

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. Motor vehicle requirements. It shall be unlawful for any person to operate any motor vehicle within the corporate limits unless such vehicle is equipped with properly operating muffler, lights, brakes, horn, and such other equipment as is prescribed and required by Tennessee Code Annotated, title 55, chapter 9. (1963 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. (1963 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. (1963 Code, § 9-107)

15-104. Driving under the influence. (See Tennessee Code Annotated, §§ 55-10-401, 55-10-303, and 55-10-307). (1963 Code, § 9-108, modified)

15-105. 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. (1963 Code, § 9-109)

15-106. 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. (1963 Code, § 9-110)

15-107. 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. (1963 Code, § 9-111)

15-108. 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. (1963 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 municipality except in compliance with the directions of a police officer. (1963 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

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.

Administration, and shall, so far as practicable, be uniform as to type and location throughout the municipality. (1963 Code, § 9-114, modified)

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 or any railroad sign or signal. (1963 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 city authority. (1963 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 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. (1963 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 they are in motion and when such vehicles are conspicuously designated. (1963 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. (1963 Code, § 9-120)

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. 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. (1963 Code, § 9-121)

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. (1963 Code, § 9-122)

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. (1963 Code, § 9-123)

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. (1963 Code, § 9-124)

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." (1963 Code, § 9-125)

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. (1963 Code, § 9-126)

15-122. Damaging pavements. No person shall operate upon any street of the municipality any vehicle, motor propelled or otherwise, which by reason of its weight or the character of its wheels or track is likely to damage the surface or foundation of the street. (1963 Code, § 9-119)

15-123. Bicycle helmets and restraining seat. 1. Definitions. As used in this section, the following terms have the following meanings, unless the context otherwise requires:

a. "Bicycle" means a human-powered vehicle with two (2) wheels in tandem designed to transport, by the action of pedaling, one (1) or more persons seated on one (1) or more saddle seats on the same frame. Such term also includes a human-powered vehicle designed to transport by pedaling which has more than two (2) wheels where the vehicle is used on a public roadway, public bicycle path or other public right-of-way, but does not include a tricycle.

b. "Operator" means a person who travels on a bicycle seated on a saddle seat from which that person is intended to and can pedal the bicycle.

c. "Other public right-of-way" means any right-of-way other than a public roadway or public bicycle path that is under the jurisdiction and control of state or local political subdivision thereof and is designed for use and used by vehicular and/or pedestrian traffic.

d. "Passenger" means any person who travels on a bicycle in any manner except as an operator.

e. "Protective bicycle helmet" means a piece of headgear which meets or exceeds the impact standards for protective bicycle helmets set by the American National Standards Institute (ANSI) or the Snell Memorial Foundation, or which is otherwise approved by the Commissioner of Safety.

f. "Public bicycle path" means a right-of-way under the jurisdiction of control of the state or local political subdivision thereof for use primarily by bicycles and pedestrians.

g. "City roadway" means a street, alley, sidewalk, right-of-way or property under the jurisdiction and control of the city for use by motor vehicles, bicycles, or pedestrians.

h. "Tricycle" means three wheeled human powered vehicle.

2. With regard to any bicycle used on a city roadway or public bicycle path, it is unlawful:

a. For any person under the age of twelve (12) to operate or be a passenger on a bicycle unless at all times when so engaged such person wears a protective bicycle helmet of good fastened securely upon the head with the straps of the helmet.

b. For any person under the age of four (4) to be a passenger on a bicycle unless the person can be and is properly seated in and adequately secured to a restraining seat.

c. For any parent or legal guardian of a person below the age of twelve (12) to knowingly permit such person to operate or be a passenger on a bicycle in violation of subdivisions (1) or (2) of this section.

d. To rent or lease any bicycle to or for the use of any person under the age of twelve (12) unless:

i. The person is in possession of a protective bicycle helmet of good fit at the time as such rental or lease; or

ii. The rental or lease includes a protective bicycle helmet of good fit, and the person intends to wear the helmet, as required by subsection (2) at all times while operating or being a passenger on the bicycle.

