

Finance & Administration Committee Meeting
August 16, 2022
4:00 p.m.

1. Annexation Discussion
2. Employee Handbook Ordinance #1753 – Director Eaton
3. Civic Center Windows Repair Discussion – Director Eaton
4. Roof Bid for Approval – Director Glass
5. Fence for Frazier Park Basketball Courts – Director Glass
6. Code Update Discussion – Director Fisher

RESOLUTION

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION OF APPROXIMATELY 41.82 ACRES TO THE WEST END OF THE BERT JOHNSTON AVENUE CULDESAC (see attached map) BY THE CITY OF COVINGTON, TENNESSEE.

WHEREAS, *Tennessee code annotated § 6-51-102* requires that a plan of services be adopted by the Board of Mayor and Alderman prior to passage of an annexation ordinance; and

WHEREAS, the area proposed for annexation to the City is within the City's Urban Growth Boundary, as required by law, and is described as follows:

The undeveloped property is composed of 41.82 acres located at the west end of the cul-da-sac of Bert Johnston Avenue and may be further identified by parcel id 041 038.01 000.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMAN OF THE CITY OF COVINGTON, TENNESSEE:

Section 1. Pursuant to the provisions of T.C.A. § 6-51-102, there is hereby adopted, for the area bounded as described above, the following plan of services:

A. Police

1. Patrol, response to calls, and other routine police services, using present personnel and equipment, will be provided on the effective date of annexation.
2. No additional personnel or equipment will be added during the first year after the effective date of annexation, but as the area develops, additional personnel and equipment will be expanded as needed.
3. Traffic signals, traffic signs, street markings, and other traffic control devices will be installed as the need is established by appropriate study and traffic engineering standards.

B. Fire Services

1. Fire protection by the present personnel and equipment of the fire department, within the limitations of available water and distances from fire stations, will be provided on the effective date of annexation.
2. No additional personnel or equipment will be added during the first year after effective date of annexation, but with the growth and development of the area additional personnel and equipment will be expanded as needed.
3. If developed as proposed there will be no need for additional station(s) to be constructed to serve the annexed area.

C. Water

1. Water for domestic, commercial, and industrial use will be provided at current city rates, from existing city lines, on the effective date of annexation, and thereafter

from new lines as deemed necessary under current city policies and procedures concerning density, development patterns, and future development plans.

2. Water for fire protection will be available during the construction of the new development. The installation of adequate water lines and hydrants in the annexed area will take place during the construction of the new development.
3. The annexed area is currently served by the Covington Public Works Utility.

D. Wastewater

1. The necessary interceptor and trunk sewer lines to serve the annexed area will be constructed during development.
2. Construction of collector lines in the annexed area will be completed during development. Residences, commercial, and industrial will be connected to the wastewater system in accordance with current policies of the City.

E. Natural Gas

May be installed during the construction of the development.

F. Refuse Collection

The same regular refuse collection now provided within the City will be extended to the annexed area once there are structures completed and ready for occupancy.

G. Streets

1. Construction of streets, installation of storm drainage, construction of curbs and gutters, and sidewalks will be completed under existing city policies by the developer.
2. Regular cleaning of streets with curbs and gutters will begin once the construction of the development is complete.
3. Routine maintenance, on the same basis as in the existing city, will begin in the annexed area once the final coat has been applied to the street and the street has been inspected and accepted by the City.

H. Schools

There currently is no city school system.

I. Inspections and Code Compliance

Any inspection services now conducted by the City (building, plumbing, gas, property maintenance, etc.) will begin in the annexed area on the effective date of annexation.

J. Planning and Zoning

The planning and zoning jurisdiction of the City will extend to the annexed area on the effective date of annexation. City planning jurisdiction and regulation will thereafter

encompass the entirety of the annexed area. (Study will be required before specific zoning can be adopted, which should be completed within three (3) months.) The annexation ordinance will temporarily zone all property in the annexed area as R1A, City/Moderate Density Residential District.

K. Street Lighting

Streetlights will be installed during the construction of the development, using the prevailing standards in the existing city.

L. Recreation

Residents of the annexed area may use all city recreational facilities, parks, ball fields, etc., on the effective date of annexation. The prevailing standards and policies now used in the existing city will be applied in expanding the recreational and program facilities in the enlarged city. There will be no new developed parks, playgrounds, etc., in the annexed area.

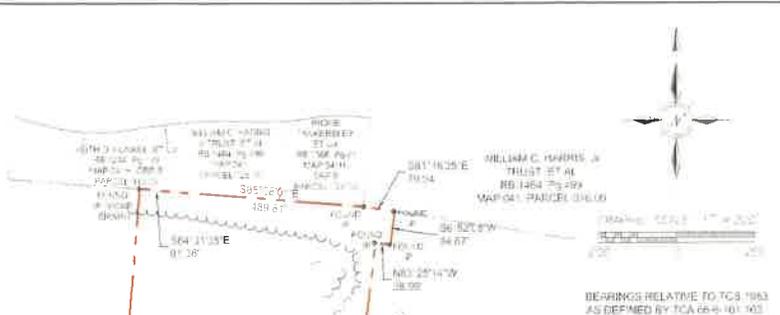
Section 2. This resolution shall become effective from and after its adoption.

Mayor

Date

Recorder-Treasurer

Date



VICINITY MAP (N.T.S.)

BEARINGS RELATIVE TO TCS 1983 AS DEFINED BY TCA 66-6-101-103

LOGAN CURTIS HANKS, ET UX
RB 700 Pg 555
MAP 041 PARCEL 038 07

BLUE OVAL LAND DEVELOPMENT II, LLC
RB 1956 Pg 371
MAP 041 PARCEL 038 01
43.713 Ac.

TIPTON COUNTY BOARD OF EDUCATION
RB 1032 Pg 852
MAP 041 PARCEL 026 C2

COVINGTON RESIDENTIAL, LLC
RB 1040 Pg 997
MAP 041 PARCEL 038 06

LOGAN CURTIS HANKS, ET UX
RB 700 Pg 555
MAP 041 PARCEL 038 07

ELLEN TATLOCK WEEDMAN ET AL
PMB 27 Pg 230
MAP 040 PARCEL 110 00

LOGAN CURTIS HANKS, ET UX
RB 1700 Pg 555
MAP 041 PARCEL 038 07

This is to certify that I have surveyed the following described Real Property located in Covington Tipton County Tennessee to wit

The Blue Oval Land Development II, LLC property, as recorded in Record Book 1956 Page 371 in the Tipton County Register's Office, identified as Map 041 Parcel 038 01, located at the west end of Bert Johnston Road also being more particularly described as follows

