

TITLE 15

MOTOR VEHICLES, TRAFFIC AND PARKING¹

CHAPTER

1. MISCELLANEOUS.
2. SPEED LIMITS.
3. TURNING MOVEMENTS.
4. STOPPING AND YIELDING.
5. PARKING.
6. ENFORCEMENT.

CHAPTER 1

MISCELLANEOUS²

SECTION

¹Municipal code reference

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

²State law references

Under Tennessee Code Annotated, § 55-10-307, the following offenses are exclusively state offenses and must be tried in a state court or a court having state jurisdiction: driving while intoxicated or drugged, as prohibited by Tennessee Code Annotated, § 55-10-401; failing to stop after a traffic accident, as prohibited by Tennessee Code Annotated, § 55-10-101, et seq.; driving while license is suspended or revoked, as prohibited by Tennessee Code Annotated, § 55-7-116; and drag racing, as prohibited by Tennessee Code Annotated, § 55-10-501.

- 15-101. State law adopted.
- 15-102. Vehicles to display state registration plates.
- 15-103. State registration certificate and title card to be in possession of occupant of vehicle.
- 15-104. Drivers to be licensed by state.
- 15-105. Vehicle equipment.
- 15-106. Size, weight, and load restrictions generally.
- 15-107. Load restrictions upon vehicles using certain streets.
- 15-108. Loads projecting from rear of vehicles.
- 15-109. Use of coasters and similar devices restricted.
- 15-110. Persons operating bicycles to obey traffic-control devices.
- 15-111. Riding bicycles, skateboards or scooters, go-cart, tricycle, or any other recreational type of device propelled solely by human power on sidewalks regulated.
- 15-112. Riding on portion of vehicle not intended for passengers.
- 15-113. Boarding or alighting from moving vehicles.
- 15-114. Opening doors into traffic.
- 15-115. "Jaywalking" regulated.
- 15-116. Operation of motor vehicle without adequate energy absorption system prohibited -- alteration of altitude from ground level of passenger car prohibited -- exceptions -- enforcement -- penalties.
- 15-117. Miscellaneous traffic-control signs, etc.
- 15-118. General requirements for traffic-control signs, etc.
- 15-119. Unauthorized traffic-control signs, etc.
- 15-120. Presumption with respect to traffic-control signs, etc.
- 15-121. Driving in processions.
- 15-122. Driving through funerals or other processions.
- 15-123. Driving through safety zone.
- 15-124. Damaging pavements.
- 15-125. Designation of crosswalks and safety zones.
- 15-126. No-passing zones.
- 15-127. One-way streets and rotary traffic islands.
- 15-128. Driving on streets closed for repairs, etc.
- 15-129. Operation of vehicles on school grounds.
- 15-130. Obstructing intersection or crosswalk.
- 15-131. "Corner cutting."
- 15-132. Operation of vehicles in non-road park areas.
- 15-133. Trespassing by motor vehicle.
- 15-134. Proof of compliance with financial responsibility law required.

15-101. State law adopted. Pursuant to Tennessee Code Annotated, § 55-10-307, the city hereby adopts, by reference, as a part of this chapter, Tennessee Code Annotated, §§ 55-8-101 through 55-8-180 and §§ 55-10-101

through 55-10-310. Any person violating any provisions of the state laws hereby adopted shall be guilty of a misdemeanor. (1982 Code, § 9-101)

15-102. Vehicles to display state registration plates. It shall be unlawful for any person to operate any vehicle, or for the owner of any vehicle to permit the same to be operated within the city, unless there is attached to such vehicle and displayed thereon, when and as required by Tennessee Code Annotated, title 55, chapters 1 through 6, a valid and outstanding registration plate or plates issued to the owner thereof by the state for the current registration year, or a registration plate or plates issued to such owner with the proper sticker or other device attached or affixed thereto indicating a valid renewal of such registration plate or plates. (1982 Code, § 9-102)

15-103. State registration certificate and title card to be in possession of occupant of vehicle. No person shall operate nor shall any owner knowingly permit to be operated within the city any vehicle required to be registered under Tennessee Code Annotated, title 55, chapters 1 through 6, unless some occupant of the vehicle has in his possession both the certificate of registration and the title card required by such chapters. (1982 Code, § 9-103)

15-104. Drivers to be licensed by state. It shall be unlawful for any person to drive or operate a motor vehicle within the corporate limits of the city without having secured and having in his possession a valid driver's or chauffeur's license as required by the state. (1982 Code, § 9-104)

15-105. Vehicle equipment. It shall be unlawful for any person to operate or any owner to permit the operation of any vehicle within the city unless such vehicle meets all of the requirements of the state law as to equipment.¹ It shall likewise be unlawful for any person to fail to use any such equipment as required by state law or to use any equipment contrary to state law. (1982 Code, § 9-105)

15-106. Size, weight, and load restrictions generally. It shall be unlawful for any person to operate upon any street or alley of the city any vehicle which violates the size, weight, or load restrictions of Tennessee law,² unless he shall first obtain a permit from the chief of police. The chief shall issue such a permit only upon a written application which reasonably establishes that such an operation can and probably will be accomplished without injury or damage to any person or

¹State law reference
Tennessee Code Annotated, title 55, chapter 9.

