

## TITLE 15

### MOTOR VEHICLES, TRAFFIC AND PARKING<sup>1</sup>

#### CHAPTER

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#### CHAPTER 1

#### MISCELLANEOUS<sup>2</sup>

#### SECTION

- 15-101. Motor vehicle requirements.
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<sup>1</sup>Municipal code references

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

Trespassing, malicious mischief and interference with traffic: title 11, chapter 7.

<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*, § 55-50-504; and drag racing, as prohibited by *Tennessee Code Annotated*, § 55-10-501.

- 15-110. Presumption with respect to traffic-control signs, etc.
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- 15-112. Driving through funerals or other processions.
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- 15-124. Striking parked vehicles or fixed objects.
- 15-125. Damaging pavements.
- 15-126. Transportation of loose material.

**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. (2004 Code, § 15-101)

**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. (2004 Code, § 15-102)

**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. (2004 Code, § 15-104)

**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; 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. (2004 Code, § 15-105)

**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. (2004 Code, § 15-106)

**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. (2004 Code, § 15-107)

**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 town 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. (2004 Code, § 15-108)

**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*, 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 town. This section shall not be construed as being mandatory but is merely directive. (2004 Code, § 15-109)

**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

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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 to 15-509.

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. (2004 Code, § 15-110)

**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 authority. (2004 Code, § 15-111)

**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. (2004 Code, § 15-112)

**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. (2004 Code, § 15-113)

**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. (2004 Code, § 15-114)

**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. (2004 Code, § 15-115)

**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. (2004 Code, § 15-116)

**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 (1/2) hour after sunset and one-half (1/2) 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 feet (200') from the rear of such vehicle. (2004 Code, § 15-117)

**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. (2004 Code, § 15-118)

**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." (2004 Code, § 15-119)

**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. (2004 Code, § 15-120)

**15-120. Motorcycles, motor driven cycles, motorized bicycles, bicycles, etc.** (1) Definitions. For the purpose of the application of this section, the following words shall have the definitions indicated:

(a) "Motorcycle." Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor or motorized bicycle;

(b) "Motor-driven cycle." Every motorcycle, including every motor scooter, with a motor which produces not to exceed five (5) brake horsepower, or with a motor with a cylinder capacity not exceeding one hundred and twenty-five (125) cubic centimeters; and

(c) "Motorized bicycle." A vehicle with two (2) or three (3) wheels, an automatic transmission, and a motor with a cylinder capacity not exceeding fifty (50) cubic centimeters which produces no more than two (2) brake horsepower and is capable of propelling the vehicle at a maximum design speed of no more than thirty (30) miles per hour on level ground.

(2) Every person riding or operating a bicycle, motor cycle, 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.

(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 sixteen (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 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. (2004 Code, § 15-121)

**15-121. Delivery of vehicle to unlicensed driver, etc.**

(1) **Definitions.** (a) "Adult" shall mean any person eighteen (18) years of age or older.

(b) "Automobile" shall mean any motor driven automobile, car, truck, tractor, motorcycle, motor driven cycle, motorized bicycle, or vehicle driven by mechanical power.

(c) "Custody" means the control of the actual, physical care of the juvenile, 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.

(d) "Drivers license" shall mean a motor vehicle operators license or chauffeurs license issued by the State of Tennessee.

(e) "Juvenile" as used in this chapter shall mean a person less than eighteen (18) years of age, and no exception shall be made for a juvenile who has been emancipated by marriage or otherwise.

(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 possession a valid motor vehicle operators or chauffeurs license issued by the Department of Safety of the State of Tennessee, 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 operators or chauffeurs license as issued by the Department of Safety of the State of Tennessee.

(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. (2004 Code, § 15-122)

**15-122. Compliance with financial responsibility law required.**

(1) This section shall apply to every vehicle subject to the state registration and certificate of title provisions.