3. The purpose of this section is to reduce the incidence of disability and death resulting from injuries incurred in bicycling on city roadways and other public right-of-ways, all bicycle operators and passengers under the age of twelve (12) wear approved protective bicycle helmets; that all bicycle passengers under the age of four (4) to be seated in separate restraining seats.

4. Except as provided in subsection (5) below, any adult person violating any requirement set forth in section 17-455¹ shall be guilty of a violation and upon conviction sentenced to pay a fine of two dollars (\$2.00) and court costs.

5. Upon commission of the first offense within a twelve-month (12) period under section (2)(c), it shall be a defense that the accused has since the date of the violation purchased or provided a protective bicycle helmet or a restraining seat, and used and intends to use or causes to be used or intends to cause to be used the same as the law requires.

6. In no event shall failure to wear a protective bicycle helmet or to secure a passenger to a restraining seat be admissible as evidence in a trial of any "civil action." (Ord. page 96-7-22-1054, July 1996)

15-124. Damage to city streets prohibited; recovery of cleaning and repair costs. 1. It shall be unlawful to operate a motor vehicle in such a manner or such weight as to cause damage to the streets of the City of Lenoir City.

2. It shall be unlawful to operate a motor vehicle in such a manner as to permit the vehicle to dispel mud or any other substance or debris on city streets.

¹Ord. Page 96-7-22-1054 (July 1996), from which these provisions were taken, makes reference to this section, although it is unclear where this section is located.

3. The operator of any such vehicle shall be responsible for any and all actual costs incurred by the City of Lenoir City in cleaning and/or repairing any city streets so affected. (as added by Ord. #1999-2-22-1232, Feb. 1999)

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. (1963 Code, § 9-102)

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

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

3. The exemptions herein granted for an authorized emergency vehicle shall apply only when the driver of any such vehicle while in motion sounds an audible signal by bell, siren, or exhaust whistle and when the vehicle is equipped with at least one (1) lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of five hundred (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. (1963 Code, § 9-103)

¹Municipal code reference

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

15-203. Following emergency vehicles. No driver of any vehicle shall follow any authorized emergency vehicle apparently travelling in response to an emergency call closer than five hundred (500) feet or drive or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm. (1963 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. (1963 Code, § 9-105)

CHAPTER 3

SPEED LIMITS

SECTION

15-301. In general.

15-302. At intersections.

15-303. In school zones and near playgrounds.

15-304. In congested areas.

15-301. In general. It shall be unlawful for any person to operate or drive a motor vehicle upon any highway or street at a rate of speed in excess of thirty (30) miles per hour except where official signs have been posted indicating other speed limits, in which cases the posted speed limit shall apply. (1963 Code, § 9-201)

15-302. At intersections. It shall be unlawful for any person to operate or drive a motor vehicle through any intersection at a rate of speed in excess of fifteen (15) miles per hour unless such person is driving on a street regulated by traffic control signals or signs which require traffic to stop or yield on the intersecting streets. (1963 Code, § 9-202)

15-303. 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 limits have been posted by authority of the municipality. This section shall not apply at times when children are not in the vicinity of a school and such posted signs have been covered by direction of the chief of police. (1963 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 municipality. (1963 Code, § 9-204)

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 in accordance with the requirements of the state law.¹ (1963 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. (1963 Code, § 9-302)

15-403. Left turns on two-way roadways. At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of the intersection of the center lines of the two roadways. (1963 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. (1963 Code, § 9-304)

15-405. U-turns. U-turns are prohibited. (1963 Code, § 9-305)

¹State law reference

Tennessee Code Annotated, § 55-8-143.