BEGINNING at a found iron pin with cap (Erwin) in the southwest line of Bert Johnston Road in the north line of the Covington Residential, LLC property (RB 1040 Pg 997); Thence North 83°15'51" West, along said north line a distance of 165.10 feet to a found iron pin (bent) at the northwest corner of said Covington Residential, LLC Thence South 05°42'25" West, along the west line of said Covington Residential, LLC a distance of 531.07 feet to a found iron pin being the southwest corner of Covington Residential, LLC Thence South 83°13'50" East, along the south line of said Covington Residential, LLC a distance of 196.90 feet to a found iron pin with cap (Carmack), being a northwest corner of the Logan Curtis Hanks, Et Ux property (RB 1700, Pg 555); Thence South 01°59'15" West, along a west line of Hanks, a distance of 603.06 feet to a found iron pin at an interior corner of Hanks Thence North 85°28'30" West, along a north line of Hanks, a distance of 1458.72 feet to a found iron pin with cap (Erwin) in the east line of the Ellen Tatlock Weedman, Et Al property (PMB 27, Pg 230); Thence North 03°40'22" East, along said east line, a distance of 677.71 feet to a found iron pin with cap (Erwin) in the south line of the Logan Curtis Hanks, Et Ux property (RB 1650, Pg 1066); Thence South 03°04'11" East, along said south line, a distance of 293.96 feet to a found iron pin with cap (Erwin) at an interior corner of Hanks; Thence North 04°25'37" East, along the east line of Hanks, a distance of 1726.21 feet to a found iron pin with cap (Erwin) in the south line of Countrywood Estates, Sec. 19 (RB A, Pg 167); Thence South 84°3'35" East, along said south line, a distance of 91.38 feet to a point in the south line of the William C. Harris, Jr Trust, Et Al property (RB 1464, Pg 495); Thence South 85°38'01" East, along said south line and along the south line of Countrywood Estates, Sec. 19 (RB H, Pg 157); a distance of 469.61 feet to a found iron pin, being the southwest corner of another tract in the name of William C. Harris, Jr Trust, Et Al property (RB 1464, Pg 499); Thence South 81°16'25" East, along the south line of said second tract of Harris, a distance of 79.04 feet to a found iron pin at the northwest corner of the Tipton County Board of Education property (RB 1033, Pg 832); Thence along the west line of said Tipton County property, the following three (3) courses: (1) South 05°52'08" W, a distance of 64.67 feet to a found iron pin; (2) North 83°25'14" West, a distance of 38.99 feet to a found iron pin; and (3) South 06°46'03" West, a distance of 1115.61 feet to a point at the southwest corner of said Tipton County Property; Thence South 83°13'55" East, along the south line of said Tipton County property, a distance of 9.18 feet to a point in the northwesterly line of said Bert Johnston Road; Thence southwesterly, along a curve to the left having a radius of 50.00 feet, a chord bearing and distance of South 67°20'32" West - 59.76 feet and an arc length of 63.30 feet to the POINT OF BEGINNING

Contains 43.713 Acres of Land, more or less
CERTIFICATE OF SURVEY

I hereby certify that to the best of my knowledge and belief this is a true and accurate survey of the property shown hereon that this is a Category 1 Land Survey as defined in Title 62 Chapter 18 Tennessee Code and that the ratio of precision is greater than or equal to 1:10,000

July 25, 2022 Michael W. McCutley
Date Licensed Land Surveyor Number 1905

SYMBOL LEGEND

1	IRON PIN
2	STONE MONUMENT
3	SMALL IRON PIN
4	WOOD MONUMENT
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- NOTES
1. GPS was used for a portion of the control points and for a portion of other physical locations.
 2. A Tipton HiPerV dual frequency receiver was used.
 3. The GPS survey was performed using real time kinematics linked to the TDOT reference network.
 4. It is the opinion of this surveyor that the precision of the GPS survey meets or exceeds the unadjusted survey minimum accuracy standards for a Category 1 Survey.
 5. Bearings are relative to TCS 1983 as defined by TCA 66-6-101-103.
 6. This survey was prepared without benefit of an abstract of title. No liability is assumed by the undersigned for loss relating to any matter that might be discovered by an abstract or title search of the property.
 7. There may be underground or non-visible utilities, drain and/or sewer lines across this property that are not shown. The proper utility authorities should be contacted for more specific locations and information on underground utilities.
 8. Subsurface and environmental conditions were not examined or considered as a part of this survey.
 9. Governmental jurisdictional areas, if any, which might impact on the use of the premises were not located. No liability is assumed by the undersigned for any loss resulting from the exercise of any governmental jurisdiction affecting the use of the premises.
 10. The subject property is not located within a flood hazard area as per Flood Insurance Rate Map 17167C 0170 F, dated December 19, 2006.



A2H ENGINEERS ARCHITECTS PLANNERS

424, INC.
1005 HAZEL PLANTATION TRAIL
LAKELAND, TN 37001
423.221.1800
WWW.A2H.COM

**PROPERTY OWNER:
BLUE OVAL LAND
DEVELOPMENT II, LLC**

BOUNDARY SURVEY

**MAP: 041, PARCEL: 038.01
BERT JOHNSTON AVE
COVINGTON, TIPTON COUNTY,
TENNESSEE**

REVISIONS

PROJECT NO	DATE
72200	JULY 25, 2022
DRAWN	CHECKED
158	MMSC

SURVEY

SV1.0

11-502 R-1A (Moderate Density Residential) Districts.

Within the R-1A (Moderate Density Residential) Districts, as shown on the Zoning Map of Covington, Tennessee, the following regulations shall apply (Note: Uses permitted and Uses Permitted on Appeal are based on land use codes of the Standard Land Use Coding Manual, January 1965, prepared by the Urban Renewal Administration, Housing and Home Finance Agency, and the Bureau of Public Roads. Instances where the Standard Land Use Coding Manual does not sufficiently classify a land use, the Code Enforcement Officer may consult other similar classification indexes.)

1. Uses Permitted

- A. Single Family Dwellings
- B. Manufactured residential dwellings as defined in Chapter 2 and subject to the provisions of Chapter 3, Section 11-319 of this Ordinance.
- C. Accessory Buildings or Uses customarily incidental to any permitted use.
- D. Real Estate Signs advertising the sale, rental, or leasing of only the premises on which they are maintained, provided that they are not over four (4) square feet in area, and at least fifteen (15) feet from all lot lines.

2. Uses Permitted on Appeal

Within the R-1A Residential Districts, the uses listed below will be permitted by the Board of Zoning Appeals provided that the use requested is to be located on a route designated as either an arterial street or a collector street on the recorded Covington Major Road Plan, and that requirements set forth in this Section and Sections 11-313, 11-314 and Chapter 12 of this Ordinance are met:

- A. Cemeteries;
- B. Religious Activities;
- C. Welfare and Charitable Services;
- D. Nursery, Primary, Secondary, University, College, Junior College, Professional Education Services;
- E. Group Quarters;
- F. Cultural Activities;
- G. Governmental Services;
- H. Utilities;
- I. Golf Courses;
- J. Civic, Social, and Fraternal Associations;
- K. Accessory Buildings or uses customarily incidental to the permitted use;

- L. Customary general farming uses, gardens and buildings incidental thereto, but not including animal or poultry farms or kennels.
- M. Customary incidental home occupations subject to the conditions of this Section and provided that:
 - 1. the proposed use shall be located and conducted in the principal building only;
 - 2. The principals and employees engaged in the proposed use shall be residents of the dwelling unit in which the proposed use is located;
 - 3. not more than fifteen (15) percent of the total floor area in dwelling unit shall be devoted to the proposed use;
 - 4. proposed use shall not constitute primary or incidental storage facilities for a business, industrial, or agricultural activity conducted elsewhere;
 - 5. no activity, materials, goods, or equipment indicative of the proposed use shall be visible from any public way;
 - 6. the proposed use shall not be advertised by the display of goods or signs on the lot on which the proposed use is located;
 - 7. the proposed use shall not generate noise, odor, fumes, smoke, vehicular or pedestrian traffic, nor nuisance of any kind which would tend to depreciate the residential character of the neighborhood in which the proposed use is located;
 - 8. the provisions of this Section shall not be used under any circumstances to permit barber shops or beauty shops that contain more than one chair or serve more than one patron at a time;
- N. Family Day Care Homes and Adult Care Centers: provided, however, a permit for such use shall not be issued until a site plan is submitted to the Board of Zoning Appeals for review, and further subject to the following minimum standards:
 - 1. All dimensional regulations of the district shall apply.
 - 2. A fence play area shall be provided. The size of the play area and the height of the fence shall be in accordance with current state standards. This section is not applicable to Adult Care Centers.
 - 3. Along the site boundary of the facility, buffering, screening, and landscaping must be provided to adequately protect any abutting residential property.