²State law reference
Tennessee Code Annotated, title 55, chapter 11.

property. The application must be submitted at least three (3) days in advance of the contemplated operation, must be in such form as is prescribed by the chief of police, and must be accompanied by an indemnity bond in the amount of one thousand dollars (\$1,000.00), which indemnity bond shall inure to the benefit of any person who suffers personal injury or property damage as a result of such vehicle's operation and for which the permittee is found to be liable. (1982 Code, § 9-106)

15-107. Load restrictions upon vehicles using certain streets. When signs are erected giving notice thereof, no person shall operate a vehicle with a gross weight in excess of the weight so posted at any time upon any of the streets or parts of streets affected by such signs. (1982 Code, § 9-107)

15-108. Loads projecting from 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. (1982 Code, § 9-108)

15-109. Use of coasters and similar devices restricted. No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device shall go upon any roadway except while crossing a street on a crosswalk, and when so crossing, such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. (1982 Code, § 9-109)

15-110. Persons operating bicycles to obey traffic-control devices. (1) Any person operating a bicycle shall obey the instructions of official traffic-control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.

(2) Whenever authorized signs are erected indicating that no right or left or U turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians. (1982 Code, § 9-110)

15-111. Riding bicycles, skateboards or scooters, go-cart, tricycle, or any other recreational type of device propelled solely by human power on sidewalks regulated. (1) No person shall ride a bicycle upon a sidewalk within a business district, as defined in Tennessee Code Annotated, §§ 55-8-101(6).

(2) No person fifteen (15) or more years of age shall ride a bicycle upon any sidewalk in any district.

(3) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

(4) No person shall use or ride a skateboard, scooter, go-cart, tricycle, or any other recreational type of device propelled solely by human power upon a sidewalk, street, highway, or municipal parking lot within a business district as defined in Tennessee Code Annotated, § 55-8-101(6). This section shall not apply to self-propelled, battery operated, or motorized device designed for and used by physically handicapped persons.

(5) Whenever any person is riding a skateboard, scooter, go-cart, tricycle, or any other type of recreational device propelled solely by human power upon a sidewalk outside of a business district, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

(6) Violations of any provision of this section of the McMinnville Municipal Code of 1994 shall upon conviction be punished by a fine of not less than two and no/100 dollars (\$2.00) nor more than fifty and no/100 dollars (\$50.00) or as provided by the laws of the State of Tennessee for juveniles. (1982 Code, § 9-111)

15-112. Riding on portion of vehicle not intended for passengers. 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. (1982 Code, § 9-112)

15-113. Boarding or alighting from moving vehicles. No person shall board or alight from any vehicle while such vehicle is in motion. (1982 Code, § 9-113)

15-114. Opening doors into traffic. No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, nor shall any person leave a door open on the side of a motor vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers. (1982 Code, § 9-114)

15-115. "Jaywalking" regulated. No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb, except in a crosswalk. At intersections where traffic-control signals have traffic stopped in all directions, these provisions shall not apply to pedestrians crossing within the area common to both intersecting roadways. (1982 Code, § 9-115)

15-116. Operation of motor vehicle without adequate energy absorption system prohibited -- alteration of altitude from ground level of passenger car prohibited -- exceptions -- enforcement -- penalties.

(1) No person shall operate a motor vehicle on any road, street, or highway within the City of McMinnville, unless the vehicle is equipped with a bumper or other energy absorption system with an analogous function.

(2) No person shall operate a passenger vehicle, except a four-wheel drive recreational vehicle, of a type required to be registered under the laws of this state upon a public highway or street, within the city, by reason of alteration of its altitude from the ground if its bumpers, measured to any point on a load-bearing member on the horizontal bumper bar, are not within the range of fourteen inches (14") to twenty-two inches (22") above the ground, except that no vehicle shall be modified to cause the vehicle body or chassis to come in contact with the ground or expose the fuel tank to damage from collision or cause the wheels to come in contact with the body under normal operation and that no part of the original suspension system be disconnected to defeat the safe operation of the suspension system; provided, that nothing contained in this section shall prevent the installation of heavy duty equipment to include shock absorbers and overload springs; and provided further, that nothing contained in this section shall prevent a person from operating a motor vehicle on a public highway with normal wear of the suspension system if normal wear does not affect the control of the vehicle. In the case of a four-wheel drive vehicle where the thirty-one inches (31") limitation is exceeded, the vehicle will comply with this section if the vehicle is equipped with a drop bumper. Such a drop bumper must be bolted and welded to the frame of the vehicle and be made of a strength equal to a stock bumper.

(3) This section shall not apply to freight motor vehicles which have designs which would intrinsically preclude conformity with this provision. This section also shall not apply to any vehicle which has an unaltered and undamaged stock bumper or energy absorption system as supplied by the manufacturer of the vehicle.

(4) Any law enforcement officer charged with the enforcement of traffic laws and regulations may stop and inspect motor vehicles which appear to be operated in violation of this section. If, upon inspection, the vehicle is found to be in violation of this section, the operator shall be issued a citation stating the particulars of the violation and, in general, the repairs necessary to bring the vehicle into compliance with this section. The citation shall also state a time and place for appearance in a municipal court or any other court of competent traffic jurisdiction, not less than fourteen (14) days from the date of the issuance of the citation.

(5) If, upon reinspection at such an appearance, the defect is found to have been corrected, or the vehicle is found to be in compliance with this section, no further penalties shall be assessed. If, however, the vehicle is found not to be in compliance with this section, the operator shall be fined not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00).

(6) Nothing in this section shall be construed to establish standards higher than those formulated by the United States Department of Transportation and the Tennessee Department of Transportation for bumpers on passenger motor vehicles sold within the United States. (1982 Code, § 9-116)

15-117. Miscellaneous traffic-control signs, etc.¹ It shall be unlawful for any pedestrian or the operator of any vehicle to violate or fail to comply with any traffic-control sign, signal, marking, or device placed or erected by the state or the city 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. (1982 Code, § 9-207)

15-118. General requirements for traffic-control signs, etc. All traffic-control signs, signals, markings, and devices shall conform to the latest revision of the Manual on Uniform Traffic Control Devices for Streets and Highways,² published by the U. S. Department of Transportation, Federal Highway Administration, and shall, so far as practicable, be uniform as to type and location throughout the city. This section shall not be construed as being mandatory but is merely directive. (1982 Code, § 9-208)

15-119. 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. (1982 Code, § 9-209)

15-120. 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. All presently installed traffic-control signs, signals, markings and devices are hereby expressly authorized, ratified, approved and made official. (1982 Code, § 9-210)

¹Municipal code references

Stop signs, yield signs, flashing signals, pedestrian control signs, traffic control signals generally: §§ 15-401--15-405.