CHAPTER 5

STOPPING AND YIELDING

SECTION

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

15-501. Upon approach of authorized emergency vehicles.¹ Upon the immediate approach of an authorized emergency vehicle making use of audible and/or visual signals meeting the requirements of the laws of this state, or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall immediately drive to a position parallel to, and as close as possible to, the right hand edge 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. (1963 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. (1963 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. (1963 Code, § 9-403)

¹Municipal code reference

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

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

1. A clearly visible electrical or mechanical signal device gives warning of the approach of a railroad train.
2. A crossing gate is lowered or a human flagman signals the approach of a railroad train.
3. A railroad train is approaching within approximately fifteen hundred (1500) feet of the highway crossing and is emitting an audible signal indicating its approach.
4. An approaching railroad train is plainly visible and is in hazardous proximity to the crossing. (1963 Code, § 9-404)

15-505. At "stop" signs. The driver of a vehicle facing a "stop" sign shall bring his vehicle to a complete stop immediately before entering the crosswalk on the near side of the intersection or, if there is no crosswalk, then immediately before entering the intersection, and shall remain standing until he can proceed through the intersection in safety. (1963 Code, § 9-405)

15-506. At "yield" signs. The drivers of all vehicles shall yield the right of way to approaching vehicles before proceeding at all places where "yield" signs have been posted. (1963 Code, § 9-406)

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

1. Green alone, or "Go":
 - a. Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.
 - b. Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.
2. Steady yellow alone, or "Caution":
 - a. Vehicular traffic facing the signal is thereby warned that the red or "Stop" signal will be exhibited immediately thereafter, and such vehicular traffic shall not enter or be crossing the intersection when the red or "Stop" signal is exhibited.
 - b. Pedestrians facing such signal shall not enter the roadway unless authorized so to do by a pedestrian "Walk" signal.

3. Steady red alone, or "Stop":

a. Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until green or "Go" is shown alone.

b. Pedestrians facing such signal shall not enter the roadway unless authorized so to do by a pedestrian "Walk" signal.

4. Steady red with green arrow:

a. Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow but shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection.

b. Pedestrians facing such signal shall not enter the roadway unless authorized so to do by a pedestrian "Walk" signal.

5. In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made a vehicle length short of the signal. (1963 Code, § 9-407)

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

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

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

2. This section shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules set forth in § 15-504 of this code. (1963 Code, § 9-408)

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

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

2. Wait or Don't Walk. No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the walk signal shall proceed to the nearest sidewalk or safety zone while the wait signal is showing. (1963 Code, § 9-409)

15-510. Stops to be signaled. No person operating a motor vehicle shall stop such vehicle, whether in obedience to a traffic sign or signal or otherwise, without first signaling his intention in accordance with the requirements of the state law,¹ except in an emergency. (1963 Code, § 9-410)

¹State law reference

Tennessee Code Annotated, § 55-8-143.

CHAPTER 6

PARKING

SECTION

- 15-601. Generally.
- 15-602. Angle parking.
- 15-603. Occupancy of more than one space.
- 15-604. Where prohibited.
- 15-605. Loading and unloading zones.
- 15-606. Presumption with respect to illegal parking.
- 15-607. Unlawful to park for more than a three hour period.
- 15-608. Unlawful to park in spaces designated for the handicapped.
- 15-609. Unlawful to park on the right-of-ways of highways.
- 15-610. Trailers stored on streets overnight prohibited.
- 15-611. Vehicle repairs on streets prohibited.
- 15-612. Unlawful to park on the east bound lane of 1st Avenue between "A" Street and the "B" Street alley.
- 15-613. Downtown parking restrictions and boundaries.

