

Motor Vehicles, Traffic, and Parking

TITLE 15: MOTOR VEHICLES, TRAFFIC, AND PARKING

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CHAPTER 1: MISCELLANEOUS

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Cross-reference:

Excavations and obstructions in streets, see Title 16

Traffic School, see Title 3, Chapter 4

§ 15-101 ADOPTION OF RULES OF THE ROAD.

By the authority granted under T.C.A. § 16-18-302, the town adopts by reference, as if fully set forth in this section, the “Rules of the Road,” as codified in T.C.A. §§ 55-8-101 through 55-8-131, and §§ 55-8-181 through 55-8-193, §§ 55-9-601 through 55-9-606, and § 55-12-139 and § 55-21-108 by reference as if fully set forth in this section.

(2007 Code, § 15-101)

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§ 15-102 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 T.C.A. Title 55, Chapter 9.

(2007 Code, § 15-102) Penalty, see § 15-126

§ 15-103 DRIVING ON CLOSED STREETS, IN SHOPPING CENTERS, AND THE LIKE.

(1) *Driving on closed streets.* 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.

(2) *Regulation of traffic in shopping centers.*

(a) It shall be unlawful for any person to cause unnecessary traffic congestion by driving a motor vehicle through public access parking lots of any shopping centers, retail stores, shopping malls, or other public places of retail sales, within the corporate limits of the town, without an express purpose to purchase, engage in the act of seeking goods for purchase, or otherwise make use of the facilities of the retail centers, shopping centers, or malls for which such malls and centers were created, when a sign has been posted prohibiting such activity.

(b) For purposes of this section only, driving “aimlessly” shall be defined as passing through the perimeter roadways, or any other travel ways within any shopping center, shopping mall, or other retail store more than twice in any 20-minute period.

(c) It shall be the duty of the owner of the property on which the signs are posted to request in writing that the town enforce this chapter as to their property. The owner of said property may also post speed limit signs and other traffic-control devices regulating the use of the premises, which regulation may be enforced by the town upon written notice to the town’s Police Department of installation of said signs. Responsibility and cost for erection of all such signs shall be borne by the property owner, as shall all cost of maintenance of said signs and/or traffic-control devices, and all such signs and/or traffic-control devices shall be subject to the approval of the town and shall conform to the standard uniform traffic sign regulations customarily used by the town, said approval to be obtained prior to erection.

(2007 Code, § 15-103)

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§ 15-104 CARELESS DRIVING.

Every person operating a vehicle upon a roadway, street, alley, private or public parking lot or parking area, or any area open to the use of the public for purposes of vehicular traffic within the corporate limits of the town, shall drive in a careful and prudent manner, having due regard for the width, grade, curves, corners, traffic, and use of these roadways and other aforementioned designated 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.

(2007 Code, § 15-104)

§ 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.

(2007 Code, § 15-105) Penalty, see § 15-126

§ 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; or
- (c) Upon a roadway designated and signposted by the town 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.

(2007 Code, § 15-106)

§ 15-107 LANED STREETS.

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

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(2) On two-lane and three-lane streets, the proper lane for travel shall be the right-hand lane unless otherwise clearly marked. On streets with four 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. (2007 Code, § 15-107)

§ 15-108 YELLOW LINES.

On streets with a yellow line placed to the right of any lane line or centerline, such yellow line shall designate a no-passing zone, and no operator shall drive his or her 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. (2007 Code, § 15-108)

§ 15-109 MISCELLANEOUS TRAFFIC-CONTROL SIGNS.

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 town unless otherwise directed by a police officer. It shall be unlawful for any pedestrian or the operator of any vehicle willfully to violate or fail to comply with the reasonable directions of any police officer. (2007 Code, § 15-109) Penalty, see § 15-126

Cross-connections:

Stop signs, yield signs, flashing signals, pedestrian control signs, traffic-control signals generally, see §§ 15-505 through 15-509

§ 15-110 GENERAL REQUIREMENTS FOR TRAFFIC-CONTROL SIGNS.

Pursuant to T.C.A. § 54-5-108, 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*, published by the U.S. Department of Transportation, Federal Highway Administration, and shall be uniform as to type and location throughout the town. (2007 Code, § 15-110)

Editor's note:

This manual may be obtained from the Official Compilation of the Rules and Regulations of the State of Tennessee §§ 1680-3-1 et seq., www.state.tn.us/sos/rules/1680/1680-03

§ 15-111 UNAUTHORIZED TRAFFIC-CONTROL SIGNS.

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

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any official traffic-control sign, signal, marking, or device or any railroad sign or signal.
(2007 Code, § 15-111)

§ 15-112 PRESUMPTION WITH RESPECT TO TRAFFIC-CONTROL SIGNS, AND THE LIKE.

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 town authority.
(2007 Code, § 15-112)

§ 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.
(2007 Code, § 15-113)

§ 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.
(2007 Code, § 15-114) Penalty, see § 15-126

§ 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 herself or his or her vehicle to any other moving vehicle upon any street, alley, or other public way or place.
(2007 Code, § 15-115) Penalty, see § 15-126

§ 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.
(2007 Code, § 15-116) Penalty, see § 15-126

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§ 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.

(2007 Code, § 15-117)

§ 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 12 inches square. Between one-half hour after sunset and one-half hour before sunrise, there shall be displayed in place of the flag a red light plainly visible under normal atmospheric conditions at least 200 feet from the rear of such vehicle.

(2007 Code, § 15-118)

§ 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.

(2007 Code, § 15-119) Penalty, see § 15-126

§ 15-120 VEHICLES AND OPERATORS TO BE LICENSED.

It shall be unlawful for any person to operate a motor vehicle in violation of the state’s Motor Vehicle Title and Registration Law, being T.C.A. §§ 55-1-101 et seq. or the Uniform Classified and Commercial Driver License Act of 1988, being T.C.A. §§ 55-50-101 et seq.

(2007 Code, § 15-120) Penalty, see § 15-126

§ 15-121 PASSING.

(1) 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 or her vehicle until completely passed by the overtaking vehicle.

(2) 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.

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(3) 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 or more lanes of moving traffic when such movement can be made in safety.

(4) No person shall drive off the pavement or upon the shoulder of the street in overtaking or passing on the right.

