

TITLE 15

MOTOR VEHICLES, TRAFFIC AND PARKING¹

CHAPTER

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PARKING

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15-101. Generally. No person shall leave any motor vehicle unattended on any street without first setting the brakes thereon, stopping the motor, removing the ignition key, and turning the front wheels of such vehicle toward the nearest curb or gutter of the street.

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

Notwithstanding anything else in this code to the contrary, no person shall park or leave a vehicle parked on any public street or alley within the fire limits between the hours of 1:00 A.M. and 5:00 A.M. or on any other public street or alley for more than seventy-two (72) consecutive hours without the prior approval of the chief of police.

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. #97-8, Aug. 1997, as replaced by Ord. #18-36, Nov. 2018)

¹Municipal code references

Abandoned, wrecked and inoperative vehicles: title 13, ch. 4.

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

15-102. Angle parking. On those streets which have been signed or marked by the municipality for angle parking, no person shall park or stand a vehicle other than at the angle indicated by such signs or markings. No person shall angle park any vehicle which has a trailer attached thereto or which has a length in excess of twenty-four feet (24'). (Ord. #99-16, Oct. 1999, as replaced by Ord. #18-36, Nov. 2018)

15-103. 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 (1) 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. (as added by Ord. #18-36, Nov. 2018)

15-104. Where prohibited. No person shall park a vehicle in violation of any sign placed or erected by the state or municipality, nor:

- (1) On a sidewalk.
- (2) In front of a public or private driveway.
- (3) Within an intersection or within fifteen feet (15') thereof.
- (4) Within fifteen feet (15') of a fire hydrant.
- (5) Within a pedestrian crosswalk.
- (6) Alongside or opposite any street excavation or obstruction when other traffic would be obstructed.
- (7) On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- (8) Alongside any curb painted yellow or red by the municipality. (as added by Ord. #18-36, Nov. 2018)

15-105. Loading and unloading zones. No person shall park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers or merchandise in any place marked by the municipality as a loading and unloading zone. (as added by Ord. #18-36, Nov. 2018)

15-106. Presumption with respect to illegal parking. When any occupied or 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. (as added by Ord. #18-36, Nov. 2018)

CHAPTER 2

SPEED LIMITS

SECTION

- 15-201. General.
- 15-202. State highways.
- 15-203. Intersections.
- 15-204. School zones.
- 15-205. Violation and penalty.

15-201. General. It shall be unlawful for any person to operate or drive a motor vehicle upon any highway or street, with the exception of State Highway 49 and State Highway 41-A, at a rate of speed in excess of 30 miles per hour, except where official signs have been posted indicating other speed limits, in which cases the posted speed limit shall apply. The board of mayor and aldermen may by resolution establish such other speed limits. (Ord. #97-3, March 1997)

15-202. State highways. It shall be unlawful for any person to operate or drive a motor vehicle upon State Highway 49 or State Highway 41-A at a rate of speed in excess of 45 miles per hour, except where official signs have been posted indicating lower speed limits, in which cases the posted speed limit shall apply. The board of mayor and aldermen may by resolution establish such other speed limits. (Ord. #97-3, March 1997)

15-203. Intersections. It shall be unlawful for any person to operate or drive a motor vehicle through any intersection at a rate of speed in excess of 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. #97-3, March 1997)

15-204. School zones. Pursuant to Tennessee Code Annotated, § 55-8-152, the city shall have the authority to enact special speed limits in school zones. Such special speed limits shall be enacted based upon an engineering investigation; should not be less than 15 miles per hour; shall be in effect only when the 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 subsection.

In school zones where the board of mayor and aldermen has not established special speed limits as provided for above, a person who shall drive at a speed exceeding 15 miles per hour when passing a school during a recess period or 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. #97-3, March 1997)

15-205. Violation and penalty. Any violation of this chapter shall be a civil offense and shall be punishable by a penalty of up to fifty dollars (\$50.00) for each offense. (Ord. #99-15, Oct. 1999)

CHAPTER 3

MISCELLANEOUS

SECTION

15-301. Compliance with financial responsibility law required.

15-302. Traffic committee.

15-301. 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 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 and issued by the commissioner of safety stating that a cash deposit or bond in the amount required by the Tennessee Financial Responsibility Law of 1977, compiled in Tennessee Code Annotated, chapter 12, title 55, has been paid or filed with the commissioner, or has qualified as a self-insurer under Tennessee Code Annotated, § 55-12-111; or

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

(4) Civil offense. It is a civil offense to fail to provide evidence of financial responsibility pursuant to this section. Any violation of this section is punishable by a civil penalty of up to fifty dollars (\$50). The civil penalty prescribed by this section shall be in addition to any other penalty prescribed by the laws of the 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. (Ord. #04-02, March 2004)

15-302. Traffic committee. The board of mayor and aldermen of the Town of Pleasant View, Tennessee, shall establish a traffic committee according to the following:

- (1) The traffic committee shall meet on an as needed basis.
- (2) Decisions of the traffic committee shall be implemented, unless the cost of the project one thousand dollars (\$1,000.00) or more requires approval of the board of mayor and aldermen. (as added by Ord. #17-10, July 2017)

CHAPTER 4

ENFORCEMENT

SECTION

- 15-401. Issuance of traffic citations.
- 15-402. Failure to obey citation.
- 15-403. Illegal parking.
- 15-404. Impoundment of vehicle.
- 15-405. Violation and penalty.
- 15-406. Adoption of state traffic statutes.
- 15-407. No left turn allowed in certain areas.
- 15-408. Right turn only in certain areas.