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

15-121. Driving in processions. Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practicable and shall follow the vehicle ahead as close as is practicable and safe. (1982 Code, § 9-312)

15-122. Driving through funerals or other processions. Except when otherwise directed by a police officer, no driver of a vehicle other than an authorized emergency 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. (1982 Code, § 9-313)

15-123. Driving through safety zone. No vehicle shall at any time be driven through or within a safety zone. (1982 Code, § 9-316)

15-124. Damaging pavements. No person shall operate upon any street of the city any vehicle, motor propelled or otherwise, which by reason of its weight or the character of its wheels or track is likely to damage the surface or foundation of the street. (1982 Code, § 9-315)

15-125. Designation of crosswalks and safety zones. The chief of police is hereby authorized: (1) To designate and maintain crosswalks by appropriate devices, marks, or lines upon the surface of the roadway at intersections where, in his opinion, there is particular danger to pedestrians crossing the roadway, and at such places as he may deem necessary.

(2) To establish zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians. (1982 Code, § 9-206)

15-126. No-passing zones. The board of mayor and aldermen may determine those portions of any street where overtaking and passing or driving to the left of the roadway would be especially hazardous and the beginning and end of such zones shall be indicated by a yellow line on the roadway to the right of the lane line. 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. (1982 Code, § 9-310)

15-127. One-way streets and rotary traffic islands. (1) The board of mayor and aldermen may designate any street or any separate roadway under its jurisdiction for one-way traffic and the chief of police shall erect appropriate signs giving notice thereof.

(2) Upon a roadway designated and signposted for one-way traffic, a vehicle shall be driven only in the direction designated.

(3) A vehicle passing around a rotary traffic island shall be driven only to the right of such island. (1982 Code, § 9-311)

15-128. 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. (1982 Code, § 9-314)

15-129. Operation of vehicles on school grounds. (1) It shall be unlawful for any person to park, drive, or operate any motor vehicle on the grounds or premises of the schools in the city during school hours, unless such vehicular operation is done pursuant to or in connection with the transportation of pupils to or from school, or for business purposes in connection with school operation.

(2) It shall be the duty of the chief of police or any other police officer immediately to arrest any offender hereunder and bring him before the city judge and, for the purpose of enforcing this section, all school principals and teachers in the school system are hereby appointed special police officers with full power and authority to act as such in the enforcement of this section. (1982 Code, § 9-306)

15-130. Obstructing intersection or crosswalk. 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. (1982 Code, § 9-307)

15-131. "Corner cutting." No one shall drive a vehicle from a street or alley across premises on which a filling station, store, or other business concern is located, or across public property, for the sole purpose of passing from one street or alley to another. (1982 Code, § 9-317)

15-132. Operation of vehicles in non-road park areas. It shall be unlawful for any person to drive any motor vehicle, including but not limited to, automobiles, trucks, motorcycles, and motor scooters in, over, onto, or across any of the parks and recreational areas of the city not usually and customarily used for vehicular traffic. (1982 Code, § 9-318)

15-133. Trespassing by motor vehicle. (1) Any person who drives, parks, stands, or otherwise operates a motor vehicle on, through or within a parking area, driving area or roadway located on privately owned property which is provided for use by patrons, customers or employees of business establishments upon such property, or adjoining property or for use otherwise in connection with activities conducted upon such property, or adjoining property, after such person has been requested or ordered to leave the property or to cease doing any of the foregoing actions shall be guilty of a misdemeanor, and on conviction shall be fined not more than fifty dollars (\$50.00). A request or order under this section may be given by a law enforcement officer or by the owner, lessee, or other person having the right to

the use or control of the property, or any authorized agent or representative thereof, including but not limited to private security guards hired to patrol the property.

(2) As used in this section, "motor vehicle" shall include automobiles, trucks, vans, buses, recreational vehicles, campers, motorcycles, motor bikes, mo-peds, go-carts, all terrain vehicles, dune buggies, and all other vehicles propelled by motor.

(3) A property owner, lessee or other person having the right to the use or control of property may post signs or other notices upon a parking area, driving area or roadway giving notice of this section and warning that violators will be prosecuted; provided, however, that the posting of signs or notice shall not be a requirement to prosecution under this section and failure to post signs or notice shall not be a defense to prosecution hereunder. (1982 Code, § 9-319)

15-134. Proof of compliance with financial responsibility law required.

I. Every vehicle operated within the corporate limits must be in compliance with the financial responsibility law.

II. At the time the driver of a motor vehicle is charged with any moving violation under title 55, chapters 8 and 10, parts 1-5, chapter 50; any provision in this title of this municipal code; or at the time of an accident for which notice is required under Tennessee Code Annotated, § 55-10-106, the officer shall request evidence of financial responsibility as required by this section. In case of an accident for which notice is required under Tennessee Code Annotated, § 55-10-106, the officer shall request such evidence from all drivers involved in the accident, without regard to apparent or actual fault.

III. For the purposes of this section, "financial responsibility" means:

1. 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;

2. 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

3. 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.

IV. Civil offense. It is a civil offense to fail to provide evidence of financial responsibility pursuant to this section. Any violation of this section is punishable by

a civil penalty of up to fifty dollars (\$50). The civil penalty prescribed by this section shall be in addition to any other penalty prescribed by the laws of this state or by the city's municipal code of ordinances.