(5) When any vehicle has stopped at a marked crosswalk or at an intersection to permit a pedestrian to cross the street, no operator of any other vehicle approaching from the rear shall overtake and pass such stopped vehicle.

(6) No vehicle operator shall attempt to pass another vehicle proceeding in the same direction unless he or she can see that the way ahead is sufficiently clear and unobstructed to enable him or her to make the movement in safety.

(2007 Code, § 15-121) Penalty, see § 15-126

§ 15-122 MOTORCYCLES, MOTOR-DRIVEN CYCLES, MOTORIZED BICYCLES, BICYCLES, AND THE LIKE.

(1) For the purpose of the application of this section, the following words shall have the definitions indicated:

MOTORCYCLE. Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor or motorized bicycle.

MOTOR-DRIVEN CYCLE. Every motorcycle, including every motor scooter, with a motor capacity that does not exceed five brake horsepower, or with a motor with a cylinder capacity not exceeding 125 cubic centimeters (125cc);

MOTORIZED BICYCLE. A vehicle with two or three wheels, an automatic transmission, and a motor with a cylinder capacity not exceeding 50 cubic centimeters which produces no more than two brake horsepower and is capable of propelling the vehicle at a maximum design speed of no more than 30 mph on level ground.

(2) Every person riding or operating a bicycle, motorcycle, motor-driven cycle, or motorized bicycle shall be subject to the provisions of all traffic ordinances, rules, and regulations of the town applicable to the driver or operator of other vehicles except as to those provisions which by their nature can have no application to bicycles, motorcycles, motor-driven cycles, or motorized bicycles.

(3) No person operating or riding a bicycle, motorcycle, motor-driven cycle, or motorized bicycle shall ride other than upon or astride the permanent and regular seat attached thereto, nor shall the operator carry any other person upon such vehicle other than upon a firmly attached and regular seat thereon.

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- (4) No bicycle, motorcycle, motor-driven cycle, or motorized bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.
- (5) No person operating a bicycle, motorcycle, motor-driven cycle, or motorized bicycle shall carry any package, bundle, or article which prevents the rider from keeping both hands upon the handlebars.
- (6) No person under the age of 16 years shall operate any motorcycle, motor-driven cycle, or motorized bicycle while any other person is a passenger upon said motor vehicle.
- (7) Each driver of a motorcycle, motor-driven cycle, or motorized bicycle and any passenger thereon shall be required to wear on his or her head a crash helmet of a type approved by the state's Commissioner of Safety.
- (8) Every motorcycle, motor-driven cycle, or motorized bicycle operated upon any public way within the corporate limits shall be equipped with a windshield or, in the alternative, the operator and any passenger on any such motorcycle, motor-driven cycle, or motorized bicycle shall be required to wear safety goggles, faceshield, or glasses containing impact-resistant lens for the purpose of preventing any flying object from striking the operator or any passenger in the eyes.
- (9) It shall be unlawful for any person to operate or ride on any vehicle in violation of this section, and it shall also be unlawful for any parent or guardian knowingly to permit any minor to operate a motorcycle, motor-driven cycle, or motorized bicycle in violation of this section.
(2007 Code, § 15-122)

§ 15-123 DELIVERY OF VEHICLE TO UNLICENSED DRIVER.

- (1) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ADULT. Any person 18 years of age or older.

AUTOMOBILE. Any motor-driven automobile, car, truck, tractor, motorcycle, motor-driven cycle, motorized bicycle, or vehicle driven by mechanical power.

CUSTODY. The control of the actual, physical care of the minor, and includes the right and responsibility to provide for the physical, mental, moral, and emotional well being of the juvenile. **CUSTODY**, as herein defined, relates to those rights and responsibilities as exercised either by the juvenile's parent or parents or a person granted custody by a court of competent jurisdiction.

DRIVER'S LICENSE. A motor vehicle operator's license or chauffeur's license issued by the State of Tennessee.

JUVENILE. A person less than 18 years of age, and no exception shall be made for a juvenile or who has been emancipated by marriage or otherwise.

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(2) It shall be unlawful for any adult to deliver the possession of or the control of any automobile or other motor vehicle to any person, whether an adult or a juvenile, who does not have in his or her possession a valid motor vehicle operator's or chauffeur's license issued by the state's Department of Safety, or for any adult to permit any person, whether an adult or a juvenile, to drive any motor vehicle upon the streets, highways, roads, avenues, parkways, alleys, or public thoroughfares in the town unless such person has a valid motor vehicle operator's or chauffeur's license as issued by the state's Department of Safety.

(3) It shall be unlawful for any parent or person having custody of a juvenile to permit any such juvenile to drive a motor vehicle upon the streets, highways, roads, parkways, avenues, or public ways in the town in a reckless, careless, or unlawful manner, or in such a manner as to violate the ordinances of the town.

(2007 Code, § 15-123) Penalty, see § 15-126

§ 15-124 TRUCK TRAFFIC RESTRICTED.

(1) No person shall drive or park any commercial truck or trailer in excess of 12,000 pounds gross vehicle rated weight upon any street owned and maintained by the town. The provisions of this section shall not be deemed to prohibit the parking of public school buses on private property or the lawful parking of a commercial truck or trailer in excess of 12,000 pounds gross vehicle rated weight upon any street for the actual loading or unloading of goods, wares, or merchandise, provided, however, that "loading and unloading" as used in this section shall be limited to the actual time consumed in such operation. Also, this section shall not prohibit the temporary parking of said vehicles when reasonably necessitated by break-down or other emergency, provided the Chief of Police is promptly notified of the circumstances and provided said parking pursuant to this emergency provision shall not be permitted in excess of 12 hours.

(2) It shall be presumed that the person or persons owning and/or operating any truck or trailer which is found parked, standing, or unoccupied within the town limits on or adjacent to a city street located within a residential zone that is not a part of the state or federal highway system, whether said vehicle be located upon private or public property, was the person or persons responsible for incurring the violation of this chapter, unless said person rebuts said presumption and proves said vehicle was used without operating it over a town street located within a residential zone.

(2007 Code, § 15-124) Penalty, see § 15-126

§ 15-125 CUTTING THROUGH PRIVATE PROPERTY.

It shall be unlawful for the driver or operator of any motor vehicle to drive upon or through any private property of service stations, shopping centers, churches, schools, and the like, or upon or through any driveways that is not a part of the public thoroughfares of this city for the purpose of avoiding obedience to any traffic signal, regulation, or traffic control.