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

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. (1963 Code, § 9-501)

15-602. Angle parking. On those streets which have been signed or marked by the municipality for angle parking, no person shall park or stand a vehicle other than at the angle indicated by such signs or markings. No person shall angle park any vehicle which has a trailer attached thereto or which has a length in excess of twenty-four (24) feet. (1963 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. (1963 Code, § 9-503)

15-604. Where 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 feet (15') of a fire hydrant;
5. Within a pedestrian crosswalk;
6. Within fifty feet (50') of a railroad crossing;
7. Within twenty feet (20') 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 feet (75') of the entrance;
8. Alongside or opposite any street excavation or obstruction when other traffic would be obstructed;
9. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
10. Upon any bridge;
11. Alongside any curb painted yellow or red by the municipality;
12. In any place or manner that unduly interferes with the safe and unobstructed movement of traffic;
13. It shall be unlawful to park a vehicle on city streets in such a manner as to obstruct, hinder, impede, inhibit or occlude the entrance to or exit from a private driveway. (1963 Code, § 9-504, as amended by Ord. #____, _____, and Ord. #378A, Jan. 1984)

15-605. Loading and unloading zones. No person shall park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers or merchandise in any place marked by the municipality as a loading and unloading zone. (1963 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. (1963 Code, § 9-512)

15-607. Unlawful to park for more than a three hour period. It shall be unlawful for the owner or operator of any motor vehicle to park or allow his vehicle to be parked in any unmetered parking lot owned, operated and/or controlled by the City of Lenoir City, for more than three (3) hours, between the hours of 8:00 A.M. and 6:00 P.M. on all days except Sundays and holidays declared by the governing body. The provisions of this section shall be enforced,

and the same penalties shall apply as in the case of parking meter violations. Except where defined in § 5-613 "Downtown parking restrictions and boundaries" or as illustrated on the "downtown district parking map."¹ (Ord. #28-D, Oct. 1963, as amended by Ord. #2009-07-27-1866-b, July 2009)

15-608. Unlawful to park in spaces designated for the handicapped.

1. It shall be unlawful for any person to park or leave standing any vehicle in a stall or space designated for handicapped persons unless the vehicle displays a distinguishing placard or license plate or disabled veterans license plate issued by an official state or federal agency.

2. Any person violating the provisions of this section shall be guilty of a civil offense and punished by a fine of not more than one hundred dollars (\$100.00) for each offense.

3. Notwithstanding any other provision of the law to the contrary, the provisions of subsection (1) shall be enforced, whether the violations occur on public or private property, in the same manner used to enforce other parking laws. Any vehicle parked in violation of this section shall be removed from the designated space, and all costs of towing and storage shall be paid by the owner or driver of said vehicle. (Ord. adopted Dec. 8, 1986, modified)

15-609. Unlawful to park on the right-of-ways of highways. 1. It shall be unlawful to park any motor vehicle, trailer, or other transportation device along the right-of-ways of highways within the city limits of Lenoir City, Tennessee, except in instances of emergency parking, not to exceed five hours.

2. Any motor vehicle, trailer, or other transportation device parked on the highway right-of-ways may be impounded by members of the police department and removed from said rights-of-way at the expense of the owner of said vehicle.

3. This section may be enforced by the provisions of chapter 7, Enforcement, § 15-701, et seq. (Ord. adopted June 26, 1989)

15-610. Trailers stored on streets overnight prohibited. No trailers can be stored on city streets overnight, either hooked or unhooked from their towing vehicle.

15-611. Vehicle repairs on streets prohibited. It shall be unlawful for any person to use a city street or sidewalk for any vehicle maintenance or repairs, other than changing a flat tire.

¹The downtown district parking map can be found in the office of the recorder attached to Ord. #2009-07-27-1866-B, July 2009.

15-612. Unlawful to park on the east bound lane of 1st Avenue between "A" Street and the "B" Street alley. It shall be unlawful for any vehicle to park in the east bound lane of 1st Avenue between "A" Street and the "B" Street alley. (as added by Ord. #2003-3-24-1526, March 2003)

15-613. Downtown parking restrictions and boundaries. The downtown parking restrictions and boundaries are defined as the following streets and classified as either "2-Hour Only" or as "Unlimited Daily" parking. Both sides of each street are within the boundaries and are restricted unless specifically indicated otherwise in this section or on the downtown district parking map:¹