V. Evidence of compliance after violation. On or before the court date, the person charged with a violation of this section may submit evidence of compliance with this section in effect at the time of the violation. If the court is satisfied that compliance was in effect at the time of the violation, the charge of failure to provide evidence of financial responsibility may be dismissed. (as added by Ord. #1411, Feb. 2002 and Ord. #1412, Feb. 2002)

CHAPTER 2

SPEED LIMITS

SECTION

- 15-201. In general.
- 15-202. At intersections.
- 15-203. In school zones.
- 15-204. In congested areas.
- 15-205. In recreational areas.
- 15-206. Speed limit established for a portion of State Highway 55 Bypass.
- 15-207. Speed limit established for a portion of State Highway 56.
- 15-208. Speed limit established for a portion of Old Smithville Road and Old Smithville Highway.
- 15-209. Speed limit established for a portion of Lucky Road.
- 15-210. Speed limit established for a portion of Travis Trail.
- 15-211. Speed limit established for a portion of Chris Lane.
- 15-212. Speed limit established for a portion of Hale Court.
- 15-213. Speed limit established for a portion of Cascade Avenue and Bybee Branch Road.
- 15-214. Speed limit established for a portion of Willow Way.
- 15-215. Speed limit established for a portion of Caldwell Street.

15-201. 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. (1982 Code, § 9-301)

15-202. 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. (1982 Code, § 9-302)

15-203. In school zones.¹ Generally, pursuant to Tennessee Code Annotated, § 55-8-153, special speed limits in school zones 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 paragraph.

¹See Ord. #1156 (July 1995) of record in the office of the recorder.

When 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 forty (40) minutes before the opening hour of a school or a period of forty (40) minutes after the closing hour of a school, while children are actually going to or leaving school, shall be prima facie guilty of reckless driving. (1982 Code, § 9-303)

15-204. 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 city. (1982 Code, § 9-304)

15-205. In recreational areas. It shall be unlawful to drive any motor vehicle within the confines of the parks and recreational areas of the city in excess of 15 miles per hour. (1982 Code, § 9-305)

15-206. Speed limit established for a portion of State Highway 55 Bypass. (1) A vehicular speed limit of a maximum 55 miles per hour be and is hereby established, designated and ordained, for a portion of State Highway 55 Bypass beginning at point where State Highway 55 joins U.S. Highway 70S which is immediately underneath the east overpass of U.S. Highway 70S and continues in a westwardly direction along both lanes of State Highway 55 Bypass to the McMinnville city limits which is located at the Oakland Branch.

(2) Any speed limit established by the State of Tennessee, Department of Transportation, on this portion of State Highway 55 Bypass and posted by signs shall supersede the limit set by this section.

(3) The City of McMinnville Street Department will be responsible for the erection of signs posting the above speed limit.

(4) Any person violating this section shall upon conviction be fined not less than \$2.00 nor more than \$50.00 and in addition thereto shall pay all costs. (Ord. #1063, Jan. 1993)

15-207. Speed limit established for a portion of State Highway 56. (1) A vehicular speed limit of a maximum of 40 miles per hour be and is hereby established, designated, and ordained on State Highway 56 North beginning at the Fairgrounds Road and going North on Highway 56 a distance of 3200 feet past Pike Hill Road.

(2) The City of McMinnville Street Department will be responsible for the erection of signs posting the above speed limit.

(3) Any person violating this section shall upon conviction be fined not less than \$2.00 nor more than \$50.00 and in addition thereto shall pay all costs. (Ord. #1096, Nov. 1993)

15-208. Speed limit established for a portion of Old Smithville Road and Old Smithville Highway. (1) A vehicular speed limit of a maximum of 35 miles per hour be and is hereby established, designated, and ordained on Old Smithville Road beginning at the entrance of Rosewood Apartments and going north on Old Smithville Highway to the intersection of old Smithville Highway and Lucky Road.

(2) The City of McMinnville Street Department will be responsible for the erection of signs posting the above speed limit.

(3) Any person violating this section shall upon conviction be fined not less than \$2.00 nor more than \$50.00 and in addition thereto shall pay all costs. (Ord. #1097, Nov. 1993)

15-209. Speed limit established for a portion of Lucky Road.

(1) A vehicular speed limit of a maximum of 35 miles per hour be and is hereby established, designated, and ordained on Lucky Road beginning at Old Smithville Highway and going north on Lucky Road and ending at a distance of 200 feet past the intersection of Lucky Road and Meadowbrook Drive.

(2) The City of McMinnville Street Department will be responsible for the erection of signs posting the above speed limit.

(3) Any person violating this section shall upon conviction be fined not less than \$2.00 nor more than \$50.00 and in addition thereto shall pay all costs. (Ord. #1098, Nov. 1993)

15-210. Speed limit established for a portion of Travis Trail.

(1) A maximum vehicular speed limit of 20 M.P.H. be and is hereby established on Travis Trail from its intersection with Viola Road (Hwy. 108) to the dead end of said Travis Trail as shown on attached map marked Exhibit "A"¹ which is made a part of this section by reference.

(2) The City of McMinnville Public Works Department will be responsible for erection of the 20 M.P.H. speed limit signs referred to above in accordance with state standards.

(3) Any person violating this section shall upon conviction be fined not less than \$2.00 nor more than \$50.00 and in addition shall pay all cost. (Ord. #1230, Dec. 1996)

¹See the attachment to Ord. No. 1230 (Dec. 1996) of record in the office of the recorder.

15-211. Speed limit established for a portion of Chris Lane.