(Ord. 13-29, passed 1-2014) Penalty, see § 15-126

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§ 15-126 PROHIBITED USE OF WIRELESS TELECOMMUNICATION DEVICES.

(1) “Stand-alone electronic device” means a portable device other than a wireless telecommunications device that stores audio or video data files to be retrieved on demand by a user;

(2) “Utility services” means electric, natural gas, water, waste-water, cable, telephone, or telecommunications services or the repair, location, relocation, improvement, or maintenance of utility poles, transmission structures, pipes, wires, fibers, cables, easements, rights of way, or associated infrastructure; and

(3) “Wireless telecommunications device” means a cellular telephone, a portable telephone, a text-messaging device, a personal digital assistant, a stand-alone computer, a global positioning system receiver, or substantially similar portable wireless device that is used to initiate or receive communication, information, or data. “Wireless telecommunications device” does not include a radio, citizens band radio, citizens band radio hybrid, commercial two-way radio communication device or its functional equivalent, subscription-based emergency communication device, prescribed medical device, amateur or ham radio device, or in-vehicle security, navigation, autonomous technology, or remote diagnostics system.

(b)(1) A person, while operating a motor vehicle on any road or highway in this state, shall not:

(A) Physically hold or support, with any part of the person’s body, a:

(i) Wireless telecommunications device. This subdivision (b)(1)(A)(i) does not prohibit a person eighteen (18) years of age or older from:

(a) Using an earpiece, headphone device, or device worn on a wrist to conduct a voice-based communication; or

(b) Using only one (1) button on a wireless telecommunications device to initiate or terminate a voice communication; or

(ii) Stand-alone electronic device;

(B) Write, send, or read any text-based communication, including, but not limited to, a text message, instant message, email, or internet data on a wireless telecommunications device or stand-alone electronic device. This subdivision (b)(1)(B) does not apply to any person eighteen (18) years of age or older who uses such devices:

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- (i) To automatically convert a voice-based communication to be sent as a message in a written form; or
- (ii) For navigation of the motor vehicle through use of a device's global positioning system;

(C) Reach for a wireless telecommunications device or stand-alone electronic device in a manner that requires the driver to no longer be:

- (i) In a seated driving position; or
- (ii) Properly restrained by a safety belt;

(D) Watch a video or movie on a wireless telecommunications device or stand-alone electronic device other than viewing data related to the navigation of the motor vehicle; or

(E) Record or broadcast video on a wireless telecommunications device or stand-alone electronic device. This subdivision (b)(1) does not apply to electronic devices used for the sole purpose of continuously recording or broadcasting video within or outside of the motor vehicle.

(2) Notwithstanding subdivisions (b)(1)(A) and (B), and in addition to the exceptions described in those subdivisions, a function or feature of a wireless telecommunications device or stand-alone electronic device may be activated or deactivated in a manner requiring the physical use of the driver's hand while the driver is operating a motor vehicle if:

(A) The wireless telecommunications device or stand-alone electronic device is mounted on the vehicle's windshield, dashboard, or center console in a manner that does not hinder the driver's view of the road; and

(B) The driver's hand is used to activate or deactivate a feature or function of the wireless telecommunications device or stand-alone electronic device with the motion of one (1) swipe or tap of the driver's finger, and does not activate camera, video, or gaming features or functions for viewing, recording, amusement, or other non-navigational functions, other than features or functions related to the transportation of persons or property for compensation or payment of a fee.

(c)(1) A violation of this section is a Class C misdemeanor, subject only to imposition of a fine not to exceed fifty dollars (\$50.00). However, if the violation is the person's third or subsequent offense or if the violation results in an accident, the fine is one hundred dollars (\$100); or if the violation occurs in a work

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zone when employees of the department of transportation or construction workers are present or in a marked school zone when a warning flasher or flashers are in operation, the fine is two hundred dollars (\$200). Any person violating this section is subject to the imposition of court costs not to exceed ten dollars (\$10.00), including, but not limited to, any statutory fees of officers. State and local litigation taxes are not applicable to a case prosecuted under this section.

(2) In lieu of any fine imposed under subdivision (c)(1), a person who violates this section as a first offense may attend and complete a driver education course pursuant to [§ 55-10-301](#).

(3) Each violation of this section constitutes a separate offense.

(d) This section does not apply to the following persons:

(1) Officers of this state or of any county, city, or town charged with the enforcement of the laws of this state, or federal law enforcement officers when in the actual discharge of their official duties;

(2) Campus police officers and public safety officers, as defined by [§ 49-7-118](#), when in the actual discharge of their official duties;

(3) Emergency medical technicians, emergency medical technician-paramedics, and firefighters, both volunteer and career, when in the actual discharge of their official duties;

(4) Emergency management agency officers of this state or of any county, city, or town, when in the actual discharge of their official duties;

(5) Persons using a wireless telecommunications device to communicate with law enforcement agencies, medical providers, fire departments, or other emergency service agencies while driving a motor vehicle, if the use is necessitated by a bona fide emergency, including a natural or human occurrence that threatens human health, life, or property;

(6) Employees or contractors of utility services providers acting within the scope of their employment; and

(7) Persons who are lawfully stopped or parked in their motor vehicles or who lawfully leave standing their motor vehicles.

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(e) A traffic citation that is based solely upon a violation of this section is considered a moving traffic violation.

(f) The department of transportation is directed to utilize the department's permanent electronic overhead informational displays located throughout this state to provide periodic messages to the motoring public as to this section.

(g) The department of safety is directed to include distracted driving as part of the instructional information used in driver education training.

§ 15-127 VIOLATION AND PENALTY.

Violations shall subject the offender to a penalty under the general penalty provision of this code. Each day a violation is allowed to continue shall constitute a separate offense.
(2007 Code, § 15-125) (Ord. 13-29, passed 1-2014)

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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 and the like
- 15-205 Violation and penalty

Editor's note:

This chapter was modified in the 2017 update

§ 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.
(2007 Code, § 15-201)

§ 15-202 OPERATION OF AUTHORIZED EMERGENCY VEHICLES.

(1) The exemptions herein granted to an authorized emergency vehicle shall apply only when such vehicle is making use of audible and visual signals meeting the requirements of the applicable laws of this state, except that an authorized emergency vehicle operated as a police vehicle may be equipped with or display a red light only in combination with a blue light visible from in front of the vehicle. 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. 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 or she does not endanger life or property.