East & West Broadway - Hill Street to B Street = 2-Hour Parking
Kingston Street - E. Broadway to the alley = 2-Hour Parking
Kingston Street - alley to 1st Avenue East = Unlimited Daily Parking
1st Avenue - Kingston Street to B Street = Unlimited Daily Parking
A Street - East & West Broadway to alley = 2-Hour Parking
A Street - alley to 1st Avenue East & West = Unlimited Parking
B Street - West Broadway to alley = 2-Hour Parking
B Street - alley to 1st Avenue West = Unlimited Parking
B Street South - West Broadway to Depot Street = 2-Hour Parking
A Street South - West Broadway to Depot Street = 2-Hour Parking
A Street South - Depot Street to Railroad Street = Unlimited Parking
Depot Street - B Street to Bank Street = Unlimited Parking
City owned parking at West Broadway and B Street = Unlimited Parking
City owned parking at Memorial Building on B Street = Unlimited Parking
City owned parking at Depot Street behind Roane State/Public Library = Unlimited Parking

Exceptions - Commercial properties having 2nd floor residential uses shall have "Unlimited Daily" parking privileges adjacent to the residential access of their property. (as added by Ord. #2009-07-27-1866-B, July 2009)

¹The downtown district parking map can be found in the office of the recorder attached to Ord. #2009-07-27-1866-B, July 2009.

CHAPTER 7

ENFORCEMENT

SECTION

- 15-701. Impoundment of vehicles.
- 15-702. Issuance of traffic citations.
- 15-703. Failure to obey citation.
- 15-704. Illegal parking.
- 15-705. Deposit of driver license in lieu of bail.

15-701. Impoundment of vehicles. 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 parked so as to constitute an obstruction or hazard to normal traffic. Members of the police department are further authorized to remove from city owned, operated and/or controlled parking lots and impound any vehicle which is, at the time of its removal, illegally parked in said lot. 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 five dollars (\$5.00) and the cost of towing, not to exceed fifty dollars (\$50.00) and a storage cost of one dollar (\$1.00) per day shall also be charged. (1963 Code, § 9-601, as replaced by Ord. #30-A, Nov. 1963)

15-702. Issuance of traffic citations.¹ When a police officer halts a traffic violator other than for the purpose of giving a warning, and does not take such person into custody under arrest, he shall take the name, address, and operator's license number of said person, the license number of the motor vehicle involved, and such other pertinent information as may be necessary, and shall issue to him a written traffic citation containing a notice to answer to the charge against him in the city court at a specified time. The officer, upon receiving the written promise of the alleged violator to answer as specified in the citation, shall release such person from custody. (1963 Code, § 9-602)

¹Municipal code reference

Issuance of citations in lieu of arrest and ordinance summonses in non-traffic related offenses: title 6, chapter 3.

State law reference

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

15-703. 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. (1963 Code, § 9-603)

15-704. Illegal parking. Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by this code, the officer finding such vehicle shall take its license number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a citation for the driver and/or owner to answer for the violation within ten (10) days during the hours and at a place specified in the citation.

For parking violations, other than handicapped parking under § 15-614, the offender may similarly waive his right to a judicial hearing and have the charges disposed of out of court but the fines shall be three dollars (\$3.00) within twenty-four (24) hours and five dollars (\$5.00) thereafter until a warrant is issued. (1963 Code, § 9-604, modified)

15-705. Deposit of driver license in lieu of bail. 1. Pursuant to Tennessee Code Annotated, §§ 55-50-801 through 55-50-805, whenever any person lawfully possessed of a chauffeur's or operator's license theretofore issue to him by the Tennessee Department of Safety, or under the driver license laws of any other state of territory or the District of Columbia, is issued a citation or arrested and charged with a violation of any municipal ordinance or state statute regulating traffic, except those ordinances or statues, the violation of which call for the mandatory revocation of an operator's or chauffeur's license for any period of time, said person shall have the option of depositing his chauffeur's or operator's license with the office or court demanding bail in lieu of any other security required for his appearance in the city court in answer to any such charge before said court.