(1) A maximum vehicular speed limit of 20 M.P.H. be and is hereby established on Chris Lane from its intersection with South Chancery Street to its intersection with Travis Trail as shown on attached map marked Exhibit "A"¹ which is made a part of this section by reference.

(2) The City of McMinnville Public Works Department will be responsible for erection of the 20 M.P.H. speed limit signs referred to above in accordance with State standards.

(3) Any person violating this section shall upon conviction be fined not less than \$2.00 nor more than \$50.00 and in addition shall pay all cost. (Ord. #1231, Dec. 1996)

15-212. Speed limit established for a portion of Hale Court.

(1) A maximum vehicular speed limit of 20 M.P.H. be and is hereby established on Hale Court from its intersection with Chris Lane to the dead end of said Hale Court as shown on attached map marked Exhibit "A"¹ which is made a part of this section by reference.

(2) The City of McMinnville Public Works Department will be responsible for erection of the 20 M.P.H. speed limit signs referred to above in accordance with state standards.

(3) Any person violating this section shall upon conviction be fined not less than \$2.00 nor more than \$50.00 and in addition shall pay all cost. (Ord. #1232, Dec. 1996)

15-213. Speed limit established for a portion of Cascade Avenue and Bybee Branch Road.

I. A vehicular speed limit of a maximum of 30 miles per hour be and is hereby established, designated, and ordained on Bybee Branch Road beginning at the old city limits located approximately 200 feet west of Cascade Avenue and going west on Bybee Branch Road and ending 1,970 feet west of this point at the east right-of-way of Palmer Lane.

II. The City of McMinnville Street Department will be responsible for the erection of signs posting the above speed limit.

¹See the attachment to Ord. No. 1231 (Dec. 1996) of record in the office of the recorder.

III. Any person violation this section shall upon conviction be fined not less than \$2.00 nor more than \$50.00 and in addition thereto shall pay all costs. (as added by Ord. #1346, March 2000)

15-214. Speed limit established for a portion of Willow Way. I. A vehicular speed limit of a maximum of 30 miles per hour (mph) be and is hereby established, designated, and ordained on Willow Way, located in the Willows Subdivision, beginning at the intersection of Willow Way with Red Road and extending to the city limits of the City of McMinnville.

II. The City of McMinnville Street Department will be responsible for the erection of signs posting the above speed limit.

III. Any person violating this section shall upon conviction be fined not less than \$2.00 nor more than \$50.00 and in addition thereto shall pay all costs. (as added by Ord. #1368, Nov. 2000)

15-215. Speed limit established for a portion of Caldwell Street. I. A vehicular speed limit of a maximum of 30 miles per hour (mph) be and is hereby established, designated, and ordained for Caldwell Street beginning at the east edge of Chancery Street and proceeding eastwardly to the west edge of North Spring Street and Towles Avenue beginning at the east edge of Chancery Street and proceeding eastwardly to the west edge of Rebel Hill Street.

II. The City of McMinnville Street Department will be responsible for the erection of signs posting the above speed limit.

III. Any person violating this section shall upon conviction be fined not less than \$2.00 nor more than \$50.00 and in addition thereto shall pay all costs. (as added by Ord. #1387, June 2001)

CHAPTER 3

TURNING MOVEMENTS

SECTION

15-301. Generally.

15-302. U-turns.

15-301. Generally. The board of mayor and aldermen may regulate, restrict, or prohibit the making of turning movements. The chief of police shall place and maintain markings, buttons, or signs giving notice of such regulations, restrictions, or prohibitions, and it shall be unlawful to disobey for fail to comply with any such markings, buttons, or signs. (1982 Code, § 9-308)

15-302. U-turns. No driver of a motor vehicle shall make a "U" turn upon any street of the city. (1982 Code, § 9-309)

CHAPTER 4

STOPPING AND YIELDING

SECTION

- 15-401. At "stop" signs.
- 15-402. At "yield" signs.
- 15-403. At traffic-control signals generally.
- 15-404. At flashing traffic-control signals.
- 15-405. At pedestrian-control signals.

15-401. 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. (1982 Code, § 9-201)

15-402. 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. (1982 Code, § 9-202)

15-403. 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 city, 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 city at intersections which the city 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. (1982 Code, § 9-203)

15-404. At flashing traffic-control signals. Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal placed or erected in the city it shall require obedience by vehicular traffic as follows:

(1) 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.

(2) 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. (1982 Code, § 9-204)

15-405. 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 city, such signals shall apply as follows:

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

(2) Wait or Don't Walk. No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the walk signal shall proceed to the nearest sidewalk or safety zone while the wait signal is showing. (1982 Code, § 9-205)

CHAPTER 5

PARKING

SECTION

- 15-501. Generally.
- 15-502. Angle parking.
- 15-503. Occupancy of more than one space.
- 15-504. Parking for washing, greasing, or repairing.
- 15-505. Parking for sale of vehicle.
- 15-506. Parking for sale of produce or merchandise.
- 15-507. Parking of trucks, etc., on residential streets.
- 15-508. Parking of vehicles on private property.
- 15-509. Parking in loading and unloading zones.
- 15-510. Obstructing traffic.
- 15-511. Maximum time limit.
- 15-512. Regulations on specific locations.
- 15-513. Time parking zones.
- 15-514. Presumption of responsibility for parking violation.
- 15-515. Handicapped parking.
- 15-516. Parking in emergency vehicle zones.
- 15-517. Heavy vehicle parking prohibited.
- 15-518. Posting signs in municipal parking lots.