(2) 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 or her reckless disregard for the safety of others.
(2007 Code, § 15-202)

Cross-reference:

Operation of other vehicle upon the approach of emergency vehicles, see § 15-501

§ 15-203 FOLLOWING EMERGENCY VEHICLES.

(1) No driver of any vehicle other than one on official business shall follow any authorized emergency vehicle apparently traveling in response to an emergency call closer than 500 feet or drive or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

(2) Upon approaching a stationary authorized emergency vehicle, when such vehicle is giving a signal by use of flashing lights, a person who drives an approaching vehicle shall:

(a) Proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the authorized emergency vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(b) Proceeding with due caution, reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.

(3) Upon approaching a stationary recovery vehicle or a highway maintenance vehicle, when such vehicle is giving a signal by use of authorized flashing lights, a person who drives an approaching vehicle shall:

(a) Proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to the stationary recovery vehicle or the highway maintenance vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(b) Proceeding with due caution, reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.

(4) For the purpose of this section unless the context otherwise requires:

(a) **HIGHWAY MAINTENANCE VEHICLE** means a vehicle used for the maintenance of highways and roadways in this state and is:

(i) Owned or operated by the Department of Transportation, a county, a municipality or other political subdivision of this state; or

(ii) Owned or operated by a contractor under contract with the Department of Transportation, a county, a municipality, or other political subdivision of this state;

(b) **RECOVERY VEHICLE** means a truck that is specifically designed for towing a disabled vehicle or a combination of vehicles.

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(5) This section shall not operate to relieve the driver of an authorized emergency vehicle, a recovery vehicle, or a highway maintenance vehicle from the duty to operate such vehicle with due regard for the safety of all persons using the highway.

(2007 Code, § 15-203) Penalty, see § 15-205

§ 15-204 RUNNING OVER FIRE HOSES AND THE LIKE.

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 firefighter or police officer.

(2007 Code, § 15-204) Penalty, see § 15-205

§ 15-205 VIOLATION AND PENALTY.

Violations shall subject the offender to a penalty under the general penalty provision of this code. Each day a violation is allowed to continue shall constitute a separate offense.

(2007 Code, § 15-205)

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CHAPTER 3: SPEED LIMITS

Section

- 15-301 In general
- 15-302 At intersections
- 15-303 In school zones
- 15-304 Violation and penalty

§ 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 30 mph except where official signs have been posted indicating other speed limits, in which cases the posted speed limit shall apply.

(2007 Code, § 15-301) Penalty, see § 15-304

§ 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 15 mph 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.

(2007 Code, § 15-302) Penalty, see § 15-304

§ 15-303 IN SCHOOL ZONES.

(1) Pursuant to T.C.A. § 55-8-152, the town shall have the authority to enact special speed limits in school zones. Such special speed limits shall be enacted based on an engineering investigation; shall not be less than 15 mph; 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 section.

(2) In school zones where the Town Council has not established special speed limits as provided for above, any person who shall drive at a speed exceeding 15 mph when passing a school during a recess period when a warning flasher or flashers are in operation, or during a period of 90 minutes before the opening hour of a school, or a period of 90 minutes after the closing hour of a school, while children are actually going to or leaving school, shall be prima facie guilty of careless driving.

(2007 Code, § 15-303)

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§ 15-304 VIOLATION AND PENALTY.

Violations shall subject the offender to a penalty under the general penalty provision of this code. Each day a violation is allowed to continue shall constitute a separate offense.

(2007 Code, § 15-304)

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CHAPTER 4: TURNING MOVEMENTS

Section

- 15-401 Generally
- 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
- 15-406 Violation and penalty

§ 15-401 GENERALLY.

No person operating a motor vehicle shall make any turning movement which might affect any pedestrian or the operation of any other vehicle without first ascertaining that such movement can be made in safety and signaling his or her intention in accordance with the requirements of the state law.

(2007 Code, § 15-401) Penalty, see § 15-406

Statutory reference:

Turn signals, see T.C.A. §55-8-143

§ 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.

(2007 Code, § 15-402)

§ 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 centerline thereof and by passing to the right of such centerline where it enters the intersection, and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the centerline of the roadway being entered. Whenever practicable, the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

(2007 Code, § 15-403)

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§ 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.

(2007 Code, § 15-404)

§ 15-405 U-TURNS.

U-turns are prohibited where so marked.

(2007 Code, § 15-405)

§ 15-406 VIOLATION AND PENALTY.

Violations shall subject the offender to a penalty under the general penalty provision of this code. Each day a violation is allowed to continue shall constitute a separate offense.

(2007 Code, § 15-406)

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CHAPTER 5: STOPPING AND YIELDING

Section

- 15-501 Upon approach of authorized emergency vehicles
- 15-502 When emerging from alleys and the like
- 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
- 15-511 Violation and penalty

§ 15-501 UPON APPROACH OF AUTHORIZED EMERGENCY VEHICLES.

Upon the immediate approach of an authorized emergency vehicle making use of audible and/or visual signals meeting the requirements of the laws of this state, the driver of every other vehicle shall yield the right-of-way and 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.

(2007 Code, § 15-501)

Cross-reference:

Special privileges of emergency vehicles, see Title 15, Chapter 2

§ 15-502 WHEN EMERGING FROM ALLEYS AND THE LIKE.

The drivers of all vehicles emerging from alleys, parking lots, driveways, or buildings shall stop such vehicles immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, and shall yield the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on the roadway. 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.

(2007 Code, § 15-502)

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§ 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 or she 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.

(2007 Code, § 15-503)

§ 15-504 AT RAILROAD CROSSINGS.

(1) Any driver of a vehicle approaching a railroad grade crossing shall stop within 50 feet, but not less than 15 feet, from the nearest rail of such railroad and shall not proceed further while any of the following conditions exist:

(a) A clearly visible electrical or mechanical signal device gives warning of the approach of a railroad train;

(b) A crossing gate is lowered or a human flagman signals the approach of a railroad train;

(c) A railroad train is approaching within approximately 1,500 feet of the highway crossing and is emitting an audible signal indicating its approach; or

(d) An approaching railroad train is plainly visible and is in hazardous proximity to the crossing.

