cross the center line of the street into the opposite lane to avoid the parked vehicles.

(e) The actions set forth in subsections (a)--(d) above are not exclusive, as all actions that create a hazard for traffic are prohibited.

(3) The actions prohibited by § 15-605 of this chapter likewise constitute actions that create a hazard for traffic.

(4) 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 forty-eight (48) consecutive hours without the prior approval of the chief of police.

(5) No person shall stand or park a vehicle upon a street or public way of the city for the principal purpose of displaying it for sale or displaying merchandise for sale on or near such vehicle or making sales of merchandise from such vehicle.

(6) 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. (Ord. 59-9, § 4; ord. 71-5, § 5.01. 1987 Code, § 9-501, as replaced by Ord. #2011-9, Aug. 2011)

15-602. Angle parking. On those streets which have been signed or marked by the City of Belle Meade 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. 71-5, § 5.02. 1987 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. (Ord. 71-5, § 5.03. 1987 Code, § 9-503)

15-604. Gasoline trucks, etc. It shall be unlawful for any person owning or operating a tank truck, or any other vehicle used for transporting more than fifty gallons of gasoline, kerosene, benzol, naphtha, or other volatile liquids or liquified gases, to leave such vehicle parked on any of the streets or public ways of the city during the hours between sunset and sunrise. (Ord. 59-9, § 6. 1987 Code, § 9-504)

15-605. Where parking prohibited. No person shall park a vehicle in violation of any sign placed or erected by the state or city, 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 or school children's 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 city. (Ord. 71-5, § 5.04, modified. 1987 Code, § 9-505)

15-606. 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. (Ord. 71-5, § 5.05. 1987 Code, § 9-506)

CHAPTER 7

ENFORCEMENT

SECTION

- 15-701. Issuance of traffic citations.
- 15-702. Failure to obey citation.
- 15-703. Illegal parking.
- 15-704. Impoundment of vehicles.
- 15-705. Disposition of abandoned motor vehicles.
- 15-706. Storage on private property.
- 15-707. Deposit of license in lieu of bail.

15-701. Issuance of traffic citations.¹ When a patrolman or police officer of the city 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 person charged with such violation to answer as specified in the citation, shall release such person from custody. (Ord. 71-5, § 6.02. 1987 Code, § 9-602)

15-702. 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. 71-5, § 6.03. 1987 Code, § 9-603)

15-703. Illegal parking. Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by this title, 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 at the meeting of the city court of the City of Belle Meade on the day and during the hours specified in the citation. In the event the owner shall appear and waive his right to a judicial hearing but before a warrant for his arrest is issued, his fine shall be twenty-five dollars (\$25.00); if such appearance shall be made after issuance of warrant but before service of

¹State law reference

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

same, the fine shall include the cost of issuing the warrant. (Ord. #71-5, § 6.04. 1987 Code, § 9-604, as amended by Ord. #2011-9, Aug. 2011, and Ord. #2012-4, Sept. 2012)

15-704. Impoundment of vehicles. The patrolmen and other members of the police department of the City of Belle Meade are hereby authorized, when reasonably necessary to prevent obstruction of traffic, to remove or cause to be removed from the streets and impound any vehicle whose operator is arrested or any vehicle which is illegally parked, abandoned, or otherwise parked so as to constitute an obstruction or hazard to normal traffic. Any vehicle left parked on any street or alley for more than forty-eight (48) 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. In the event a vehicle shall be impounded, same shall be stored until the owner shall claim it, with satisfactory evidence of ownership, and pay all applicable fines and costs, including the actual cost of storage. The fee for impounding a vehicle shall be ten dollars (\$10.00) and a storage cost of two dollars (\$2.00) per day shall also be charged. (Ord. 71-5, § 6.01. 1987 Code, § 9-601)

15-705. Disposition of abandoned motor vehicles. (1) The police department may take into custody any motor vehicle found abandoned on public or private property. In carrying out this activity, the department may employ its own personnel, equipment, and facilities or hire persons, equipment, and facilities for the purpose of removing, preserving, and storing abandoned motor vehicles.