15-501. Generally. Except as hereinafter provided, every vehicle parked upon a street within this city shall be so parked that its right wheels are parallel to and within eighteen (18) inches of the right edge or curb of the street. On one-way streets where the city 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. (1982 Code, § 9-401)

15-502. Angle parking. On those streets which have been signed or marked by the city 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. (1982 Code, § 9-402)

15-503. 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. (1982 Code, § 9-403)

15-504. Parking for washing, greasing, or repairing. 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. (1982 Code, § 9-404)

15-505. Parking for sale of vehicle. It shall be unlawful to park or leave standing on any street any motor vehicle for the purpose of offering such vehicle for sale. (1982 Code, § 9-405)

15-506. Parking for sale of produce or merchandise. (1) It shall be unlawful for any person to sell or offer for sale to the public any farm produce or products of the soil, or any meat, wood, coal, shrubbery, or merchandise of any kind or character from any vehicle which is parked upon any of the streets or public square of the city, except upon South College or Depot Street. This section shall not prohibit sale by hucksters from door to door.

(2) It shall be unlawful for any vehicle containing or loaded with any of the substances enumerated in subsection (1) to be parked for the purpose of sale, upon any of the streets or public square of the city, except upon South College or Depot Street. (1982 Code, § 9-406)

15-507. Parking of trucks, etc., on residential streets. It shall be unlawful for any person, firm, corporation, partnership, association, or other entity to park any tractor trailer truck, truck, bulldozer, pan, or other earth moving equipment or any trailer or road vehicle of over 18 feet in length on any of the residential streets of the city. A residential street is defined as any street, roadway, or alleyway where property is zoned either R-1 or R-2 under the zoning ordinance¹ of the city.

This section shall not apply to any tractor trailer rig which is temporarily parked at a residence for the purpose of loading or unloading of furniture, merchandise, or parcels and the length of stay does not exceed four hours, nor shall this section apply to any bulldozer, pan, or other earth moving equipment being used in connection with the lots or dwellings on said streets so long as said equipment is not parked for a period in excess of two hours. (1982 Code, § 9-407)

15-508. Parking of vehicles on private property. It shall be unlawful for any person to park a motor vehicle, including but not limited to, an automobile, a truck, a motorcycle, a motorscooter, a camper, and the like, on private property without the permission of the owner, with the following exceptions:

¹See the zoning ordinance in the office of the city recorder.

(1) On any business property where parking space is provided for customers or where parking is usual and customary in the common business practice of the organization during business hours and at all other hours unless the owner of said property and/or business has posted a sign in a conspicuous place or places fully legible giving notice that there shall be no parking on said area when the business is not open and in operation.

(2) When a motor vehicle is parked for emergency repairs. It shall, however, be incumbent upon the driver and/or owner of said vehicle to prove the emergency and the necessity for parking.

(3) When the vehicle parked on any private property displays a sign at least twelve inches (12") by nine inches (9") placed on the inside of a vehicle easily visible through the windshield above the steering wheel authorizing the parking of said vehicle and signed by the owner and/or lessee of the property. (1982 Code, § 9-408)

15-509. Parking in 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 city as a loading and unloading zone. (1982 Code, § 9-409)

15-510. Obstructing traffic. No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for free movement of vehicular traffic. (1982 Code, § 9-410)

15-511. Maximum time limit. Notwithstanding any other provision 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) hours without the prior approval of the chief of police. (1982 Code, § 9-411)

15-512. Regulations at specific locations. The board of mayor and aldermen may, from time to time, restrict or prohibit the standing or parking of vehicles on specified streets or parts of streets or in specified areas. Signs or markings shall be installed and maintained giving notice of such restrictions and prohibitions, and it shall be unlawful to violate or fail to comply with any such sign or marking. (1982 Code, § 9-412)

15-513. Time parking zones. (1) For the purpose of this section, the following terms shall have the meaning respectively ascribed to them here:

(a) "Operator" shall mean and include every person who shall operate, drive, or be in control of any vehicle upon any street of the City of McMinnville, Tennessee.

(b) "Park" shall mean the standing of any vehicle, whether occupied or not, upon any street or portion thereof for a period of time greater

than is reasonably necessary for the loading or unloading of persons or materials.

(c) "Street" shall mean and include any public street, avenue, road, boulevard, highway or other public place located in the City of McMinnville, Tennessee and established for the use of vehicles.

(d) "Vehicle" shall mean and include any device in, upon, or by which any person or property is or may be transported upon any street. Bicycles, motor bicycles, or mopeds are deemed vehicles.

(e) "Time parking zone" shall mean an area designated where a vehicle may be temporarily parked and allowed to remain for the period of time indicated on a sign located at the parking space or within the time parking zone, without the payment of a fee.

(2) The safety committee is hereby authorized and directed to establish zones to be known as "time parking zones" upon such streets of the city as the safety committee shall select. The selection shall be made at a regularly or specially called meeting of the safety committee, with notice of the meeting being given as required by the sunshine law of the State of Tennessee. The areas so designated by the safety committee shall be set out in minutes provided for and kept by the safety committee which shall be open to the public and shall be kept in the recorder's office in an area designated and used for the keeping of ordinances and resolutions of the City of McMinnville. The safety committee, from time to time, may add to, change, or abandon such time parking zones as it shall deem proper. In selecting, changing, or abandoning such time parking zones, the safety committee shall be governed by location, amount of traffic, the demand for parking space, the congestion of traffic, the use of the street, and all other traffic conditions that may exist.

(3) The safety committee shall by sign or other proper marking designate the time parking zone, and the time parking zone so established shall be controlled as to time allowed for parking of a vehicle as provided on signs or other marking showing the time limits.

(4) The safety committee shall have lines or markings painted or placed upon the curb or street adjacent to each vehicle parked along the side or next to any time parking zone sign shall park within the lines or markings so established.

When a parking space in any time parking zone is parallel with the adjacent curb or sidewalk, any vehicle parked in such parking space shall be parked so that the foremost part of such vehicle shall be along side and next to the time parking zone sign.