4. All outdoor play activities shall be conducted within the fenced play area. The fenced play area shall not be located within any required front yard. This section is not applicable to Adult Care Centers.
 5. The facilities' operation and maintenance shall meet the requirements of the Tennessee Department of Human Services.
 6. Off-street parking shall be provided at the rate of one (1) space for Family Day Care Homes, two (2) spaces for Group Day Care Homes, and three (3) spaces for Day Care Centers caring for up to fifteen (15) children with an extra space for every five (5) children accommodated above fifteen, plus the specific required space(s) for the district in which the facility is located. Adult Care Centers shall require parking to accommodate employees during the most active shift and five percent 5% of the number of residents to accommodate visitor parking.
 7. In order that the Board of Zoning Appeals may make an accurate determination of the character of the proposed use, the applicant shall submit an accurately and legibly drawn site plan showing existing and proposed buildings, fences, landscaping, parking and access facilities.
- O. Cluster Lot Development as defined herein and further subject to the following additional standards and procedures:
1. All lots less than 8,000 square feet in size shall be served by a private drive providing access to the rear of the lot. Service drives shall be designed to the extent possible to provide access to minor streets and not onto collector or major roadways
 2. All cluster lot developments shall create a chartered homeowners association.
 3. All cluster lot developments shall provide for restrictive covenants that among other provisions require that all lot owners shall become and remain members of the homeowner's association, provide an eleemosynary fund for maintenance of common facilities and areas, and require payments to said fund by members of the association.
 4. Demonstrated proof of incorporation of the homeowner's association and the adoption and recording of restrictive covenants shall be submitted to the Planning Commission prior to approval of the Final Plat of development.
 5. A statement shall be affixed to the final plat conveying ownership of all common facilities and areas including private drives to an incorporated homeowner's association for ownership and

maintenance. The City of Covington shall have no responsibility in this regard.

6. Building front yard setbacks may be modified by the Planning Commission in cases where the prevailing setbacks of existing residential structures warrant either a greater or a lesser setback to maintain a consistent character of development within a neighborhood.
7. The principal entrance to a Cluster Lot development shall be designed to have a distinct, identifiable entry which may include low walls, private light poles and fixtures, an identification sign, and landscaping among other possible design elements.

The Board of Zoning Appeals may attach such conditions to any permit as are necessary to minimize vehicle and pedestrian congestion and to preserve and protect the character of the neighborhood in which the proposed use is located. This power shall include the power to require greater setbacks and yard spaces than required by other provisions of this Ordinance.

3. Uses Prohibited

Any use not permitted or permissible on appeals in the section is prohibited.

4. Procedures

- A. Single family dwellings using the Cluster Lot development authority in this district shall be subject to site plan review under the provisions of Section 11-502 of this Ordinance.
- B. Before a permit is issued for any non-residential permitted use listed in 11-502.1, above, a site plan of the proposed development shall be reviewed and approved by the Planning Commission. The Planning Commission shall have the power to impose conditions regarding the location of the buildings on the site, the location and design of parking and access facilities, fencing and screening, and other features affecting the character of the area and the compatibility of the proposed use to existing nearby uses.
- C. In order that the Planning Commission may make an accurate determination of the character of the proposed use and its compliance with ordinance standards, the applicant shall submit an accurately and legibly drawn site plan, at a scale of not less than one-hundred (100) feet to one (1) inch, illustrating the proposed development including but not limited to, the following:
 1. A survey, certified by a registered land surveyor or engineer showing property lines and dimensions; the gross land area of the site; existing and proposed utilities; easements, streets and roadways; rail rights-of-way; and public rights-of-way crossing and adjacent to the subject property;
 2. Location, size, and arrangement of proposed lots;

3. Location, dimensions, and number of vehicular and pedestrian circulation elements, including public streets, private drives, sidewalks, and parking spaces;
 4. Any proposed regarding of the site and any significant natural, topographical or physical features of the site including at least, water course and trees;
 5. Existing and proposed surface and subsurface drainage facilities.
 6. Location, size and arrangement of all outdoor signs and lighting;
 7. Landscaping and the location and height of fences or screen plantings and the type or kind of building materials, or plantings to be used for fencing or screening;
 8. The names, address, and telephone number of the applicant and owner, if different from applicant.
- D. Provided, however, the Code Enforcement Officer may issue a permit without the necessity of fulfilling the requirements of paragraphs b. and c. above for the following types of developments:
1. construction of signs;
 2. installation of temporary construction trailers.
- E. For the type of development in D. above to be exempt from the requirements of paragraphs B. and C of. 11-502.4, the property developed in paragraph d. above:
1. complies with all yard requirements
- F. Requirements for issuance of a permit by the Building Official shall be provided for in Chapter 11.
- G. Certificate of Occupancy: Where there is any change of use or occupancy of property, the Building Official may issue a Certificate of Occupancy without review by the Planning Commission where the Building Official determines that all the development requirements of the use or property are currently being met.
5. Location of Accessory Buildings
- A. No accessory building shall be located in any required front or side yard. Accessory building shall not cover more than thirty (30) percent of any required rear yard, and shall be five (5) feet from all lot lines and ten (10) feet from any other buildings on the same lot.
 - B. Accessory buildings on corner lots shall conform with front yard setbacks for both intersecting streets.

6. Regulations Controlling Lot Area, Lot Width, Yards, Building Coverage, Building Height

The principal building shall be located so as to comply with the following requirements:

- A. Minimum Required Lot Area
- | | | |
|----|-------------------------|--|
| 1. | Single family dwellings | 8000 sq. ft. or 6,500 sq. ft. for cluster lot development |
| 2. | Places of Worship | 40,000 sq. ft. or 200 sq. ft. of lot area per auditorium seat, whichever is greater. |
| 3. | Schools | Five (5) acres for the first 200 students one acre for each plus additional 200 students or fraction of 200 students for which the facility is designed. |
| 4. | All Other Uses | As required by the Board of Zoning Appeals. |
- B. Minimum Lot Width
- | | | |
|----|-------------------------|--|
| 1. | Single family dwellings | 70 ft. or 50 ft. for cluster lot development |
| 2. | Places of Worship | 200 feet |
| 3. | Schools | 200 feet |
| 4. | All Other Uses | As required by the Board of Zoning Appeals |
- C. Minimum Required Front Yard
- | | | |
|----|-------------------------|---|
| 1. | Single family dwellings | 30 feet - 15 feet for cluster lot development |
| 2. | Places of Worship | 40 feet |
| 3. | Schools | 40 feet |
| 4. | All Other Uses | As required by the Board of Zoning Appeals |

- D. Minimum Required Rear Yard
 - 1. All uses principal structures 30 feet
 - 2. All uses attached garages 15 feet
 - 3. All cluster development 5 ft. for attached garages
- E. Minimum Required Side Yard
 - 1. All Uses 5 feet
- F. Maximum Lot Coverage by All Buildings
 - 1. Single family dwellings and Accessories 30%
 - 2. All Other Uses 25%
- G. Maximum Permitted Height of Structures

No building shall exceed three (3) Stories or thirty-five (35) feet in height.