(2) At the time the driver of a motor vehicle is charged with any moving violation under *Tennessee Code Annotated*, title 55, chapters 8 and 10, parts 1-5, chapter 50; any provision in this title of this municipal code; or at the time of an accident for which notice is required under *Tennessee Code Annotated*, § 55-10-106, the officer shall request evidence of financial responsibility as required by this section. In case of an accident for which notice is required under *Tennessee Code Annotated*, § 55-10-106, the officer shall

request such evidence from all drivers involved in the accident, without regard to apparent or actual fault. For the purposes of this section, "financial responsibility" means:

(a) Documentation, such as the declaration page of an insurance policy, an insurance binder, or an insurance card from an insurance company authorized to do business in Tennessee, stating that a policy of insurance meeting the requirements of the Tennessee Financial Responsibility Law of 1977, compiled in *Tennessee Code Annotated*, chapter 12, title 55, has been issued;

(b) A certificate, valid for one (1) year, issued by the commissioner of safety, stating that a cash deposit or bond in the amount required by the Tennessee Financial Responsibility Law of 1977, compiled in *Tennessee Code Annotated*, chapter 12, title 55, has been paid or filed with the commissioner, or has qualified as a self-insurer under *Tennessee Code Annotated*, § 55-12-111; or

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

(3) It is a civil offense to fail to provide evidence of financial responsibility pursuant to this section. Any violation is punishable by a civil penalty of up to fifty dollars (\$50.00).

(4) The penalty imposed by this section shall be in addition to any other penalty imposed by the laws of this state or this municipal code.

(5) On or before the court date, the person so charged may submit evidence of financial responsibility at the time of the violation. If it is the person's first violation of this section and the court is satisfied that such financial responsibility was in effect at the time of the violation, the charge of failure to provide evidence of financial responsibility shall be dismissed. Upon the person's second or subsequent violation of this section, if the court is satisfied that such financial responsibility was in effect at the time of the violation, the charge of failure to provide evidence of financial responsibility may be dismissed. Any charge which is dismissed pursuant to this subsection shall be dismissed without costs to the defendant and no litigation tax shall be due or collected.

**15-123. Duty to drive at safe speed, maintain lookout and keep vehicle under control.** Notwithstanding any speed limit or zone in effect at the time, or right-of-way rules that may be applicable, every driver shall:

(1) Operate his vehicle at a safe speed;

(2) Maintain a safe lookout; and

(3) Use due care to keep his vehicle under control. (2004 Code,

§ 15-124)



**15-124. Striking parked vehicles or fixed objects.** It shall be unlawful for the driver of any vehicle while operating such vehicle on a public street or alley to drive such vehicle into, against, or upon a parked vehicle or fixed object thereon. (2004 Code, § 15-125)

**15-125. 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. (2004 Code, § 15-126)

**15-126. Transportation of loose material.** Any truck, or other motor vehicle with an open bed which is operated upon any highway, road, or street open for public use within the town shall be loaded so that any loose material transported therein remains at least four inches (4") below the walls of such open bed, measured at the front, back, and sidewalls; such load may be piled higher in the center of such open bed. Loose material includes any substance, which could spill, drop off, or blow away from the open bed when the vehicle is operated. Loose material shall not include material such as sand or salt which are purposely discharged from truck beds to clear roadways or improve traction, and shall not include water sprayed on streets for purpose of sanitation. (2004 Code, § 15-127)

## 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. (2004 Code, § 15-201)

**15-202. Operation of authorized emergency vehicles.**<sup>1</sup> (1) 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 or blue light visible under normal atmospheric conditions from a distance of five hundred feet (500') 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 or blue light visible from the front of the vehicle.

(2) 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.

(3) 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.

(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. (2004 Code, § 15-202, modified)

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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 traveling in response to an emergency call closer than five hundred feet (500') or drive or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm. (2004 Code, § 15-203)

**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 police officer. (2004 Code, § 15-204)

## CHAPTER 3

### SPEED LIMITS

#### SECTION

15-301. In general.

15-302. At intersections.

15-303. In school zones.

**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. (2004 Code, § 15-301)

**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. (2004 Code, § 15-302)

**15-303. In school zones.** Pursuant to *Tennessee Code Annotated*, § 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 fifteen (15) miles per hour; and shall be in effect only when proper signs are posted with a warning flasher or flashers in operation. It shall be unlawful for any person to violate any such special speed limit enacted and in effect in accordance with this section.