When a parking space in any particular time parking zone is diagonal to the curb or sidewalk, any vehicle parking in such parking space shall be parked with the foremost part of such vehicle directed at and next to such sign designating the time parking zone.

(5) The time parking zones provided for in this section shall control parking between the hours of 8:00 a.m. and 5:00 p.m. on all days except Sundays and legal holidays and on proclamation of the mayor. There shall be no limit as to

time parked in any of said zones on Sundays and holidays or on proclamation of the mayor.

(6) It shall be unlawful to park any vehicle or to permit a vehicle to remain parked in the time parking zone for a period longer than that designated on the sign or marking, between the hours designated thereon. (1982 Code, § 9-413)

15-514. Presumption of responsibility for parking violation. 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. (1982 Code, § 9-414)

15-515. Handicapped parking. (1) A handicapped driver shall mean any person who is qualified under the provisions of the Tennessee Code Annotated §§ 55-21-102 and 55-8-160 as amended and is issued registration, placard, or license plates bearing the stylized or wheelchair symbol or a disabled veteran symbol by the State Department of Revenue; and shall include the driver of a vehicle containing a handicapped passenger.

(2) The street department is hereby authorized to designate for the installation of appropriate signs, parking places for the exclusive use of handicapped drivers in those areas where a significant demand for parking by such persons may exist.

(3) Any merchant or owner of a privately owned parking lot for use by the general public is hereby authorized to designate by the installation of appropriate signs, parking spaces for the exclusive use of handicapped drivers.

(4) Where signs bearing the official wheelchair disabled symbol are erected designating reserved parking spaces for handicapped drivers, no person except handicapped drivers or qualified operators in the presence of and acting under the express direction of a handicapped driver shall stand or park a vehicle in any such space.

(5) Violators may be issued a parking ticket attached to the vehicle or a citation to court or the offending vehicle may be towed and impounded by the city police department.

(6) Anyone who violates the provisions of this section shall be guilty of a misdemeanor. (1982 Code, § 9-415)

15-516. Parking in emergency vehicle zones. No person shall park a vehicle in any zone, space, or lane designated by signs posted for use of fire or other emergency vehicles only, on public property and/or private property for public use. (1982 Code, § 9-416)

15-517. Heavy vehicle parking prohibited. It shall be unlawful for any person, firm, or corporation owning, operating or having control of any bus, truck, tractor trailer, truck powered unit, or equipment in excess of 26,000 gross vehicle weight (GVW) capacity, or any part thereof, to park the same upon any street, avenue, alley, public way or municipal parking lot.

The provisions of this section shall not be deemed to prohibit the lawful parking of such vehicles or equipment upon any street, avenue, alley, public way or municipal parking lot in the City of McMinnville, Tennessee, for the actual loading or unloading of goods, wares, or merchandise, provided, however, that "loading" and "unloading" as used in this section shall be limited to the actual time consumed in such operations. The provisions of this section shall not apply to the civic center parking area for vehicles or equipment used to transport people, animals, or equipment of authorized participants using the civic center.

Notwithstanding any of the prohibitive language contain in this section, the city administrator and/or the chief of police are empowered to grant special parking privileges to any person, firm, or corporation to park on any street, avenue, alley, public way or municipal parking lot not to exceed a forty-eight (48) hour duration, including but not limited to vehicles used by the Red Cross in its blood donation program, demonstration vehicle of the Tennessee Valley Authority, special event type vehicles, or vehicle promoting commerce, trade, business, educational or cultural improvements. This special permit granting the exception shall be in writing showing the date of issuance, date of expiration and location of authorized parking area and shall be posted on the right portion of the vehicle's windshield. If there is no windshield on the vehicle, the special permit shall be displayed at a place on the vehicle that is easily seen by a person outside of the said vehicle.

Any bus, truck, tractor trailer, truck powered unit, equipment or any part thereof parking upon any street, avenue, alley, public way or municipal parking lot in the City of McMinnville, Tennessee, in violation of this section may be towed away by the McMinnville Police Department, and the cost thereof shall be charged to the owner or operator or other person having control of such vehicle or equipment. The towing of a vehicle under this section shall be in addition to, rather than in lieu of, penalties available under the general penalty provision of this code. (as added by Ord. #1104, § 1, Feb. 1994)

15-518. Posting signs in municipal parking lots. The director of public works or other authorized person shall post signs in the municipal parking lots indicating that it is unlawful for any person, firm, or corporation to park any bus, truck, tractor trailer, truck powered unit, or equipment in excess of 26,000 gross vehicle weight capacity (GVW), or any part thereof, upon any municipal parking lot. (as added by Ord. #1104, § 1, Feb. 1994)

CHAPTER 6

ENFORCEMENT

SECTION

- 15-601. Issuance of traffic citations.
- 15-602. Failure to obey citation.
- 15-603. Fine for overtime parking in time parking zone.
- 15-604. Towing of vehicles.
- 15-605. Deposit of license in lieu of bail.
- 15-606. Parking in emergency vehicle zones.
- 15-607. Impound lot.

