

**TITLE 15****MOTOR VEHICLES, TRAFFIC AND PARKING<sup>1</sup>****CHAPTER**

1. MISCELLANEOUS.
2. EMERGENCY VEHICLES.
3. SPEED LIMITS.
4. TURNING MOVEMENTS.
5. STOPPING AND YIELDING.
6. PARKING.
7. ENFORCEMENT.
8. VEHICLE POUND.

**CHAPTER 1****MISCELLANEOUS<sup>2</sup>****SECTION**

- 15-101. Motor vehicle requirements.
- 15-102. Driving on streets closed for repairs, etc.
- 15-103. One-way streets.
- 15-104. Unlaned streets.
- 15-105. Laned streets.
- 15-106. Yellow lines.
- 15-107. Miscellaneous traffic-control signs, etc.
- 15-108. General requirements for traffic-control signs, etc.
- 15-109. Unauthorized traffic-control signs, etc.
- 15-110. Presumption with respect to traffic-control signs, etc.
- 15-111. School safety patrols.

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<sup>1</sup>Municipal code reference

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

<sup>2</sup>State 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.

- 15-112. Driving through funerals or other processions.
- 15-113. Clinging to vehicles in motion.
- 15-114. Riding on outside of vehicles.
- 15-115. Backing vehicles.
- 15-116. Projections from the rear of vehicles.
- 15-117. Causing unnecessary noise.
- 15-118. Vehicles and operators to be licensed.
- 15-119. Passing.
- 15-120. Damaging pavements.
- 15-121. Bicycle riders, etc.
- 15-122. Child passenger restraint systems required.

**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. (1975 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. (1975 Code, § 9-106)

**15-103. 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. (1975 Code, § 9-109)

**15-104. 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. (1975 Code, § 9-110)

**15-105. 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. (1975 Code, § 9-111)

**15-106. 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. (1975 Code, § 9-112)

**15-107. Miscellaneous traffic-control signs, etc.**<sup>1</sup> It shall be unlawful for any pedestrian or the operator of any vehicle to violate or fail to comply with any traffic-control sign, signal, marking, or device placed or erected by the state or the municipality unless otherwise directed by a police officer.

It shall be unlawful for any pedestrian or the operator of any vehicle to willfully violate or fail to comply with the reasonable directions of any police officer. (1975 Code, § 9-113)

**15-108. 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,<sup>2</sup> published by the U. S. Department of Transportation, Federal Highway Administration, and shall, so far as practicable, be uniform as to type and location throughout the municipality. This section shall not be construed as being mandatory but is merely directive. (1975 Code, § 9-114)

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<sup>1</sup>Municipal code references

Stop signs, yield signs, flashing signals, pedestrian control signs, traffic control signals generally: §§ 15-505--15-509.

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

**15-109. 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. (1975 Code, § 9-115)

**15-110. 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 municipal authority. All presently installed traffic-control signs, signals, markings, and devices are hereby expressly authorized, ratified, approved, and made official. (1975 Code, § 9-116)

**15-111. 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. (1975 Code, § 9-117)

**15-112. 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. (1975 Code, § 9-118)

**15-113. 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. (1975 Code, § 9-120)

**15-114. 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. (1975 Code, § 9-121)

**15-115. 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. (1975 Code, § 9-122)

**15-116. 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. (1975 Code, § 9-123)

**15-117. 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. (1975 Code, § 9-124)

**15-118. 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." (1975 Code, § 9-125)

**15-119. 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.

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.

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. (1975 Code, § 9-126)

**15-120. Damaging pavements.** No person shall operate or cause to be operated upon any street of the municipality any vehicle, motor propelled or otherwise, which by reason of its weight or the character of its wheels, tires, or track is likely to damage the surface or foundation of the street. (1975 Code, § 9-119)

**15-121. Bicycle riders, etc.** Every person riding or operating a bicycle, motorcycle, or motor driven cycle 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, or motor driven cycle.

No person operating or riding a bicycle, motorcycle, or motor driven cycle 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.

No bicycle, motorcycle, or motor driven cycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

No person operating a bicycle, motorcycle, or motor driven cycle shall carry any package, bundle, or article which prevents the rider from keeping both hands upon the handlebar.

No person under the age of sixteen (16) years shall operate any motorcycle, motorbike, or motor scooter while any other person is a passenger upon said motor vehicle.

All motorcycles and motor driven cycles operated on public ways within the corporate limits shall be equipped with crash bars approved by the state's commissioner of safety.

Each driver of a motorcycle or motor driven cycle and any passenger thereon shall be required to wear on his head a crash helmet of a type approved by the state's commissioner of safety.