7. External Illumination

External illumination subject to Section 11-323 of this Ordinance.

**Blue Oval Land Development,
LLC**

6584 Poplar Ave Ste 400
Memphis, TN 38138
(248) 924-1791
Sanjeev@gmail.com

July 21, 2022

The Honorable Justin Hanson, Mayor
City of Covington, Tennessee
200 West Washington Street
Covington, TN 38019

RE: Annexation of Property at the end of Bert Johnston Ave, Covington, Tennessee

Mayor Hanson:

I would like to request that the property at the end of Bert Johnston Ave. in Covington, Tennessee, be annexed into the City of Covington.

Sincerely,



Dr. Sanjeev Kumar

July 2022

Annexation – Blue Oval Land Development II LLC (Sanjeen Kumar) – Parcel ID 041 038.01 000

7/22/22 – Receive written letter seeking annexation signed by all legal owners. Deadline 10:00 AM
(forward to Tina for BMA agenda)

7/26/22 – BMA provide letter of request.

Department Heads and Planner prepare annexation report and plan of services.

Deadline 8/10/22 by noon.

(forward to Tina for F&A agenda)

8/16/22 – F&A review the annexation report and plan of services to attain approval to proceed.

8/23/22 – BMA, F&A meeting minutes approved granting approval to proceed.

8/24/22 – Plan of services added to the 9/6/22 PC meeting agenda.

8/24/22 – Provide written notice to the effected county school system regarding the public hearing.

9/6/22 – PC meeting make recommendation for approval or denial of plan of services to the BMA.
(forward to Tina for BMA agenda)

9/8/22 - Publish public hearing notice on the plan of services and on the proposed annexation.
(minimum of fifteen (15) days in advance of public hearing). Notice must include the time, place, and purpose of the hearing, and locations where the proposed plan of services is available for public viewing along with a map that includes a general delineation of the area.

9/9/22 – Mail to property owners in the area a copy of the proposed annexation by owner consent Resolution along with the plan of services. (minimum of fourteen (14) calendar days prior to the public hearing).

9/13/22 – BMA, receive recommendation from PC

Adopt a proposed annexation by owner consent resolution. This resolution sets forth the territory proposed to be annexed and includes the plan of services.

Following adoption, post the proposed annexation by owner consent resolution in three (3) public places in the territory proposed to be annexed and in three (3) public places within the municipality.

9/27/22 – BMA, conduct public hearings on the annexation and plan of services as advertised.

Following the public hearings, adopt an annexation by owner consent resolution (Resolution E) approving the annexation and plan of services.

The territory is immediately annexed upon adoption of the annexation by owner consent resolution.

9/28/22 – Send the adopted annexation by owner consent resolution, as well as the plan of services to the county Mayor.

9/28/22 – Place on PC agenda to commence the ordinance process to zone the territory newly annexed in the corporate limits.

10/4/22 – PC meeting agenda to include proposed zoning ordinance for newly annexed property to R1-A.

10/11/22 – BMA, 1st reading on zoning of newly annexed property.

10/18/22 – called BMA meeting prior to F&A meeting, 2nd reading on zoning of newly annexed property.

10/25/22 – BMA, public hearing on zoning of newly annexed property, 3rd reading.

11/9/22 – complete numbers 16 through 28 of the annexation process requirements.

Place the plan of services on the F&A Committee meeting every six (6) months until completed.

ORDINANCE 1753

AN ORDINANCE TO AMEND "THE COVINGTON MUNICIPAL CODE" BY ADOPTING, IN ACCORDANCE WITH TITLE 4 CHAPTER 2 ENTITLED HUMAN RESOURCES SYSTEM, SECTION 4-204 ENTITLED HUMAN RESOURCES RULES AND REGULATIONS, THE ATTACHED RULES AND REGULATIONS, EMPLOYEE HANDBOOK, AND WORK RULES FOR THE CITY OF COVINGTON, TENNESSEE.

BE IT ENACTED BY THE BOARD OF MAYOR AND ALDERMAN OF THE CITY OF COVINGTON, TENNESSEE THAT:

Section 1. Title 4, Chapter 2, of the "Covington Municipal Code" is amended by adopting the attached Human Resources Rules and Regulations, Employee Handbook, and Work Rules in accordance with Section 4-204 entitled "Human Resources Rules and Regulations."

Section 2. If any provision of this Ordinance, or any policy or order thereafter, or the application of any provision to any person or circumstances is held invalid, the remainder of this title, and the application of the provision of this title, or the policy or order to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

Section 3. This ordinance shall take effect from and after its passage, the welfare of the public requiring it.

Passed by the Board of Mayor and Alderman of the City of Covington, Tennessee, this _____ day of _____, 2022.

Passed on 1st reading: _____

Passed on 2nd reading: _____

Public Hearing: _____

Passed on 3rd reading: _____

ATTEST: _____
Recorder-Treasurer

Mayor

Roof Repair

1. Over existing roof, install mechanically fastened 1" poly ISO
2. Install mechanically fastened 60-mill TPO membrane
3. Properly flash all roof curbs and obstructions to meet manufacturers requirements
4. Terminate TPO membrane over roof edge using termination bar fastened 6" on center

*all bidders must do a site visit prior to bidding

Total of Bid	24,700 ⁰⁰
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- Contractor License Number **MUST** be on the outside of the bid envelope along with the name of the contractor.
- Bidder must provide proof of insurance and be bonded.
 - This **MUST** be provided in the sealed bid package.



ROOFING & CONSTRUCTION
State Licensed General Contractors

P.O. Box 231 • Ripley, TN • 38063 • Ofc: 731-882-7202 / Cell: 731-334-3821 • www.ChampionTeamTN.com • FEIN# 82-4689124

Proposal for:

Customer Name City of Covington	Children Family services Bld. 412 B	Phone 901-476-7163	Date 8/3/22
Street 412 Alston st.		Job Name 412 B	Location
City, State, Zip Code Covington, TN 38019		Type Materials TPO	Proposal / Invoice # 1552

Over existing roof, install mechanically fastened 1" poly ISO. Install mechanically fastened 60-mil TPO membrane using #14 HDP fasteners & 2.4" seam plates. Properly flash all roof curbs & obstructions to meet manufacturers requirements. Terminate TPO membrane over roof edge using termination bar fastened 6" on center. Apply water-cut off to all terminations. Haul away all debris.

materials & labor
20 year materials warranty
5 year labor warranty

Include / Exclude: Any other buildings.

We hereby propose to furnish material and labor and complete the work with the above specifications for the amount of: \$ 24,700⁰⁰

All material is guaranteed to be as specified. All work will be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by workers' compensation insurance. This quote may be withdrawn in 15 days if not accepted.