(2) No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed.

(2007 Code, § 15-504) Penalty, see § 15-511

§ 15-505 AT STOP SIGNS.

The driver of a vehicle facing a stop sign shall stop before entering the crosswalk on the near side of the intersection or, if there is no crosswalk, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, except when directed to proceed by a police officer or traffic-control signal.

(2007 Code, § 15-505)

§ 15-506 AT YIELD SIGNS.

(1) The driver of a vehicle who is faced with a yield sign at the entrance to a through highway or other public roadway is not necessarily required to stop, but is required to exercise caution in entering

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the highway or other roadway and to yield the right-of-way to other vehicles which have entered the intersection from the highway or other roadway, or which are approaching so closely on the highway or other roadway as to constitute an immediate hazard, and the driver having so yielded may proceed when the way is clear.

(2) Where there is provided more than one lane for vehicular traffic entering a through highway or other public roadway, if one or more lanes at such entrance are designated a yield lane by an appropriate marker, this section shall control the movement of traffic in any lane so marked with a yield sign, even though traffic in other lanes may be controlled by an electrical signal device or other signs, signals, markings, or controls.

(2007 Code, § 15-506)

§ 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) Yellow alone, or “Caution,” when shown following the green or “Go” signal:

(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 the signal are thereby advised that there is insufficient time to cross the roadway. Pedestrians facing such signal shall not enter the roadway unless authorized to do so by a pedestrian “Walk” signal. Any pedestrian then starting to cross shall yield the right-of-way to all vehicles.

(3) 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. A right turn on a red signal shall be permitted at all intersections within the town, provided that the prospective turning car comes to a full and complete stop before turning and that

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the turning car yields the right-of-way to pedestrians and cross traffic traveling in accordance with their traffic signal. However, such turn will not endanger other traffic lawfully using the 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 town at intersections which the town decides require no right turns on red in the interest of traffic safety.

(b) No pedestrian facing such signal shall enter the roadway unless such entry can be made safely and without interfering with any vehicular traffic.

(c) A left turn on a red or stop signal shall be permitted at all intersections within the city where a one-way street intersects with another one-way street moving in the same direction into which the left turn would be made from the original one-way street. Before making such a turn, the prospective turning car shall come to a full and complete stop and shall yield the right-of-way to pedestrians and cross traffic traveling in accordance with the traffic signal so as not to endanger traffic lawfully using the intersection. A left turn on red shall be permitted at any applicable intersection except that clearly marked by a “No Turn of Red” sign, which may be erected by the city at intersections which the city decides requires no left turns on red in the interest of traffic safety.

(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) No pedestrian facing such signal shall enter the roadway unless such entry can be made safely and without interfering with any vehicular traffic.

(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 at the signal.

(2007 Code, § 15-507)

§ 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 town 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.

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(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.
(2007 Code, § 15-508)

§ 15-509 AT PEDESTRIAN CONTROL SIGNALS.

Wherever special pedestrian control signals exhibiting the words “Walk” or “Wait” or “Don’t Walk” are in place, 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 or her crossing on the walk signal shall proceed to the nearest sidewalk or safety zone while the wait signal is showing.
(2007 Code, § 15-509)

§ 15-510 STOPS TO BE SIGNALLED.

Every driver operating a motor vehicle who intends to stop such vehicle shall first see that such movement can be made in safety, and whenever the operation of any other vehicle may be affected by such movement, shall give the signal required in T.C.A. § 55-8-143, plainly visible to the driver of such other vehicle of the intention to make such movement.
(2007 Code, § 15-510)

§ 15-511 VIOLATION AND PENALTY.

Violations shall subject the offender to a penalty under the general penalty provision of this code. Each day a violation is allowed to continue shall constitute a separate offense.
(2007 Code, § 15-511)

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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 Motorized vehicles and residential property
- 15-606 Storage and parking of tractor trucks and tractor trailers
- 15-607 Prohibited parking in alleys
- 15-608 Prohibited parking overnight
- 15-609 Prohibited parking on certain surfaces
- 15-610 Prohibited parking for sales of vehicles and merchandise
- 15-611 Parking on town property
- 15-612 Property owners to maintain parking and directional markings
- 15-613 Property owners subject to violation
- 15-614 Loading and unloading zones
- 15-615 Regulation by parking meters
- 15-616 Lawful parking in parking meter spaces
- 15-617 Unlawful parking in parking meter spaces
- 15-618 Unlawful to occupy more than one parking meter space
- 15-619 Unlawful to deface or tamper with meters
- 15-620 Unlawful to deposit slugs in meters
- 15-621 Presumption with respect to illegal parking
- 15-622 Commercial vehicles
- 15-623 Trucks and trailers
- 15-624 Stopping, standing, or parking on roadway
- 15-625 Violation and penalty

§ 15-601 GENERALLY.

(1) 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 town shall be so parked that its right wheels are approximately parallel to and within 18 inches of the right edge or curb of the street. On one-way streets where the town has not placed signs prohibiting the same, vehicles may be permitted to park on the left side of the street, and in such cases

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the left wheels shall be required to be within 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 eight consecutive hours, except in cases of medical emergency, without the prior approval of the Chief of Police.

(2) 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.

(2007 Code, § 15-601) Penalty, see § 15-625

§ 15-602 ANGLE PARKING.

On those streets which have been signed or marked by the town 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 24 feet.

(2007 Code, § 15-602) Penalty, see § 15-625

§ 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 designated such space unless the vehicle is too large to be parked within a single designated space.

(2007 Code, § 15-603) Penalty, see § 15-625

§ 15-604 WHERE PROHIBITED.

No person shall park a vehicle in violation of any sign placed or erected by the state or town, nor:

(1) On a sidewalk, provided, however, a bicycle may be parked on a sidewalk if it does not impede the normal and reasonable movement of pedestrian or other traffic;

(2) In front of a public or private driveway;

(3) Within an intersection;

(4) Within 15 feet of a fire hydrant;

(5) Within a pedestrian crosswalk;

(6) Within 20 feet of a crosswalk at an intersection;

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(7) Within 30 feet upon the approach of any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway;

(8) Within 50 feet of the nearest rail of a railroad crossing;

(9) Within 20 feet of the driveway entrance to any fire station, and on the side of the street opposite the entrance to any fire station, and on the side of the street opposite the entrance to any fire station within 75 feet of such entrance when properly signposted;

(10) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;

(11) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

(12) (a) In a parking space clearly identified by an official sign as being reserved for the physically handicapped, unless, however, the person driving the vehicles is:

(i) Physically handicapped; or

(ii) Parking such vehicle for the benefit of a physically handicapped person.