In school zones where the board of mayor and aldermen has not established special speed limits as provided for above, any person who shall drive at a speed exceeding fifteen (15) miles per hour when passing a school during a recess period when a warning flasher or flashers are in operation, or during a period of ninety (90) minutes before the opening hour of a school, or a period of ninety (90) minutes after the closing hour of a school, while children are actually going to or leaving school, shall be prima facie guilty of reckless driving. (2004 Code, § 15-303, modified)

## 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.

**15-401. 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> (2004 Code, § 15-401)

**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. (2004 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 center line thereof and by passing to the right of the intersection of the center lines of the two roadways. (2004 Code, § 15-403)

**15-404. Left turns on other than two-way roadways.** At any intersection where traffic is restricted to one (1) direction on one (1) 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. (2004 Code, § 15-404)

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<sup>1</sup>State law reference

*Tennessee Code Annotated*, § 55-8-143.

## CHAPTER 5

### STOPPING AND YIELDING

#### SECTION

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

**15-501. Upon approach of authorized emergency vehicles.**<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 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. (2004 Code, § 15-501)

**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. (2004 Code, § 15-502)

**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. (2004 Code, § 15-503)

**15-504. At railroad crossings.** Any driver of a vehicle approaching a railroad grade crossing shall stop within not less than fifteen feet (15') from the

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<sup>1</sup>Municipal code reference

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

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 feet (1500') of the highway crossing and is emitting an audible signal indicating its approach; or
- (4) An approaching railroad train is plainly visible and is in hazardous proximity to the crossing. (2004 Code, § 15-504)

**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. (2004 Code, § 15-505)

**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. (2004 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) 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. Provided, however, that 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 the turning car yields the right of way to pedestrians and cross traffic traveling in accordance with their traffic signal. However, said turn will not endanger other traffic lawfully using said intersection. A right turn on red shall be permitted at all intersections except those clearly marked by a "No Turns On Red" sign, which may be erected by the town at intersections which the town decides require no right turns on red in the interest of traffic safety.

(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. (2004 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.

(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. (2004 Code, § 15-508)



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

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

(2) "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.

(2004 Code, § 15-509)

**15-510. Stops to be signaled.** No person operating a motor vehicle shall stop such vehicle, whether in obedience to a traffic sign or signal or otherwise, without first signaling his intention in accordance with the requirements of the state law,<sup>1</sup> except in an emergency. (2004 Code, § 15-510)

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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. Parking of trucks, buses, in residential districts.
- 15-607. Restricted parking in residential zones.
- 15-608. Presumption with respect to illegal parking.
- 15-609. Special parking permits.

**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 town shall be so parked that its right wheels are approximately parallel to and within eighteen inches (18") of the right edge or curb of the street. On one-way streets where the 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 the left wheels shall be required to be within eighteen inches (18") of the left edge or curb of the street.

Notwithstanding anything else in this code to the contrary, no person shall park or leave a vehicle parked on any public street or alley 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. (2004 Code, § 15-601)

**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 twenty-four feet (24'). (2004 Code, § 15-602)

**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 (1) such space or protrudes beyond the official markings on the street or curb designating such space unless the vehicle is too large to be parked within a single designated space. (2004 Code, § 15-603)

**15-604. Where prohibited.** No person shall stop, stand or park a vehicle in violation of any sign placed or erected by the state or town, nor shall any vehicle be parked:

(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 fifteen feet (15') of a fire hydrant;

(5) Within a pedestrian crosswalk;

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

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

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

(9) Within twenty feet (20') of the driveway entrance to any fire station, and on the side of the street opposite the entrance to any fire station within seventy-five feet (75') of 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) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;

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

(a) Physically handicapped, or

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

(c) A vehicle parking in such a space shall display a certificate of identification or a disabled veteran's license plate issued under *Tennessee Code Annotated*, § 55-5-237. (2004 Code, 15-604); or