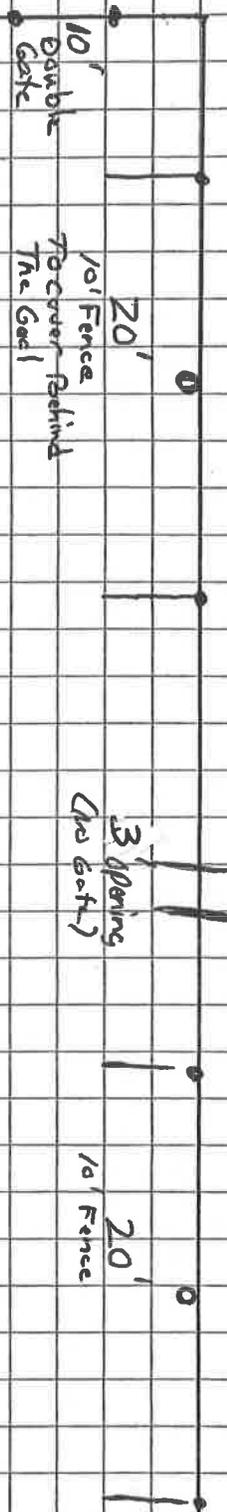
Customer Acceptance Signature: _____

Date: _____

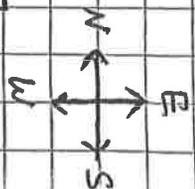
Champion Representative Signature: Char Fourn

Date: 8/3/22

123' 6' Fence



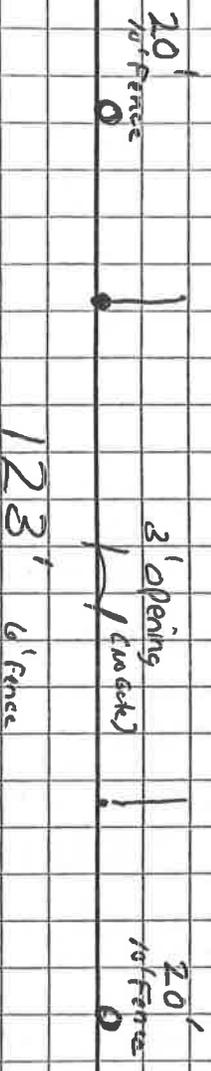
Frayser Park
Basket Ball Courts
Fence



916'

916'

All Commercial Grade Fencings
 3" DQ Terminal Post
 2" DQ Line Post on 8' centers
 1 1/8" DQ Rail
 2" x 9ga x KK chainlink mesh



123' 6' Fence

8-12-22

For inclusion in the F & A agenda meeting scheduled on Tuesday, August 16, 2022

CMC Title 15 review and considerations

At time of submittal to be included in the agenda for “dropping” the following comments have been received.

Director Glass – no recommendations

Director Eaton – no recommendations

Director Griggs – no recommendations

Director Gray – Section 15-303 (page 15-9) – unless posted at 25 mph

Section 15-504 (page 15-12) – add stop block after immediately

Section 15-601 (page 15-14) – discuss time allowed for parking on City streets and City parking lots

Section 15-801 (page 15-20) – noted there has been an ordinance noting additional streets adopted

Section 15-804 (page 15-21) – raise fine from \$50.00, unfortunately this amount is set by the State.

Attached is the MTAS Sample Code and the currently adopted Covington Municipal Code

Submitted by
Lessie Fisher

TITLE 15

MOTOR VEHICLES, TRAFFIC AND PARKING¹

CHAPTER

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

CHAPTER 1

MISCELLANEOUS²

SECTION

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

¹Municipal code reference

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

²State law references

Under *Tennessee Code Annotated*, § 55-10-307(b), 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 where death or injury occurs, 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.

- 15-112. Clinging to vehicles in motion.
- 15-113. Riding on outside of vehicles.
- 15-114. Backing vehicles.
- 15-115. Projections from the rear of vehicles.
- 15-116. Causing unnecessary noise.
- 15-117. Vehicles and operators to be licensed.
- 15-118. Passing.
- 15-119. Motorcycles, motor driven cycles, motorized bicycles, bicycles, etc.
- 15-120. Delivery of vehicle to unlicensed driver, etc.
- 15-121. Compliance with financial responsibility law required.
- 15-122. Adoption of state traffic statutes.

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.

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.

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.

15-104. Unlaned streets. (1) Upon all unlaned streets of sufficient width, a vehicle shall be driven upon the right half of the street except:

(a) When lawfully overtaking and passing another vehicle proceeding in the same direction.

(b) When the right half of a roadway is closed to traffic while under construction or repair.

(c) Upon a roadway designated and signposted by the city/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.

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.

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.

15-107. 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/town unless otherwise directed by a police officer.

No person shall willfully fail or refuse to comply with any lawful order of any police officer invested by law with the authority to direct, control or regulate traffic.

15-108. General requirements for traffic control signs, etc. Pursuant to *Tennessee Code Annotated*, § 54-5-108, all traffic control signs, signals, markings, and devices shall conform to the latest revision of the *Tennessee Manual on Uniform Traffic Control Devices for Streets and Highways*,² and shall be uniform as to type and location throughout the city/town.

15-109. Unauthorized traffic control signs, etc. No person shall place, maintain, or display upon or in view of any street, any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic control sign, signal, marking, or device or railroad sign or signal, or which attempts to control the movement of traffic or parking of

¹Municipal code references

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

²For the latest revision of the *Tennessee Manual on Uniform Traffic Control Devices for Streets and Highways*, see the Official Compilation of the Rules and Regulations of the State of Tennessee, § 1680-3-1, *et seq.*

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.

15-110. 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.

15-111. 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.

15-112. 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.

15-113. 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.

15-114. 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.

15-115. 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.

15-116. 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.

15-117. 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 Classified and Commercial Driver License Act of 1988."

15-118. 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.

15-119. 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, including a vehicle that is fully enclosed, has three (3) wheels in contact with the ground, weighs less than one thousand five hundred pounds (1,500 lbs.), and has the capacity to maintain posted highway speed limits, 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 cubic centimeters (125cc);

(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, motorcycle, motor driven cycle or motorized bicycle shall be subject to the provisions of all traffic ordinances, rules, and regulations of the city/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) (a) Each driver of a motorcycle, motor driven cycle, or motorized bicycle and any passenger thereon shall be required to wear on his head, either a crash helmet meeting federal standards contained in 49 CFR 571.218, or, if such driver or passenger is twenty-one (21) years of age or older, a helmet meeting the following requirements:

(i) Except as provided in subdivisions (a)(ii)-(iv), the helmet shall meet federal motor vehicle safety standards specified in 49 CFR 571.218;

(ii) Notwithstanding any provision in 49 CFR 571.218 relative to helmet penetration standards, ventilation airways may penetrate through the entire shell of the helmet; provided, that no ventilation airway shall exceed one and one-half inches (1 1/2") in diameter;

(iii) Notwithstanding any provision in 49 CFR 571.218, the protective surface shall not be required to be a continuous contour; and

(iv) Notwithstanding any provision in 49 CFR 571.218 to the contrary, a label on the helmet shall be affixed signifying that such helmet complies with the requirements of the American Society for Testing Materials (ASTM), the Consumer Product Safety Commission (CSPM), or the Snell Memorial Foundation, Inc.