(b) A vehicle parking in such a space shall display a certificate of identification or a disabled veteran's license plate issued under T.C.A. Title 55, Chapter 21.

(13) In any approved fire lanes where the curb has been painted yellow or where approved signs or markings indicate a fire lane. This includes officially designated fire lane on both public and private property.

(2007 Code, § 15-604) (Ord. 10-19, passed 11-2010) Penalty, see § 15-625

§ 15-605 MOTORIZED VEHICLES AND RESIDENTIAL PROPERTY.

(1) For purposes of this section, a **MOTORIZED VEHICLE** is any vehicle which is self-propelled and designed to travel along the ground and shall include, but not be limited to, automobiles, buses, motorbikes, motorcycles, motorscooters, trucks, tractors, golf carts, campers (self-propelled or towed), and trailers. **MOTORIZED VEHICLES** shall also include airplanes and self-propelled boats, including watercraft, such as jet skis, designed to travel along the water by motorized means. For purposes of this definition, items, such as children's toys, shall not be included.

(2) It shall be unlawful to maintain, park, or store more than five motorized vehicles as defined above on any property zoned for residential use. However, recreational vehicles, including, but not limited to, boats with trailers, ATVs, campers, and yard-related vehicles, including, but not limited to, lawnmowers and utility trailers, may be kept in the rear yard with no part of the vehicle encroaching the rear corner of the residence when not in use, whether or not such rear yard is fenced or enclosed, as long as the number of such recreational and yard-related vehicles does not exceed two.

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(3) Motorized vehicles which are regularly stored or maintained in a completely enclosed space, which enclosed space must include a roof, such as a garage, shall not be included in the determination of whether or not a violation has been committed.

(4) For purposes of division (2) above, vehicles belonging to persons temporarily visiting the residents of a lot shall not be included in the number of vehicles stored, as long as such vehicles are not parked or stored on the lot in excess of one week.

(5) The provisions of this section shall also apply to residential lots on which properly located and permitted businesses are operated.

(6) This section shall not apply to parcels of land containing five acres or more.

(7) The provisions of this section shall be enforced by the codes enforcement and inspection division and/or the Smyrna Police Department.

(2007 Code, § 15-605) (Ord. 09-05, passed 2-2009) (Ord. 21-33, passed 8-2021) Penalty, see § 15-625

§ 15-606 STORAGE AND PARKING OF TRACTOR TRUCKS AND TRACTOR TRAILERS.

(1) It is unlawful to store or park tractor trucks, whether the cab alone or with a trailer attached, tractor trailers, including trailers and semi-trailers, whether empty or loaded, not attached to a truck or tractor truck, on any property zoned for residential use. It shall be an exception during periods in which the tractor trailer is being actively loaded or unloaded, unless such period of loading or unloading shall exceed 24 hours.

(2) In any commercial zone, tractor trucks, whether the cab alone or with a trailer attached, tractor trailers, including trailers and semi-trailers, whether empty or loaded, not attached to a truck or tractor truck, which are not being used for or engaging in normal loading or unloading purposes, or for activities directly associated with normal trucking operations, shall not be parked or stored on a lot unless they are located in a completely enclosed space, which enclosed space shall include a roof, or are located behind the front setback line created by the building located closest to the street right-of-way and unless such tractor trucks or tractor trailers are located behind a completely opaque fence. For purposes of this section, an opaque fence shall not include a chain link fence with any type of panel, fence, or privacy weave. Any existing violations shall be brought into compliance within 30 days after notice. This section is intended to minimize undesirable and unsightly conditions and to ensure compliance with intended advertising regulations.

(3) The provisions of this section shall not apply to lots which are zoned industrial or which are for an industrial use properly existing under the provisions of the town's municipal zoning ordinance.

(4) The provisions of this section shall be enforced by the codes enforcement and inspection division and/or the Smyrna Police Department.

(2007 Code, § 15-606) (Ord. 21-33, passed 8-2021) Penalty, see § 15-625

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§ 15-607 PROHIBITED PARKING IN ALLEYS.

It shall be unlawful to park a motorized vehicle within an alley except for the purpose of loading and unloading merchandise and then in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand, or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.

(2007 Code, § 15-607) Penalty, see § 15-625

§ 15-608 PROHIBITED PARKING OVERNIGHT.

It shall be unlawful to park any vehicle on any street between the hours of 1:00 a.m. and 5:00 a.m. unless in a designated and marked parking spot, except that emergency vehicles on emergency calls are hereby exempt from this provision.

(2007 Code, § 15-608) Penalty, see § 15-625

§ 15-609 PROHIBITED PARKING ON CERTAIN SURFACES.

(1) (a) It shall be unlawful for motorized vehicles, as defined in § 15-605(1), to be parked or stored on property zoned for residential use unless the motorized vehicles are:

(i) Parked on a paved, concreted, rock, or gravel driveway, or other engineered porous surface as recommended by the Director of Public Works for nonresidential uses in a residential district; or

(ii) Stored in a completely enclosed space, which enclosed space shall include a roof.

(b) Parking and storing motorized vehicles on grass or dirt in the side or rear yards on residential lots is allowed if the area is enclosed by an opaque privacy fence at least six feet in height. In no event shall the parking and storing of motorized vehicles on front yards of residential lots less than one acre occupy more than 50% of the front yard of a single-family dwelling or 75% of a two-family dwelling.

(2) It shall be an exception to the provisions in division (1) above that property zoned residential and used for nonresidential purpose may park motor vehicles on a state's Department of Environment and Conservation recommended manufactured porous surface that has been approved by the Director of Public Works and received written approval of the Town Planner as to the geographical location, placement, and frequency of which it can be used for continuous parking. It shall be within the discretion of the Planning Director to require review of the proposed surface by the Planning Commission.

(3) It shall be an exception to the provisions in division (1) above that recreational vehicles, including, but not limited to, boats with trailers, ATVs, campers, and yard-related vehicles, including, but not limited to, lawnmowers and utility trailers, may be kept in the rear yard with no part of the

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vehicle encroaching the rear corner of the residence, whether or not such area is enclosed or fenced, and whether or not such vehicles are parked on a paved, concrete, rock, or gravel driveway or surface.