(2) In the event the police department shall take into custody an abandoned motor vehicle, it shall, within fifteen (15) days thereof, notify, by registered mail, return receipt requested, the last known registered owner of the motor vehicle and all lien holders of record that said vehicle has been taken into custody. Such notice shall describe the year, make, model, and serial number of the abandoned motor vehicle; set forth the location of the facility where the motor vehicle is being held; inform the owner and all lien holders of their right to reclaim the motor vehicle within three (3) weeks after the date of the notice, upon payment of all towing, preservation, and storage charges resulting from placing the vehicle in custody; and state that the failure of the owner or lien holders to exercise their right to reclaim the vehicle within the time provided shall be deemed a waiver by the owner and all lien holders of all right, title, and interest in the vehicle and consent to the sale of the abandoned motor vehicle at a public auction.

(3) If the identity of the last registered owner cannot be determined, if the registration contains no address for the owner, or if it is impossible to determine with reasonable certainty the identity and addresses of all lien holders, notice by one (1) publication in one (1) newspaper of general circulation in the area where the motor vehicle was abandoned shall be sufficient to meet

all requirements of notice pursuant to this section and the laws of Tennessee. Such notice by publication may contain multiple listings of abandoned vehicles. Any such notice shall be within the time requirements prescribed for notice by registered mail, and shall have the same contents required for a notice by registered mail.

(4) The consequences and the effect of a failure to reclaim an abandoned motor vehicle shall be as set forth in a valid notice given pursuant to Tennessee law and the requirements of this section.

(5) If an abandoned motor vehicle has not been reclaimed as provided for hereinabove, the police department shall sell the abandoned motor vehicle at a public auction. The purchaser of the motor vehicle shall take title to the motor vehicle free and clear of all liens and claims of ownership, shall receive a sales receipt from the police department, and upon presentation of such sales receipt, the state department of revenue shall issue a certificate of title to the purchaser. The sales receipt only shall be sufficient title for purposes of transferring the vehicle to a demolisher for demolition, wrecking, or dismantling, and in such case no further titling of the vehicle shall be necessary. The proceeds of the sale of an abandoned motor vehicle shall be used for payment of the expenses of the auction, the costs of towing, preserving, and storing the abandoned motor vehicle, and all notice and publication costs incurred pursuant to the requirements of the law and this section. Any remainder from the proceeds of a sale shall be held for the owner of the vehicle or entitled lien holder for ninety (90) days, and shall then be deposited in a special fund which shall remain available for the payment of auction, towing, preserving, storage, and all notice and publication costs which result from placing other abandoned vehicles in custody, whenever the proceeds from a sale of such other abandoned motor vehicles are insufficient to meet these expenses and costs. Whenever the city treasurer of Belle Meade shall find that monies in the special fund are in excess of reserves likely to be needed for the purposes thereof, he may transfer the excess to the general fund, but in such event claims against the special fund, if the special fund shall be temporarily exhausted, shall be met from the general fund to the limit of any transfers previously made thereto pursuant to the provisions of this section. (Ord. 71-5, § 6.05. 1987 Code, § 9-605)

15-706. Storage on private property. No greater number of automobiles may be stored on private property than can be stored in the garage space provided by the zoning code. (1987 Code, § 9-606)

15-707. Deposit of license in lieu of bail. Whenever any person lawfully possessed of a chauffeur's or operator's license theretofore issued to him by the department of safety, State of Tennessee, is issued a citation or arrested and charged with a violation of any municipal ordinance regulating traffic except those the violation of which call for the mandatory revocation of an

operator's or chauffeur's license for any period of time, the person so cited shall have the option of depositing his chauffeur's or operator's license issued under Tennessee Code Annotated, title 55, chapter 7, with the officer or court demanding bail in lieu of any other security required for his appearance in the city court for the City of Belle Meade, Tennessee, in answer to any such charge before the court except those therein expressly excluded.

Whenever any person deposits his chauffeur's or operator's license as herein 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 motor vehicles upon the public highways of this community 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 deposited in lieu of bail if the driver fails to appear in answer to the charge filed against him, and, in accordance with Tennessee Code Annotated, § 55-7-403, the license will not be released by the department of safety until the charge for which the license was so deposited has been disposed of by the court in which pending. (Ord. 77-6, § 1, modified. 1987 Code, § 9-607)