(b) This section does not apply to persons riding:

(i) Within an enclosed cab;

(ii) Motorcycles that are fully enclosed, have three (3) wheels in contact with the ground, weigh less than one thousand five hundred pounds (1,500 lbs.) and have the capacity to maintain posted highway speed limits;

(iii) Golf carts; or

(iv) In a parade, at a speed not to exceed thirty (30) miles per hour, if the person is eighteen (18) years or older.

(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.

15-120. 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 driver's license issued by the State of Tennessee or any other jurisdiction.

(e) "Juvenile" as used in this chapter shall mean a person less than eighteen 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 driver's license as issued by the Department of Safety of the State of Tennessee, or any other jurisdiction, 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 City/Town of _____ unless such person has a valid motor vehicle driver's license as issued by the Department of Safety of the State of Tennessee, or any other jurisdiction.

(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 city/town in a reckless, careless, or unlawful manner, or in such a manner as to violate the ordinances of the city/town.

15-121. 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" shall be defined by *Tennessee Code Annotated*, § 55-12-139:

(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 the 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 the 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 that is dismissed pursuant to this subsection shall be dismissed without costs to the defendant and no litigation tax shall be due or collected, notwithstanding any law to the contrary.

15-122. Adoption of state traffic statutes. By the authority granted under *Tennessee Code Annotated*, § 16-18-302, the city/town adopts by reference as if fully set forth in this section, the "Rules of the Road," as codified in *Tennessee Code Annotated*, §§ 55-8-101 to 55-8-131, and §§ 55-8-133 to 55-8-180. Additionally, the city/town adopts *Tennessee Code Annotated*, § 55-4-101 through 55-4-135, §§ 55-8-181 to 55-8-193, §§ 55-8-199, 55-8-204, §§ 55-9-601 to 55-9-606, § 55-12-139, § 55-21-108, and § 55-50-351 by reference as if fully set forth in this section.

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.

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

(2) The driver of an authorized emergency vehicle may:

- (a) Park or stand, irrespective of the provisions of this title;
- (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
- (c) Exceed the maximum speed limit so long as life or property is not thereby endangered; and
- (d) Disregard regulations governing direction of movement or turning in specified directions.

(3) The exemptions herein granted to an authorized emergency vehicle shall apply only when such vehicle is making use of audible and visual signals meeting the requirements of the applicable laws of this state, except that an authorized emergency vehicle operated as a police vehicle may be equipped with or display a red light only in combination with a blue light visible from in front of the vehicle.

15-203. Following emergency vehicles. No driver of any vehicle other than one on official business shall follow any authorized emergency vehicle apparently traveling in response to an emergency call closer than five hundred feet (500') or drive or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

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 fire fighter or police officer.

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.

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.

15-303. In school zones. Pursuant to *Tennessee Code Annotated*, § 55-8-152, the city/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 paragraph.

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 (***give time amount if special school district***), while children are actually going to or leaving school, shall be prima facie guilty of reckless driving.

CHAPTER 4

TURNING MOVEMENTS

SECTION

15-401. Generally.

15-402. Right turns.

15-403. Left turns on two-way roadways.

15-404. Left turns on other than two-way roadways.

15-405. U-turns.

15-401. Generally. Every driver who intends to turn, or partly turn from a direct line, shall first see that such movement can be made in safety, and whenever the operation of any other vehicle may be affected by such movement, shall give a signal required in *Tennessee Code Annotated*, § 55-8-143, plainly visible to the driver of such other vehicle of the intention to make such movement.

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.

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

15-404. Left turns on other than two-way roadways. At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left hand lane lawfully available to traffic moving in the direction of travel of such vehicle, and after entering the intersection, the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left hand lane lawfully available to traffic moving in such direction upon the roadway being entered.

15-405. U-turns. U-turns are prohibited.

CHAPTER 5

STOPPING AND YIELDING

SECTION

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

15-501. 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 a sidewalk or onto the sidewalk area extending across any alleyway or driveway, and shall yield the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on the roadway.

15-502. 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.

15-503. At railroad crossings. (1) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within fifty feet (50') but not less than fifteen feet (15') from the nearest rail of such railroad, and shall not proceed until that driver can do so safely. The foregoing requirements shall apply when:

- (a) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;
- (b) A crossing gate is lowered or when a human flagger gives or continues to give a signal of the approach or passage of a railroad train;
- (c) A railroad train approaching within approximately one thousand five hundred feet (1,500') of the highway crossing emits a signal audible from such distance and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard; and

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

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

15-504. At "stop" signs. The driver of a vehicle facing a "stop" sign shall stop before entering the crosswalk on the near side of the intersection or, if there is no crosswalk, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, except when directed to proceed by a police officer or traffic control signal.

15-505. At "yield" signs. (1) The driver of a vehicle who is faced with a yield sign at the entrance to a through highway or other public roadway is not necessarily required to stop, but is required to exercise caution in entering the highway or other roadway and to yield the right-of-way to other vehicles which have entered the intersection from the highway or other roadway, or which are approaching so closely on the highway or other roadway as to constitute an immediate hazard, and the driver having so yielded may proceed when the way is clear.

(2) Where there is provided more than one (1) lane for vehicular traffic entering a through highway or other public roadway, if one (1) or more lanes at such entrance are designated a yield lane by an appropriate marker, this section shall control the movement of traffic in any lane so marked with a yield sign, even though traffic in other lanes may be controlled by an electrical signal device or other signs, signals, markings or controls.

15-506. At traffic control signals generally. Whenever traffic is controlled by traffic control signals exhibiting the words "Go," "Caution," or "Stop," or exhibiting different colored lights successively one at a time, or with arrows, the following colors only shall be used and the terms and lights shall indicate and 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 either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

(b) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

(2) Yellow alone, or "Caution," when shown following the green or "Go" signal:

(a) Vehicular traffic facing the signal is thereby warned that the red or "Stop" signal will be exhibited immediately thereafter, and such vehicular traffic shall not enter or be crossing the intersection when the red or "Stop" signal is exhibited.

(b) Pedestrians facing the signal are thereby advised that there is insufficient time to cross the roadway, and any pedestrian then starting to cross shall yield the right-of-way to all vehicles.

(3) Red alone, or "Stop":

(a) Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until green or "Go" is shown alone. A right turn on a red signal shall be permitted at all intersections within the city/town, provided that the prospective turning car shall come to a full and complete stop before turning and that the turning car shall yield the right-of-way to pedestrians and cross traffic traveling in accordance with their traffic signal. However, such turn will not endanger other traffic lawfully using the intersection. A right turn on red shall be permitted at all intersections, except those that are clearly marked by a "No Turns On Red" sign, which may be erected by the city/town at intersections which the city/town decides require no right turns on red in the interest of traffic safety.

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

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

(d) The driver of a motorcycle approaching an intersection that is controlled by a traffic-control signal utilizing a vehicle detection device that is inoperative due to the size of the motorcycle shall come to a full and complete stop at the intersection and, after exercising due care as provided by law, may proceed with due caution when it is safe to do so. It is not a defense to § 15-506, "At traffic control signals generally," that the driver of a motorcycle proceeded under the belief that a traffic-control signal utilized a vehicle detection device or was inoperative due to the

size of the motorcycle when such signal did not utilize a vehicle detection device or that any such device was not in fact inoperative due to the size of the motorcycle.