(4) It shall be unlawful for motorized vehicles as defined in §15-605(1) to be parked or stored on any property in any nonresidential zone on a surface which is not either paved, concreted, or substantially covered with rock or gravel, or other alternative parking surfaces as recommended by state's Department of Environment and Conservation that has been approved by the Director of Public Works, and has received written approval of the Town Planner as to the geographical location, placement, and frequency of use of which it can be used for continuous parking. It shall be within the discretion of the Planning Director to require review of the proposed surface by the Planning Commission.

(5) It shall not be a violation of this section where a motorized vehicle is parked contrary to the provisions of this section upon a site at which construction is taking place and suitable surfaces are not then available.

(6) It shall not be a violation of this section where motorized vehicles are parked on prohibited surfaces, if the property has been designated as "greenbelt"/agricultural property in accordance with T.C.A. Title 67, Chapter 5, Part 10.

(7) The provisions of this section shall be enforced by the codes enforcement and inspection division and/or the Smyrna Police Department.

(2007 Code, § 15-609) (Ord. 09-05, passed 2-2009; Ord. 11-13, passed 7-2011)

(Ord. 21-33, passed 8-2021) Penalty, see § 15-625

§ 15-610 PROHIBITED PARKING FOR SALES OF VEHICLES AND MERCHANDISE.

It shall be unlawful to park any vehicle upon any street for the purpose of displaying it for sale, or to park any vehicle upon any street from which vehicle merchandise is peddled or sold, unless the person selling such goods has a license to make such sales.

(2007 Code, § 15-610) Penalty, see § 15-625

§ 15-611 PARKING ON TOWN PROPERTY.

(1) The Town Manager or his or her designee is hereby authorized to establish and enforce policies, rules, and regulations for parking at town parks and buildings and all other municipally owned or leased property and to erect signs prohibiting parking at such locations except in accordance with such policies, rules, and regulations.

(2) The policies, rules, and regulations established in accordance with this section by the Town Manager or his or her designee may include requirements for parking permits in designated areas during certain times.

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(3) Any vehicle parked in violation of such policies, rules, or regulations shall be towed away upon the request of the Town Manager or his or her designee. The owner of any such vehicle shall be responsible for all towing charges and resulting storage charges. The towing of any such vehicle shall be in addition to the issuance of a citation or other penalty imposed on the owner or driver of the vehicle.

(2007 Code, § 15-611)

§ 15-612 PROPERTY OWNERS TO MAINTAIN PARKING AND DIRECTIONAL MARKINGS.

(1) It shall be unlawful for property owners of any commercially zoned lot to fail to adequately mark and maintain markings related to parking and for directional purposes related to the movement of traffic within the lot.

(2) The provisions of this section shall be enforced by the codes enforcement and inspection division.
(2007 Code, § 15-612) Penalty, see § 15-625

§ 15-613 PROPERTY OWNERS SUBJECT TO VIOLATION.

Any property owner who maintains, allows, or permits a condition as prohibited in this chapter shall be guilty of violating this chapter and each separate violation shall constitute a separate offense. The provisions of this section shall be enforced by the codes enforcement and inspection division.

(2007 Code, § 15-613)

§ 15-614 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 town as a loading and unloading zone.

(2007 Code, § 15-614) Penalty, see § 15-625

§ 15-615 REGULATION BY PARKING METERS.

In the absence of an official sign to the contrary which has been installed by the town, between the hours of 8:00 a.m. and 6:00 p.m. on all days except Sundays and holidays declared by the Town Council, parking shall be regulated by parking meters where the same have been installed by the town. The presumption shall be that all installed parking meters were lawfully installed by the town.

(2007 Code, § 15-615)

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§ 15-616 LAWFUL PARKING IN PARKING METER SPACES.

Any parking space regulated by a parking meter may be lawfully occupied by a vehicle only after a proper coin has been deposited in the parking meter and the said meter has been activated or placed in operation in accordance with the instructions printed thereon.

(2007 Code, § 15-616)

§ 15-617 UNLAWFUL PARKING IN PARKING METER SPACES.

(1) It shall be unlawful for the owner or operator of any vehicle to park or allow his or her vehicle to be parked in a parking space regulated by a parking meter for more than the maximum period of time which can be purchased at one time. Insertion of additional coin or coins in the meter to purchase additional time is unlawful.

(2) No owner or operator of any vehicle shall park or allow his or her vehicle to be parked in such a space when the parking meter therefor indicates no parking time allowed, whether such indication is the result of a failure to deposit a coin or to operate the lever or other actuating device on the meter, or the result of the automatic operation of the meter following the expiration of the lawful parking time subsequent to depositing a coin therein at the time the vehicle was parked.

(2007 Code, § 15-617) Penalty, see § 15-625

§ 15-618 UNLAWFUL TO OCCUPY MORE THAN ONE PARKING METER SPACE.

It shall be unlawful for the owner or operator of any vehicle to park or allow his or her vehicle to be parked across any line or marking designating a parking meter space or otherwise so that such vehicle is not entirely within the designated parking meter space; provided, however, that vehicles which are too large to park within one space may be permitted to occupy two adjoining spaces provided proper coins are placed in both meters.

(2007 Code, § 15-618) Penalty, see § 15-625

§ 15-619 UNLAWFUL TO DEFACE OR TAMPER WITH METERS.

It shall be unlawful for any unauthorized person to open, deface, tamper with, willfully break, destroy, or impair the usefulness of any parking meter.

(2007 Code, § 15-619) Penalty, see § 15-625

§ 15-620 UNLAWFUL TO DEPOSIT SLUGS IN METERS.

It shall be unlawful for any person to deposit in a parking meter any slug or other substitute for a coin of the United States.

(2007 Code, § 15-620) Penalty, see § 15-625

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§ 15-621 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. (2007 Code, § 15-621)

§ 15-622 COMMERCIAL VEHICLES.