(14) On any shoulder of Tennessee Highway 57 located inside the corporate boundaries of the Town of Rossville provided however, this prohibition shall not apply to the stopping, standing, or parking of any vehicle on any shoulder of Highway 57 for emergency or mechanical reasons or to police, fire, medical, or utility repair vehicles during the course of their official business. (2004 Code, § 15-604, as replaced by Ord. #2022-002, March 2022 ***Ch1\_02-13-24***)

**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 town as a loading and unloading zone. (2004 Code, § 15-605)

**15-606. Parking of trucks, buses, in residential districts.** No truck, defined as a motor vehicle used or maintained for the transportation of property having three (3) or more axles or having a gross weight of eight thousand (8,000) pounds including load and vehicle and no bus defined as a motor vehicle designed for carrying more than ten (10) passengers and used for the transportation of persons may be parked in a residential district or the public streets in a residential district except for loading and unloading.

No truck suitable for handling hazardous materials may be parked on the public streets or on private property in a residential district at any time. (2004 Code, § 15-606)

**15-607. Restricted parking in residential zones.** (1) No person shall park, leave standing or store any vehicle in any public right-of-way or upon any street within a residential zone area of the town, except those commonly referred to as passenger vehicles or pickup trucks, one ton capacity or less.

(2) No person shall leave standing or store any equipment, machinery or material except as provided for in subsection (1) on any street or public right-of-way within a residential zone of the town.

(3) The provisions of this section shall not be deemed to prohibit the parking of such equipment upon any street for the actual purpose of loading or unloading of goods, wares, or merchandise, or the accomplishment of repairs within a residential area, provided, however, "loading," "unloading" and "accomplishment of repairs" as used in this section shall be limited to the actual time consumed in such operation.

(4) This section shall not prohibit such parking when reasonably necessitated by a breakdown or other emergency; provided the chief of police is promptly notified of the circumstances.

(5) Vehicles used for the delivery of town services or expansion of town services are specifically exempted from the provisions of this section. (2004 Code, § 15-607)

**15-608. 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. (2004 Code, § 15-608)

**15-609. Special parking permits.** The director of development services may issue temporary exemption to vehicles if it is deemed in the best interest of the town to temporarily suspend the enforcement of the preceding section for development reasons. Written explanation of these exemptions shall be forwarded to the town clerk and the chief of police. (2004 Code, § 15-609)

## CHAPTER 7

### REGULATING CERTAIN VEHICLE PARKING ON RESIDENTIAL STREETS AND RESIDENTIAL LOTS

#### SECTION

- 15-701. Definitions.
- 15-702. Violations a civil offense.
- 15-703. Exceptions.
- 15-704. Enforcement
- 15-705. Penalty for violations.

**15-701. Definitions.** For the purpose of interpretation and application of this chapter, the following words and phrases shall have the indicated meanings:

(1) "Canopy" shall mean an extension of the roof of a building or a freestanding structure that has a roof with support, but no walls.

(2) "Carport" shall mean a canopy attached to the main building, open and to remain open on two (2) sides providing a sheltered place for parking an automobile and for entering and alighting from said automobile.

(3) "Driveway" shall mean a paved or gravel way, on private property, providing access from a public way, street or alley, to the main buildings, carport, garage, parking space or another portion of the premises.

(4) "Front yard" shall mean the area of a residential lot which lies between the property line adjacent to a public street or right-of-way and the building wall of the residential structure, extending from the outward corners of the building parallel to the street.

(5) "Garage" shall mean a building or portion thereof for the storage of motor vehicles owned or used by the residents.

(6) "Improved surface" shall mean a continuous area constructed of concrete, asphalt, brick, pavers, or other equivalent material approved by the town prior to installation, but not including gravel or crushed stone.

(7) "Pads" shall mean the surface on which a trailer, recreational vehicle, boat, camper, or similar type vehicle is located consisting of paving or gravel.

(8) "Rear yard" shall mean the area extending across the full width of a residential lot between the rear lot line and the rear building wall of the residence or a corner lot, the rear yard includes that portion of the residential lot which is the deepest area of the lot lying between the wall of the residential structure and the property line and is not continued within the side yard.

(9) "Recreational vehicle" shall mean a vehicle which is built on a single chassis, has four hundred (400) square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or permanently towable by a light duty truck, and is not designed primarily for use as a

permanent dwelling but as a temporary living quarters for recreational, canoeing travel, or seasonal use.