(4) Steady red with green arrow:

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

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

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

15-507. At flashing traffic control signals. (1) Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal, it shall require obedience by vehicular traffic as follows:

(a) Flashing red (stop signal). When a red lens is illuminated with intermittent flashes, and the light is clearly visible for a sufficient distance ahead to permit such stopping, 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 rapid 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.

15-508. At pedestrian control signals. Wherever special pedestrian control signals exhibiting the words "Walk" or "Wait" or "Don't Walk" are in place, such signals shall indicate as follows:

(1) Walk. Pedestrians facing such signals 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

crossing on the walk signal shall proceed to a sidewalk or safety island while the wait signal is showing.

15-509. Stops to be signaled. Every driver operating a motor vehicle who intends to stop such vehicle, shall first see that such movement can be made in safety, and whenever the operation of any other vehicle may be affected by such movement, shall give the signal required in *Tennessee Code Annotated*, § 55-8-143, plainly visible to the driver of such other vehicle of the intention to make such movement.

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. Regulation by parking meters.
- 15-607. Lawful parking in parking meter spaces.
- 15-608. Unlawful parking in parking meter spaces.
- 15-609. Unlawful to occupy more than one parking meter space.
- 15-610. Unlawful to deface or tamper with meters.
- 15-611. Unlawful to deposit slugs in meters.
- 15-612. Presumption with respect to illegal parking.

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

Except as hereinafter provided, every vehicle parked upon a street within this city/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 city/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 within the fire limits between the hours of 1:00 A.M. and 5:00 A.M. or on any other public street or alley for more than seventy-two (72) consecutive hours without the prior approval of the chief of police.

Furthermore, no person shall wash, grease, or work on any vehicle, except to make repairs necessitated by an emergency, while such vehicle is parked on a public street.

15-602. Angle parking. On those streets which have been signed or marked by the city/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').

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.

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

- (1) On a sidewalk; provided, however, a bicycle may be parked on a sidewalk if it does not impede the normal and reasonable movement of pedestrian or other traffic.
- (2) In front of a public or private driveway;
- (3) Within an intersection;
- (4) Within 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.

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*, title 55, chapter 21.

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 city/town as a loading and unloading zone.

15-606. Regulation by parking meters. In the absence of an official sign to the contrary which has been installed by the city/town, between the hours of 8:00 A.M. and 6:00 P.M., on all days except Sundays and holidays declared by the board of mayor and aldermen, parking shall be regulated by parking meters where the same have been installed by the city/town. The presumption shall be that all installed parking meters were lawfully installed by the city/town.

15-607. Lawful parking in parking meter spaces. Any parking space regulated by a parking meter may be lawfully occupied by a vehicle only after a proper coin has been deposited in the parking meter and the said meter has been activated or placed in operation in accordance with the instructions printed thereon.

15-608. Unlawful parking in parking meter spaces. It shall be unlawful for the owner or operator of any vehicle to park or allow his vehicle to be parked in a parking space regulated by a parking meter for more than the maximum period of time which can be purchased at one time. Insertion of additional coin or coins in the meter to purchase additional time is unlawful.

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

15-609. Unlawful to occupy more than one parking meter space. It shall be unlawful for the owner or operator of any vehicle to park or allow his vehicle to be parked across any line or marking designating a parking meter space or otherwise so that such vehicle is not entirely within the designated parking meter space; provided, however, that vehicles which are too large to park within one (1) space may be permitted to occupy two (2) adjoining spaces provided proper coins are placed in both meters.

15-610. Unlawful to deface or tamper with meters. It shall be unlawful for any unauthorized person to open, deface, tamper with, willfully break, destroy, or impair the usefulness of any parking meter.

15-611. Unlawful to deposit slugs in meters. It shall be unlawful for any person to deposit in a parking meter any slug or other substitute for a coin of the United States.

15-612. 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.

CHAPTER 7

ENFORCEMENT

SECTION

- 15-701. Issuance of traffic citations.
- 15-702. Failure to obey citation.
- 15-703. Illegal parking.
- 15-704. Impoundment of vehicles.
- 15-705. Disposal of abandoned motor vehicles.
- 15-706. Violations and penalty.

15-701. Issuance of traffic citations.¹ When a police officer halts a traffic violator other than for the purpose of giving a warning, 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/town court at a specified time. The officer, upon receiving the written promise of the alleged violator to answer as specified in the citation, shall release such person from custody. It shall be unlawful for any alleged violator to give false or misleading information as to his name or address.

[Optional] Authorization to issue electronic citations in lieu of written citations or arrest in certain situations. *Tennessee Code Annotated*, § 40-7-118 defines "citations" to include electronic citation, allowing an electronic signature to be used to sign a citation issued electronically, and providing that the electronic signature has the same force and effect as a written signature. The officer is required to provide the individual cited with a paper copy of the electronic citation. Replicas of the citation data is to be sent by electronic transmission to be sent within three (3) days of issuance to the court having jurisdiction the alleged offense. An electronic signature may be used to sign a citation issued electronically and that electronic signature has the same force and effect as a written signature.

15-702. Failure to obey citation. It shall be unlawful for any person to violate his written promise to appear in court after giving said promise to an

¹Municipal code reference

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

State law reference

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

officer upon the issuance of a traffic citation, regardless of the disposition of the charge for which the citation was originally issued.

15-703. Illegal parking. Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by this code, the officer finding such vehicle shall take its license number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a citation for the driver and/or owner to answer for the violation within thirty (30) days during the hours and at a place specified in the citation.

15-704. Impoundment of vehicles. Members of the police department are hereby authorized, when reasonably necessary for the security of the vehicle or to prevent obstruction of traffic, to remove from the streets and impound any vehicle whose operator is arrested or any unattended vehicle which is parked so as to constitute an obstruction or hazard to normal traffic, or which has been parked for more than one (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 affixed to the vehicle 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.

15-705. 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.

15-706. Violations and penalty. Any violation of this title shall be a civil offense punishable as follows:

(1) **Traffic citations.** Traffic citations shall be punishable by a civil penalty up to fifty dollars (\$50.00) for each separate offense.

(2) **Parking citations.** (a) Parking meter. If the offense is a parking meter violation, the offender may, within thirty (30) days, have the charge against him disposed of by paying to the recorder a fine of _____ dollars (\$___) provided he waives his right to a judicial hearing. If he appears and waives his right to a judicial hearing after thirty (30) days, his civil penalty shall be ten dollars (\$10.00).

(b) Other parking violations excluding handicapped parking. For other parking violations, excluding handicapped parking violations, the offender may, within thirty (30) days, have the charge against him disposed of by paying to the recorder a fine of ten dollars (\$10.00) provided he waives his right to a judicial hearing. If he appears and

waives his right to a judicial hearing after thirty (30) days, his civil penalty shall be twenty-five dollars (\$25.00).

(c) Disabled parking violations, or parking in a space designated for disabled drivers without legal authority, shall be punishable as provided in state law, *Tennessee Code Annotated*, § 55-21-108.