Every motorcycle or motor driven cycle operated upon any public way within the corporate limits shall be equipped with a windshield of a type approved by the state's commissioner of safety, or, in the alternative, the operator and any passenger on any such motorcycle or motor driven cycle shall be required to wear safety goggles of a type approved by the state's commissioner of safety for the purpose of preventing any flying object from striking the operator or any passenger in the eyes.

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 to knowingly permit any minor to operate a motorcycle or motor driven cycle in violation of this section. (1975 Code, § 9-127)

**15-122. Child passenger restraint systems required.** Every parent or legal guardian of a child under the age of four (4) years residing in this state shall be responsible, when transporting his child in a motor vehicle owned by that parent or guardian operated on the roadways, streets or highways of this state, for providing for the protection of his child and properly using a child passenger restraint system meeting federal motor vehicle safety standards; provided, however, nothing in this section shall restrict a mother from removing the child from such system and holding the child when the mother is nursing the child, or attending to its other physiological needs. Provided that the term "motor vehicle" as used in this paragraph shall not apply to recreational vehicles of the truck or van type. Provided further that the term "motor vehicle" as used in this paragraph shall not apply to trucks having a tonnage rating of one (1) ton or more. Provided that in no event shall failure to wear a child passenger restraint system be considered as contributory negligence, nor shall such failure to wear said child passenger restraint system be admissible as evidence in the trial of any civil action. (Ord. #2-82, June 1982)

## 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. (1975 Code, § 9-102)

**15-202. Operation of authorized emergency vehicles.**<sup>1</sup> (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. (1975 Code, § 9-103)

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<sup>1</sup>Municipal 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. (1975 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. (1975 Code, § 9-105)

**CHAPTER 3****SPEED LIMITS****SECTION**

- 15-301. In general.
- 15-302. At intersections.
- 15-303. In school zones.
- 15-304. In congested areas.

**15-301. 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. (1975 Code, § 9-201, modified)

**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. (1975 Code, § 9-202)

**15-303. In school zones.** It shall be unlawful for any person to operate or drive a motor vehicle at a speed in excess of fifteen (15) miles per hour when passing a school during recess or while children are going to or leaving school during its opening or closing hours. (1975 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. (1975 Code, § 9-204)

## 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.

**15-401. 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 intention in accordance with the requirements of the state law.<sup>1</sup> (1975 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. (1975 Code, § 9-302)

**15-403. Left turns on two-way roadways.** At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of the intersection of the center line of the two roadways. (1975 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. (1975 Code, § 9-304)

**15-405. U-turns.** U-turns are prohibited. (1975 Code, § 9-305)

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<sup>1</sup>State law reference

Tennessee Code Annotated, § 55-8-143.

## CHAPTER 5

STOPPING AND YIELDINGSECTION

- ~~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~~ Stops to be signaled.

**15-501. Upon approach of authorized emergency vehicles.<sup>1</sup>**

Upon the immediate approach of an authorized emergency vehicle making use of audible and/or visual signals meeting the requirements of the laws of this state, the driver of every other vehicle shall immediately drive to a position parallel to, and as close as possible to, the right hand edge of 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. (1975 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. (1975 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. (1975 Code, § 9-403)

**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

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<sup>1</sup>Municipal code reference

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

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. (1975 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. (1975 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. (1975 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. (1975 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 by 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. (1975 Code, § 9-408)

**15-509. 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,<sup>1</sup> except in an emergency. (1975 Code, § 9-409)

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<sup>1</sup>State 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. Unlawful to occupy more than one parking space.
- 15-607. Presumption with respect to illegal parking.

**15-601. Generally.** No person shall leave any motor vehicle unattended on any street without first setting the brakes thereon, stopping the motor, removing the ignition key, and turning the front wheels of such vehicle toward the nearest curb or gutter of the street.

Except as hereinafter provided, every vehicle parked upon a street within this municipality shall be so parked that its right wheels are approximately parallel to and within eighteen (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. (1975 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. (1975 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. (1975 Code, § 9-503)

**15-604. Where prohibited.** No person shall park a vehicle in violation of any sign placed or erected by the municipality, nor:

- (1) On a sidewalk;
  - (2) In front of a public or private driveway;
  - (3) Within an intersection or within fifteen (15) feet thereof;
  - (4) Within fifteen (15) feet of a fire hydrant;
  - (5) Within a pedestrian crosswalk;
  - (6) Within fifty (50) feet of a railroad crossing;
  - (7) Within twenty (20) feet of the driveway entrance to any fire station, and on the side of the street opposite the entrance to any fire station within seventy-five (75) feet of the entrance;
  - (8) Alongside or opposite any street excavation or obstruction when other traffic would be obstructed;
  - (9) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
  - (10) Upon any bridge;
  - (11) Alongside any curb painted yellow or red by the municipality.
- (1975 Code, § 9-504)

**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. (1975 Code, § 9-505)

**15-606. Unlawful to occupy more than one parking space.** It shall be unlawful for the owner or operator of any vehicle to park or allow his vehicle to be parked across any line or marking designating a parking space or otherwise so that such vehicle is not entirely within the designated parking space; provided, however, that vehicles which are too large to park within one space may be permitted to occupy two adjoining spaces. (1975 Code, § 9-509, modified)

**15-607. 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. (1975 Code, § 9-512)

## CHAPTER 7

ENFORCEMENT

## SECTION

- 15-701. Issuance of traffic citations.
- 15-702. Failure to obey citation.
- 15-703. Illegal parking.
- 15-704. Disposal of abandoned motor vehicles.
- 15-705. Violation and penalty.