(10) "Truck type and weight class" shall mean weight is Gross Vehicle Weight Rating (GVWR)

(a) Class One, 6,000 lbs. or less and includes, but not limited to, full size pickup, mini pickup, minivan, SUV, and or utility van.

(b) Class Two, 6,001 to 10,000 lbs. and includes, but not limited to, crew size pickup, full size pickup, mini bus, minivan, step van, and utility van.

(c) Class Three, 10,001 to 14,000 lbs. and includes, but not limited to, city delivery trucks, minibus, and walk in trucks.

(d) Class Four, 14,001 to 16,000 lbs. and includes, but not limited to, city delivery trucks, commercial van, landscape utility, and large walk in trucks.

(e) Class Five, 16,001 to 19,500 lbs. and includes, but not limited to, bucket, city delivery, and large walk in trucks.

(f) Class Six, 19,501 to 26,000 lbs. and includes, but not limited to, beverage, rack, school bus, single axle van, and stake body trucks.

(g) Class Seven, 26,001 to 33,000 lbs. and includes, but not limited to, city transit bus, furniture, high profile semi, home fuel, medium semi tractor, refuse, and tow trucks.

(h) Class Eight, 33,001 lbs. and over includes, but not limited to, cement mixer, dump, fire truck, fuel, heavy semi tractor, refrigerated van, semi sleeper, and tour bus.

(11) "Commercial trailer" includes, but not limited to, auto transport, double van, drop frame, dry bulk, dump trailer, flatbed, flatbed low boy, reefer, tanker, van trailer. (as added by Ord. #2017-004, May 2017 *Ch1\_02-13-24*)

**15-702. Violations a civil offense.** (1) It shall be unlawful for any person to park or store any automobile, recreational vehicle or any other vehicle designed for passenger use on any unimproved, residentially-zoned building lot in the Town of Rossville.

(2) It shall be unlawful for any person to park or store any automobile or any other vehicle designed for passenger use which exceeds eight feet (8') in height at any point, exceeds twenty feet (20') in length, or which exceeds eight thousand (8,000) pound gross vehicle weight in any portion of the front yard of any residentially- zoned lot in the Town of Rossville, except for that portion of the front yard having an improved surface and considered the driveway area of the lot.

(3) It shall be unlawful for any person to park or store any vehicle which exceeds eight feet (8') in height at any point, exceeds twenty feet (20') in length, or which exceeds eight thousand (8,000) pound gross vehicle weight, and, without regard to size, any recreational vehicles, boats, personal watercrafts, motor homes, truck campers, travel trailers, tent trailers, camping trailers, motorized dwellings, fifth wheels, mobile homes, house trailers, trailers,

semitrailers, horse trailers, airplanes, gliders, off-highway motor vehicles, snowmobiles, sand buggies, dune buggies, all-terrain vehicles, tractors, implements of husbandry, special mobile equipment, or any other major recreational equipment except as follows:

(a) In a garage;

(b) In a carport;

(c) In a fenced area in the rear yard, but no closer than five feet (5') to any property boundary line and no closer than fifteen feet (15') to the rear line of the principal building, however, motor homes may be parked on a driveway at a residence for up to seventy-two (72) hours in a thirty (30) day period.

(4) It shall be unlawful for any person, firm or corporation owning, operating or having control of any commercial vehicle that is rated as class five, six, seven, or eight to park the same upon any street, avenue, alley, public way or yard in any residential area of the town, except on a paved or gravel driveway. (as added by Ord. #2017-004, May 2017 *Ch1\_02-13-24*)

**15-703. Exceptions.** Nothing in § 15-702 shall be construed to prohibit the short-term, temporary parking of vehicles engaged in the provision of services to the building owners or occupants, including but not limited to, the loading or unloading of furniture, household appliances or other bulky items only construction activities for which a building permit has been secured; building maintenance or repair, emergency activities; any activity involving the use of a bucket truck or similar equipment; and other temporary activities for which no reasonable parking alternatives exists. (as added by Ord. #2017-004, May 2017 *Ch1\_02-13-24*)

**15-704. Enforcement.** The building inspector or his designee shall upon complaint of any citizen, or acting on his own information, investigate complaints of violations. If after such investigation, the building inspector or his designee finds a vehicle parked in violation of this ordinance, he shall first issue a notice of non-compliance upon the owner or owners of the property, or upon the person or persons apparently in lawful possession of the property. If the offender fails to comply with this ordinance within the time period stated in the notice, the builder inspector or his designee may:

(1) Request the city judge to issue a summons, or

(2) Request a police officer to witness the violation.