15-401. Issuance of traffic citations.¹ When a police officer halts a traffic violator other than for the purpose of giving a warning, and does not take such person into custody under arrest, he shall take the name, address, and operator's license number of said person, the license number of the motor vehicle involved, and such other pertinent information as may be necessary, and shall issue to him a written traffic citation containing a notice to answer the charge against him in the city court at a specified time. The officer, upon receiving the written promise of the alleged violator to answer as specified in the citation, shall release such person from custody. It shall be unlawful for any alleged violator to give false or misleading information as to his name or address. (as added by Ord. #18-36, Nov. 2018)

15-402. Failure to obey citation. It shall be unlawful for any person to violate his/her 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. On those streets which have been signed or marked by the municipality for angle parking, no person shall park or stand a vehicle other than at the angle indicated by such signs or markings. No person shall angle park any vehicle which has a trailer attached thereto or which has a length in excess of twenty-four feet (24'). (as added by Ord. #18-36, Nov. 2018)

15-403. Illegal parking. Whenever any motor vehicle with or 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

¹State law reference

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

owner to answer for the violation within ten (10) days during the hours and at a place specified on the citation. (as added by Ord. #18-36, Nov. 2018)

15-404. Impoundment of vehicles. Members of the police department are hereby authorized, when reasonably necessary for the security of the vehicle or to prevent obstruction of traffic, to remove from the streets and impound any vehicle whose operator is arrested, or any unattended vehicle which is parked so as to constitute an obstruction or hazard to normal traffic. Any impounded vehicle shall be stored until the owner or other person entitled thereto, claims it, gives satisfactory evidence of ownership or right to possession, and pays all applicable fees and costs, or until it is otherwise lawfully disposed of. Any and all fees associated with impounding a vehicle shall be paid directly to the company that impounds the vehicle. (as added by Ord. #18-36, Nov. 2018)

15-405. Violation and penalty. Any violation of this title shall be a civil offense punishable as follows:

(1) **Traffic citations.** Traffic citations shall be punishable by a civil penalty up to fifty dollars (\$50.00), plus applicable court costs for each separate offense.

(2) **Parking citations.** Any person receiving such a citation may, within ten (10) days, have the charge against him disposed of by paying to the city recorder a fine of twenty dollars (\$20.00) provided he waives his right to a judicial hearing. If he/she appears and waives his/her right to a judicial hearing after ten (10) days, his/her fine shall be up to fifty dollars (\$50.00) (as added by Ord. #18-36, Nov. 2018)

15-406. Adoption of state traffic statutes. By the authority granted under Tennessee Code Annotated, § 16-18-302, the Town of Pleasant View hereby adopts by reference as if fully set in this section, the "Rules of the Road," as codified in Tennessee Code Annotated, §§ 55-3-101 through 55-3-102, § 55-3-127, § 55-4-101, § 55-4-104, § 55-4-108, § 55-4-110, § 55-4-113, § 55-4-115, § 55-4-120, § 55-4-131, § 55-4-136, § 55-7-109, § 55-7-113, §§ 55-7-201 through 55-7-203, §§ 55-8-101 through 55-8-131, §§ 55-8-133 through 55-8-180. Additionally, the Town of Pleasant View adopts Tennessee Code Annotated, §§ 55-8-181 through 55-8-193, §§ 55-8-199 through 55-8-207, §§ 55-9-101 through 55-9-107, §§ 55-9-201 through 55-9-207, § 55-9-212, § 55-9-216, §§ 55-9-302 through 55-9-308, §§ 55-9-401 through 55-9-408, §§ 55-9-414 through 55-9-415, §§ 55-9-601 through 55-9-606, § 55-10-301, § 55-10-416, § 55-12-139, § 55-50-333, § 55-50-351 and § 55-50-601, by reference as if fully set forth in this section. (as added by Ord. #18-36, Nov. 2018, and replaced Ord. #22-02, April 2022 *Ch4_02-13-23*)

15-407. No left turn allowed in certain areas. No left turns shall be allowed at the intersection of Highway 49 and Main Street on both sides of the

road, between the hours of 7:00 A.M. to 8:00 A.M. in the morning and between the hours of 2:30 P.M. and 3:30 P.M. in the afternoon. (as added by Ord. #18-36, Nov. 2018)

14-408. Right turn only in certain areas. Right turn only from Pleasant View Main Street onto Hwy. 49 between the weekday hours of 7:00 A.M. to 8:00 A.M. and 2:30 P.M. to 3:30 P.M. where signs are erected indicating right turn only, and any other areas inside the town where direction of travel for vehicles is controlled by signage. (as added by Ord. #22-10, Oct. 2022 *Ch4_02-13-23*)