**15-701. Issuance of traffic citations.**<sup>1</sup> 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 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 name or address. (1975 Code, § 9-601)

**15-702. Failure to obey citation.** It shall be unlawful for any person to violate his written promise to appear in court after giving said promise to an officer upon the issuance of a traffic citation, regardless of the disposition of the charge for which the citation was originally issued. (1975 Code, § 9-602)

**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 ten (10) days during the hours and at a place specified in the citation. (1975 Code, § 9-603, modified)

**15-704. Disposal of abandoned motor vehicles.** "Abandoned motor vehicles," as defined in Tennessee Code Annotated, § 55-16-103, shall be impounded and disposed of by the police department in accordance with the

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<sup>1</sup>State law reference

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

provisions of Tennessee Code Annotated, §§ 55-16-103 through 55-16-109. (1975 Code, § 9-605)

**15-705. Violation and penalty.** Any violation of this title shall be a civil offense punishable as follows: (1) Traffic citations. Traffic citations shall be punishable by a civil penalty up to fifty dollars (\$50.00) for each separate offense.

(2) Parking citations. (a) Other parking violations excluding handicapped parking. For other parking violations, excluding handicapped parking violations, the offender may, within ten (10) days, have the charge against him disposed of by paying to the city recorder a fine of five dollars (\$5.00) provided he waives his right to a judicial hearing. If he appears and waives his right to a judicial hearing after ten (10) days but before a warrant is issued for his arrest, his civil penalty shall be ten dollars (\$10.00).

(b) Handicapped parking. Parking in a handicapped parking space shall be punished by a civil penalty of one hundred dollars (\$100.00).

**CHAPTER 8****VEHICLE POUND****SECTION**

- 15-801. Established; purpose.
- 15-802. Operation of lot and collection of storage charges.
- 15-803. Vehicles subject to impoundment.
- 15-804. Notice to registered owner.
- 15-805. Storage charges.
- 15-806. Release of vehicle from impoundment.
- 15-807. Hearing.
- 15-808. Sale of unclaimed vehicles.
- 15-809. Records.

**15-801. Established; purpose.** There is hereby established, under the jurisdiction of the department of public safety, an automobile and vehicle impoundment lot, which is defined for purposes of this division as a storage place for motor vehicles which are required to be removed from the streets and other public or private places within the city limits for the reasons set forth in § 15-803.

**15-802. Operation of lot and collection of storage charges.** The director of public safety or chief of police shall establish, by rules and regulations, the procedures for the operation of the vehicle impoundment lot and fix the methods of collecting storage charges.

**15-803. Vehicles subject to impoundment.** Members of the police department shall have the authority to impound any vehicle, by towing such vehicle to the vehicle pound, under the following circumstances:

(1) When a vehicle is parked, stopped or standing upon an alley, street or highway so as to obstruct or impede the flow of traffic thereon or endanger the safety of the public.

(2) When a vehicle is parked, stopped or standing in violation of the following:

- (a) On the roadway side of any vehicle stopped at the edge of a street.
- (b) On a sidewalk.
- (c) Within an intersection.
- (d) On crosswalk.
- (e) Alongside or opposite any street excavation or obstruction.
- (f) Upon any bridge, elevated structure or highway, or within highway tunnel.
- (g) On railroad tracks.

- (h) On any controlled access highway.
  - (i) In the area between roadways of a divided highway, including crossovers.
  - (j) In front of or within five (5) feet of a public or private driveway.
  - (k) Within fifteen (15) feet of a fire hydrant.
  - (l) Within twenty (20) feet of a crosswalk at an intersection.
  - (m) Within thirty (30) feet upon approach to a signal or sign located side of the roadway.
  - (n) At the entrance to a fire station.
  - (o) In any alley.
- (3) In any marked fire lane.
- (4) When a vehicle is parked in violation of § 15-803, prohibiting storing vehicle upon a roadway for a continuous period of time longer than twenty-four (24) hours; provided that, prior to impoundment, the officer shall mark the tire of a vehicle suspected of violating this subsection. If the vehicle has not been moved after twenty-four (24) hours, the officer shall prominently affix a sticker to the front windshield on the driver's side. The sticker shall include date and time the sticker is placed on the windshield, the officer's name or badge number, and the violation, and shall notify the owner that the vehicle will be impounded if not moved within twenty-four (24) hours. If at the expiration of the second twenty-four hour period the vehicle has not been moved, the officer may impound the vehicle.
- (5) When a vehicle is parked upon any alley, street, highway or any other municipally leased or owned property and the vehicle has two (2) or more delinquent parking tickets outstanding as to the vehicle; provided, however, the department of public safety shall mail notice of delinquent parking tickets to the registered owner of the vehicle prior to the impoundment of the vehicle for delinquent tickets.
- (6) At any place where official signs or markings designate a no parking or tow away zone.
- (7) Blocking access to ramps for handicapped persons.
- (8) Drug related impoundment (TCA 53-11-201).
- (9) Title Law (TCA 55-3-127).