2. All city officers and employees shall comply fully with the requirements of Tennessee Code Annotated, §§ 55-50-801 through 55-50-805, and any implementing orders of the Department of Safety, State of Tennessee. (Ord. #326, Nov. 1982)¹

¹There are two ordinances numbered 326, Nov. 1982, one authorizing the deposit of driver licenses in lieu of bail and another adopting a fee schedule for the city court.

CHAPTER 8

RAILROADS

SECTION

- 15-801. Warnings at crossings.
- 15-802. Crossing tracks after warning.
- 15-803. Trains not to block street.
- 15-804. Duty of railroad as to gates.
- 15-805. Blowing whistles or horns.
- 15-806. Trespass - generally.
- 15-807. Trespass - on railroad bridge.
- 15-808. Getting on or off moving engines or trains.

15-801. Warnings at crossings. On or before September 1, 1970, there shall be erected at all grade crossings on the line of any railroad in the city over which trains are operated, electric signals, crossing gates or flagmen or some other warning approved by the city council. Such warning shall be provided and maintained by the railroad without expense to the city, and when warning devices are used they shall be erected and maintained under the supervision of the city street department. After September 1, 1970, it shall be unlawful for any engineer, hostler, or other person in charge of any engine, with or without cars attached, to run the same over any grade crossing at which there are no warning devices, electric signals, crossing gates or flagmen as prescribed herein. (Ord. #2-E, Feb. 1970)

15-802. Crossing tracks after warning. It shall be unlawful for any person, when warned by electric signals, crossing gates, watchmen or any other approved warning device, to cross or attempt to cross any railroad tracks within the city. (Ord. #2-E, Feb. 1970)

15-803. Trains not to block street. It shall be unlawful for any railroad or railroad company or its officers, agents or servants to operate any train, engine, car or other equipment, or to cause any bell, gong, light signal, gate or other warning device to operate, in such manner as to prevent or prohibit the use of any street for purposes of vehicular travel for a continuous period of time longer than ten (10) minutes, except that this provision shall not apply to trains or cars in continuous motion other than those engaged in switching. (Ord. #2-E, Feb. 1970)

15-804. Duty of railroad as to gates. It shall be unlawful for any railroad company to keep the gates at crossings shut down for any unreasonable time, so as to obstruct travel.

It shall be unlawful for the railroad's employees to shut down the gates while persons are between the gates, so as to keep them on the track.

It shall be unlawful for any engineer or person in charge of an engine or train to move his engine or cars over a crossing unless the warning, as provided in this chapter, has been given. (Ord. #2-E, Feb. 1970)

15-805. Blowing whistles or horns. It shall be unlawful for any person operating or in charge of a locomotive engine within the corporate limits of the city to blow the whistle or horn on the same except as may be absolutely necessary in the use of the signals as laid down by the rules and regulations of railway companies, or as required by the laws of the state. (Ord. #2-E, Feb. 1970)

15-806. Trespass - generally. It shall be unlawful for any person, not an employee, to walk or be upon the tracks of any railroad within the corporate limits of the city, except where it is necessary to cross the same at regular and established street crossings, or to play or loiter about or upon the tracks, or within or upon the cars or engines of any railroad within the corporate limits of the city. (Ord. #2-E, Feb. 1970)

15-807. Trespass - on railroad bridge. It shall be unlawful for any person, not an employee of a railroad company in the necessary discharge of his duty, to get upon or walk upon, or get inside of any railroad bridge. (Ord. #2-E, Feb. 1970)

15-808. Getting on or off moving engines or trains. It shall be unlawful for any person not a bonafide passenger or employee of a railroad company in the discharge of his duty, to jump, step or otherwise get upon or from or swing to or in any manner attach himself to, any moving engine, car or train within the corporate limits of the city. (Ord. #2-E, Feb. 1970)