(1) No person shall park any motor vehicle licensed or primarily used for commercial purposes and having a gross vehicular rated weight in excess of 12,000 pounds on a public street within a residential zoning district, on any residential lot of less than five acres in size, nor shall any person allow any such motor vehicle to be parked on any such property belonging to him or her or under his or her control. Excluded from this provision are emergency service vehicles, refuse collection vehicles subject to the provisions of division (2) below, and other vehicles actively performing a service between the hours of 7:00 a.m. and 9:00 p.m., including moving vans and vehicles needed for construction purposes. It shall be an exception to this provision that the owner or operator of a school bus shall be allowed to park two school buses on a residential lot owned or occupied by the bus driver, if such school buses are parked in a rear or side yard with no part of the school bus encroaching the front corner of the residence.

(2) It shall be unlawful to park any vehicle used for refuse collection purposes within 200 feet of any residential dwelling for more than one hour during a 24-hour period. A refuse collection vehicle which has been parked for any length of time at such a location shall be moved at least 500 feet before parking again. (2007 Code, § 15-622) Penalty, see § 15-625

§ 15-623 TRUCKS AND TRAILERS.

No person shall park any truck or motor vehicle of more than 12,000 pounds gross vehicle rated weight or any trailer or semitrailer, whether or not attached to a tractor, on any street from 6:00 p.m. to 6:00 a.m., except that this section shall not apply to trucks, trailers, or semitrailers so parked while actually engaged in loading or unloading, or in performing a service, including moving vans and vehicles needed for construction purposes. (2007 Code, § 15-623) Penalty, see § 15-625

§ 15-624 STOPPING, STANDING, OR PARKING ON ROADWAY.

Upon any street or highway, no person, except in cases of emergency, shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the roadway, but in every event an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicle shall be available from a distance of 200 feet in each direction upon such highway. No person shall park any vehicle upon a street in such a manner or under such conditions as to leave available less than 14 feet of the width of the roadway for free movement of vehicular traffic. (2007 Code, § 15-624) Penalty, see § 15-625

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§ 15-625 VIOLATION AND PENALTY.

Violations shall subject the offender to a penalty under the general penalty provision of this code. Each day a violation is allowed to continue shall constitute a separate offense.
(2007 Code, § 15-625)

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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 Disposal of abandoned motor vehicles
- 15-706 Violation and penalty

§ 15-701 ISSUANCE OF TRAFFIC CITATIONS.

When a police officer halts a traffic violator other than for the purpose of giving a warning, and does not take such person into custody under arrest, he or she 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 or her a written traffic citation containing a notice to answer to the charge against him or her in the town 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 or her name or address.

(2007 Code, § 15-701)

Cross-reference:

Issuance of citations in lieu of arrest and ordinance summonses in traffic related offenses, see Title 6, Chapter 3

Statutory reference:

Traffic citations, see T.C.A. § 7-63-101 et seq.

§ 15-702 FAILURE TO OBEY CITATION.

It shall be unlawful for any person to violate his or 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.

(2007 Code, § 15-702) Penalty, see § 15-706

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§ 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 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 30 days during the hours and at a place specified in the citation.

(2007 Code, § 15-703)

§ 15-704 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, or which has been parked for more than one hour in excess of the time allowed for parking in any place, or which has been involved in two or more violations of this title for which citation tags have been issued and the vehicle not removed. 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 of impoundment and storage, or until it is otherwise lawfully disposed.

(2007 Code, § 15-704)

§ 15-705 DISPOSAL OF ABANDONED MOTOR VEHICLES.

Abandoned motor vehicles, as defined in T.C.A. §§ 55-16-101 et seq., shall be impounded and disposed of by the Police Department in accordance with the provisions of T.C.A. §§ 55-16-101 et seq.

(2007 Code, § 15-705)

§ 15-706 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 not exceeding state authorized limits. Each day a violation is allowed to continue shall constitute a separate offense.

(2) *Parking citations.*

(a) *Parking meter.* If the offense is a parking meter violation, the offender may, within 30 days, have the charge against him or her disposed of by paying to the Town Clerk a fine established by Town Council, provided he or she waives his or her right to a judicial hearing. If he or she appears and waives his or her right to a judicial hearing after 30 days, his or her civil penalty shall be established by Town Council.

(b) *Other parking violations excluding handicapped parking.* For other parking violations, excluding handicapped parking violations, the offender may, within 30 days, have the charge against him or

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her disposed of by paying to the Town Clerk a fine established by Town Council, provided he or she waives his or her right to a judicial hearing. If he or she appears and waives his or her right to a judicial hearing after 30 days, his or her civil penalty shall be an amount established by Town Council.
(2007 Code, § 15-707)

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CHAPTER 8: DOCKLESS SMALL VEHICLE SYSTEMS

Section

- 15-801 Definitions
- 15-802 Prohibited Conduct
- 15-803 Enforcement
- 15-804 Penalties

§ 15-801 DEFINITIONS

For the purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

"DOCKLESS SMALL VEHICLE SYSTEM" or **"SYSTEM"** is defined as a system which provides bicycles, scooters, electric bicycles, electric scooters, or other similar wheeled vehicles for short-term rentals for point-to-point trips which may be locked and unlocked without the requirement of a bicycle rack or other docking station.

"DOCKLESS SMALL VEHICLE" is defined as a bicycle, scooter, electric bicycle, electric scooter, or other similar wheeled vehicle designed specifically for shared use utilizing GPS technology and can be deployed as part of a Dockless Small Vehicle System.

§ 15-802 PROHIBITED CONDUCT

(a) It is unlawful to provide or offer to provide or offer to provide, either for free or for a fee, a Dockless Small Vehicle anywhere within the Town of Smyrna.

(b) It is unlawful for any person to park, leave standing, leave lying, abandon, or otherwise place a Dockless Small Vehicle on or upon any public right-of-way, public sidewalk, public street, or property owned by the Town of Smyrna.

(c) It is unlawful to operate a Dockless Small Vehicle in on or upon any public right-of-way, public sidewalk, public street, or property owned by the Town of Smyrna.

§ 15-803 ENFORCEMENT

Both the Smyrna Police Department and Codes Enforcement Division are authorized to enforce the provisions of this part.

§ 15-804 PENALTIES

(a) Any violation of this chapter is punishable by a fine of not less than fifty dollars (\$50.00) for each offense.

(b) Any dockless small vehicle found unattended or abandoned shall be considered a traffic and/or pedestrian hazard and immediately removed from the right-of-way, public sidewalk, public street, or Town property upon which it is located and impounded in accordance with §15-704 and §15-705.