**15-804. Notice to registered owner.** (1) After a vehicle has remained unclaimed in the pound for forty-eight (48) hours, the officer in charge of the pound shall send a notice by certified mail, return receipt requested, to the registered owner of the impounded vehicle. The officer shall determine the name and address of the registered owner from state registration records using the vehicle's license plate number and vehicle identification number.

(2) The officer in charge shall deliver the same notice to owners or authorized agents who appear at the impoundment lot to claim a vehicle. The

owner or authorized agent shall acknowledge in writing receipt of the notice. If any person required by this section to sign a notice refuses to do so, the officer in charge shall note this fact in writing, which shall constitute prima facie evidence of delivery of notice as required by this section.

- (3) The notice shall contain:
  - (a) A description of the impounded vehicle;
  - (b) A statement of the date, time, location and reason for impoundment;
  - (c) A statement regarding opportunity for a hearing as provided the police department;
  - (d) The procedure for the release of the vehicle pending a hearing, subject to security requirements;
  - (e) The impoundment fee schedule; and
  - (f) The location of the impoundment lot.

**15-805. Storage charges.** The following charges are hereby established for the storage of all motor vehicles impounded as provided in this division:

After the first twenty-four (24) hours, a daily storage fee of seven dollars (\$7.00) per twenty-four-hour day shall be imposed on vehicles not fenced in and ten dollars (\$10.00) if fenced in.

**15-806. Release of vehicle from impoundment.** (1) The owner of a vehicle impounded pursuant to this division or his authorized agent may make application to take possession of the vehicle and remove such vehicle from the vehicle pound upon presentation of an application for certificate of title or a certificate of title, and upon payment of the cost of towing the vehicle and all charges which may have accrued for the storage of the vehicle. However, payment of towing and storage fees shall not relieve the owner of responsibility for the violation.

(2) Any owner who requests a hearing pursuant to § 15-807 may obtain the release of his vehicle from the pound without prepayment of any towing or storage costs; provided, however, as security for the impoundment costs, he shall either make a cash deposit or execute a bond with one (1) or more sureties as approved by the director of public safety, payable to the city, in a sum equal to the total impoundment fees at the time of release of the vehicle.

(3) In each case the officer in charge shall give a proper receipt for the fee paid, cash deposit or bond.

(4) No owner of a vehicle shall evade the payment of any pound fee provided for in this division by representing that he was not operating the vehicle himself at the time of the violation charged.

**15-807. Hearing.** (1) An owner whose vehicle has been towed and impounded pursuant to this division shall have an opportunity for a hearing in municipal court on the parking or traffic violation which resulted in the impoundment.

(2) If the court enters a dismissal as to the violation, the court may order the release of the impounded vehicle to the owner, the return of the cash deposit to the owner, or the release of the bond, whichever is applicable.

(3) If the court enters a conviction as to the violation, the owner shall be liable for the towing and storage fees in addition to the fine and court costs.

**15-808. Sale of unclaimed vehicles.** (1) If, at the end of thirty (30) days, any impounded vehicle has not been claimed by its rightful owner or his authorized agent and the towing and accumulated storage fees have not been paid, then the department of public safety or police department shall furnish the name, type, model, serial number and motor number of such vehicle to the purchasing agent, who shall initiate the procedure to sell the vehicle for cash at public sale to the highest bidder.

(2) Notice of the sale shall be provided twenty-one (21) days prior to the date of sale by certified letter to the registered owner of the vehicle and any lienholders and by announcement in a local newspaper.

(3) Such sale shall be conducted by the city purchasing agent or some person designated by him. The purchasing agent shall cause a descriptive list to be kept of all vehicles sold and the price for which each vehicle was sold.

(4) The money received from the sale of unclaimed vehicles as provided in this section shall be paid by the purchasing agent into the city treasury.

**15-809. Records.** Proper records shall be maintained by the director of public safety and return for money collected shall be paid in the same manner as may be provided for other public funds.