15-601. Issuance of traffic citations.¹ When a police officer halts a traffic violator other than for the purpose of giving a warning, and does not take such person into custody under arrest, he shall take the name, address, and operator's license number of said person, the license number of the motor vehicle involved, and such other pertinent information as may be necessary, and shall issue to him a written traffic citation containing a notice to answer to the charge against him in the city court at a specified time. The officer, upon receiving the written promise of the alleged violator to answer as specified in the citation, shall release such person from custody. It shall be unlawful for any alleged violator to give false or misleading information as to his name or address. (1982 Code, § 9-501)

15-602. 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. (1982 Code, § 9-502)

15-603. Fine for overtime parking in time parking zone. (1) Any vehicle parked in a limited time parking zone in or at a space or spaces designated by a sign or signs which limit the time of parking in said zone or space beyond the time specified on said sign or signs for the said zone or space, a maximum of two (2) hours, shall upon conviction pay a fine for each violation (parking ticket received) within an eight (8) hour period in any single day as follows:

- | | | |
|-----|---------------------------------------|---------|
| (a) | First (1st) violation and conviction | \$ 5.00 |
| (b) | Second (2nd) violation and conviction | \$10.00 |

¹State law reference

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

- (c) Third (3rd) violation and conviction \$15.00

Each time period violation shall constitute a separate offense for which a ticket may be issued. (Ord. #1085, Sept. 1993, as replaced by Ord. #1321, April 1999)

15-604. Towing of vehicles. (1) Parking violations. The police department and all members thereof assigned to traffic duty are hereby authorized to remove and tow away or have removed and towed away by commercial towing service any car or other vehicle:

- (a) Which is left unattended in a city parking lot in a location not designated for parking or in any space designated as a no parking zone, or
- (b) Which blocks a fire hydrant or which is within 10 feet of the point on the curb line or edge of pavement closest to the fire hydrant, or
- (c) Which is illegally parked in any place where such vehicle creates or constitutes a traffic hazard, or
- (d) Which is parked in an area designated for use by physically handicapped individuals where such car does not display prominently on its exterior a sticker or other emblem which shows the car is owned or driven by a physically handicapped individual, or
- (e) Which obstructs or may obstruct the movement of any emergency vehicles, or
- (f) Which is left unattended in areas designated by the safety committee and marked as "No Parking-Tow Away Zone."

(2) Abandoned cars. (a) When a motor vehicle or other vehicle is left unattended on a street or highway in the city or on any city owned property for 72 hours, or on a city parking lot for 5 consecutive days, it shall be considered abandoned and its removal by a towing service may be authorized by order of the chief of the police department, the assistant chief, or the commissioner of safety of the City of McMinnville.

(b) When an abandoned, unattended, wrecked, burned, or partially dismantled motor vehicle or other vehicle is creating a traffic hazard because of its position in relation to the street or highway or its physical appearance is causing the impeding of traffic, its immediate removal from the street or highway by a towing service may be authorized by order of the police department of the City of McMinnville.

(3) Records. (a) When a motor vehicle is authorized to be towed away, the police department shall keep and maintain a record of the vehicle towed, listing the color, year of manufacture, vehicle trade name, manufacturer's name, body style, vehicle identification number, and license plate year and number displayed on the vehicle.

(b) The record shall also include the date and hour of tow, location towed from, location towed to, reason for towing, and the name of the officer authorizing the tow.

(4) Reclaimer. Any reclaimer to police actions taken under this section shall be submitted in writing to the municipal court within 72 hours after tow-away. A

hearing will be set by the municipal court judge at his pleasure but no later than 30 days after receipt and the respondent notified of the time and date of this hearing.

(5) **Tow away costs.** For any vehicle removed under authority of this section or towed away under authorization of this section, the owner of said vehicle will be responsible for all towing costs, it being presumed that the registered owner is the actual owner of the vehicle. (1982 Code, § 9-504)

15-605. Deposit of license in lieu of bail. Pursuant to Tennessee Code Annotated, §§ 55-50-801 through 55-50-805, any person lawfully possessed of a chauffeur's or operator's license heretofore issued to him or her by the Tennessee Department of Safety, or under the driving license laws of any other state or territory or the District of Columbia, is hereby given the option of depositing his or her chauffeur's or operator's license with the officer or court demanding bail in lieu of any other security required for his or her appearance in the city court in answer to a charge before the court which involves the violation of any municipal ordinance regulating traffic, except those ordinances the violation of which call for the mandatory revocation of an operator's or chauffeur's license for any period of time.

Whenever any person hereof deposits his or her chauffeur's or operator's license as provided, either the officer or the court demanding bail as hereinabove described shall issue said person a receipt for said license upon a form approved or provided by the Department of Safety, and thereafter said person shall be permitted to operate a motor vehicle upon the public highways of this state during the pendency of the case in which the license was deposited, all as provided in Tennessee Code Annotated, §§ 55-50-801 through 55-50-805. The receipt shall be valid as a temporary driving permit for a period not less than that provided in Tennessee Code Annotated, § 55-50-726(b), and shall state such period of validity on its face.

The clerk or the judge of the court accepting the license shall thereafter forward to the Department of Safety the license of a driver deposited in lieu of bail if the driver fails to appear in answer to the charge filed against him, all as provided in Tennessee Code Annotated, §§ 55-50-801 through 55-50-805.

The procedures set out in Tennessee Code Annotated, §§ 55-50-801 through 55-50-805 shall be followed in the implementation of this section. (1982 Code, § 9-505)

15-606. Parking in emergency vehicle zones. The police department and all members thereof assigned to traffic duty are charged with the responsibility of enforcing parking restrictions outlined in § 15-516 with respect to public property and on private property for public use, where so requested by the owner or lessee of such private property. (1982 Code, § 9-506)

15-607. Impound lot. (1) There is hereby established a charge for the storage of all motor vehicles impounded in the city impound lot.

(2) After the first twenty-four (24) hours, a daily storage fee of six and no/100 dollars (\$6.00) shall be imposed.

(3) The owner of the impounded vehicle or his authorized agent may make application to take possession of the same and remove such vehicle from the city impound lot upon presentation of an application for certificate of title or a certificate of title, and upon payment of all charges which may have accrued for the storage of the vehicle. The officer in charge shall give a proper receipt for the fee paid.

(4) The chief of police, or his designated representative, may for good cause shown, waive the storage fee. (1982 Code, § 9-507)