The police officer who witnesses the violation may issue the offender a citation in lieu of arrest, as authorized by *Tennessee Code Annotated*, § 7-63-101 *et seq.* or if the offender refuses to sign the citation, may arrest the offender for failure to sign the citation in lieu of arrest. In addition, pursuant to *Tennessee Code Annotated*, § 55-5-122, the municipal court may issue an order to remove the junk vehicle(s) from private property at the owner's expense (as added by Ord. #2017-004, May 2017 *Ch1\_02-13-24*)

**15-705. Penalty for violations.** Any person violating this chapter shall be subject to a civil penalty of fifty dollars (\$50.00) plus court costs for each separate violation of this chapter. Each day the violation of this chapter continues shall be considered a separate offense. (as added by Ord. #2017-004, May 2017 *Ch1\_02-13-24*)



## CHAPTER 8

### ENFORCEMENT

#### SECTION

- 15-801. Issuance of traffic citations.
- 15-802. Failure to obey citation.
- 15-803. Illegal parking.
- 15-804. Impoundment of vehicles.
- 15-805. Disposal of abandoned motor vehicles.

**15-801. 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 refuse to sign his/her citation or to give false or misleading information as to his name or address. (2004 Code, § 15-701, as renumbered by Ord. #2017-004, May 2017 *Ch1\_02-13-24*)

**15-802. 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. (2004 Code, § 15-702, as renumbered by Ord. #2017-004, May 2017 *Ch1\_02-13-24*)

**15-803. 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 thirty (30) days during the hours and at a place specified in the citation.

Any violation of this section shall be a civil offense punishable by a civil penalty up to fifty dollars (\$50.00) for each separate offense. For the violation

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<sup>1</sup>Municipal code reference

Issuance of citations in lieu of arrest and ordinance summonses in non-traffic related offenses: title 6, chapter 1.

State law reference

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

of parking in a handicapped parking space under § 15-604(13) of this code, the offender shall be punished in accordance with *Tennessee Code Annotated*, § 55-21-108. (2004 Code, § 15-704, modified, as renumbered by Ord. #2017-004, May 2017 **Ch1\_02-13-24**)

**15-804. 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 (1) hour in excess of the time allowed for parking in any place, or which has been involved in two (2) 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 of. (2004 Code, § 15-705, modified, as renumbered by Ord. #2017-004, May 2017 **Ch1\_02-13-24**)

**15-805. 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 provisions of *Tennessee Code Annotated*, §§ 55-16-103 to 55-16-109. (2004 Code, § 15-706, as renumbered by Ord. #2017-004, May 2017 **Ch1\_02-13-24**)

## CHAPTER 9

**INOPERATIVE VEHICLES**<sup>1</sup>**SECTION**

15-901. Definitions.

15-902. Keeping in open prohibited.

**15-901. Definitions.** "Inoperative vehicles." An inoperative vehicles is defined as a vehicle which is currently not registered or which will not operate under its own power. (2004 Code, § 15-801, as renumbered by Ord. #2017-004, May 2017 *Ch1\_02-13-24*)

**15-902. Keeping in open prohibited.** It shall be unlawful for the owner or person in control of any residential lot in the town to keep any inoperative motor vehicle on a lot or in any street adjacent to the lot for more than ten (10) days unless the vehicle is completely enclosed within a building. (2004 Code, § 15-802, as renumbered by Ord. #2017-004, May 2017 *Ch1\_02-13-24*)

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<sup>1</sup>Municipal code reference  
Junkyards: title 13, chapter 2.