TITLE 15**MOTOR VEHICLES, TRAFFIC AND PARKING¹****CHAPTER**

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

CHAPTER 1**MISCELLANEOUS****SECTION**

- 15-101. Motor vehicle requirements.
- 15-102. Driving on streets closed for repairs, etc.
- 15-103. One-way streets.
- 15-104. Unlaned streets.
- 15-105. Laned streets.
- 15-106. Yellow lines.
- 15-107. Miscellaneous traffic-control signs, etc.
- 15-108. General requirements for traffic-control signs, etc.
- 15-109. Unauthorized traffic-control signs, etc.
- 15-110. Presumption with respect to traffic-control signs, etc.
- 15-111. School safety patrols.
- 15-112. Driving through funerals or other processions.
- 15-113. Clinging to vehicles in motion.
- 15-114. Riding on outside of vehicles.
- 15-115. Backing vehicles.
- 15-116. Projections from the rear of vehicles.
- 15-117. Causing unnecessary noise.
- 15-118. Vehicles and operators to be licensed.
- 15-119. Passing.
- 15-120. Damaging pavements.

¹Municipal code reference

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

15-121. Bicycle riders, etc.

15-122. Rules of the Road adopted.

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. (1971 Code, § 9-101)

15-102. Driving on streets closed for repairs, etc. Except for necessary access to property abutting thereon, no motor vehicle shall be driven upon any street that is barricaded or closed for repairs or other lawful purpose. (1971 Code, § 9-106)

15-103. One-way streets. On any street for one-way traffic with posted signs indicating the authorized direction of travel at all intersections offering access thereto, no person shall operate any vehicle except in the indicated direction. (1971 Code, § 9-109)

15-104. Unlaned streets. (1) Upon all unlaned streets of sufficient width, a vehicle shall be driven upon the right half of the street except:

(a) When lawfully overtaking and passing another vehicle proceeding in the same direction.

(b) When the right half of a roadway is closed to traffic while under construction or repair.

(c) Upon a roadway designated and signposted by the city 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. (1971 Code, § 9-110)

15-105. Laned streets. On streets marked with traffic lanes, it shall be unlawful for the operator of any vehicle to fail or refuse to keep his vehicle within the boundaries of the proper lane for his direction of travel except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

On two (2) lane and three (3) lane streets, the proper lane for travel shall be the right hand lane unless otherwise clearly marked. On streets with four (4) or more lanes, either of the right hand lanes shall be available for use except that traffic moving at less than the normal rate of speed shall use the extreme right hand lane. On one-way streets either lane may be lawfully used in the absence of markings to the contrary. (1971 Code, § 9-111)

15-106. Yellow lines. On streets with a yellow line placed to the right of any lane line or center line, such yellow line shall designate a no-passing zone, and no operator shall drive his vehicle or any part thereof across or to the left of such yellow line except when necessary to make a lawful left turn from such street. (1971 Code, § 9-112)

15-107. 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. (1971 Code, § 9-113)

15-108. General requirements for traffic-control signs, etc. All traffic control signs, signals, markings, and devices shall conform to the latest revision of the Manual on Uniform Traffic Control Devices for Streets and Highways, 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. (1971 Code, § 114, modified)

15-109. Unauthorized traffic-control signs, etc. No person shall place, maintain, or display upon or in view of any street, any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic-control sign, signal, marking, or device or railroad sign or signal, or which attempts to control the movement of traffic or parking of vehicles, or which hides from view or interferes with the effectiveness of any official traffic-control sign, signal, marking, or device or any railroad sign or signal. (1971 Code, § 9-115)

15-110. Presumption with respect to traffic-control signs, etc. When a traffic-control sign, signal, marking, or device has been placed, the presumption shall be that it is official and that it has been lawfully placed by the proper authority. All presently installed traffic-control signs, signals, markings and devices are hereby expressly authorized, ratified, approved and made official. (1971 Code, § 9-116)

15-111. School safety patrols. All motorists and pedestrians shall obey the directions or signals of school safety patrols when such patrols are assigned

¹Municipal code references

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

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. (1971 Code, § 9-117)

15-112. Driving through funerals or other processions. Except when otherwise directed by a police officer, no driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated. (1971 Code, § 9-118)

15-113. Clinging to vehicles in motion. It shall be unlawful for any person traveling upon any bicycle, motorcycle, coaster, sled, roller skates, or any other vehicle to cling to, or attach himself or his vehicle to any other moving vehicle upon any street, alley, or other public way or place. (1971 Code, § 9-120)

15-114. Riding on outside of vehicles. It shall be unlawful for any person to ride, or for the owner or operator of any motor vehicle being operated on a street, alley, or other public way or place, to permit any person to ride on any portion of such vehicle not designed or intended for the use of passengers. This section shall not apply to persons engaged in the necessary discharge of lawful duties nor to persons riding in the load-carrying space of trucks. (1971 Code, § 9-121)

15-115. Backing vehicles. The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic. (1971 Code, § 9-122)

15-116. Projections from the rear of vehicles. Whenever the load or any projecting portion of any vehicle shall extend beyond the rear of the bed or body thereof, the operator shall display at the end of such load or projection, in such position as to be clearly visible from the rear of such vehicle, a red flag being not less than twelve (12) inches square. Between one-half (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. (1971 Code, § 9-123)

15-117. Causing unnecessary noise. It shall be unlawful for any person to cause unnecessary noise by unnecessarily sounding the horn, "racing" the motor, or causing the "screeching" or "squealing" of the tires on any motor vehicle. (1971 Code, § 9-124)

15-118. Vehicles and operators to be licensed. It shall be unlawful for any person to operate a motor vehicle in violation of the "Tennessee Motor

Vehicle Title and Registration Law" or the "Uniform Motor Vehicle Operators' and Chauffeurs' License Law." (1971 Code, § 9-125)

15-119. Passing. Except when overtaking and passing on the right is permitted, the driver of a vehicle passing another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the street until safely clear of the overtaken vehicle. The driver of the overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

When the street is wide enough, the driver of a vehicle may overtake and pass upon the right of another vehicle which is making or about to make a left turn.

The driver of a vehicle may overtake and pass another vehicle proceeding in the same direction either upon the left or upon the right on a street of sufficient width for four (4) or more lanes of moving traffic when such movement can be made in safety.

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

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

No vehicle operator shall attempt to pass another vehicle proceeding in the same direction unless he can see that the way ahead is sufficiently clear and unobstructed to enable him to make the movement in safety. (1971 Code, § 9-126)

15-120. Damaging pavements. No person shall operate or cause to be operated upon any street of the municipality any vehicle, motor propelled or otherwise, which by reason of its weight or the character of its wheels, tires, or track is likely to damage the surface or foundation of the street. (1971 Code, § 9-119)

15-121. Bicycle riders, etc. Every person riding or operating a bicycle, motorcycle, or motor driven cycle shall be subject to the provisions of all traffic ordinances, rules, and regulations of the city applicable to the driver or operator of other vehicles except as to those provisions which by their nature can have no application to bicycles, motorcycles, or motor driven cycles.

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

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

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

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

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

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

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

It shall be unlawful for any person to operate or ride on any vehicle in violation of this section and it shall also be unlawful for any parent or guardian knowingly to permit any minor to operate a motorcycle or motor driven cycle in violation of this section. (1971 Code, § 9-127)

15-122. Adoption of state traffic statutes. By the authority granted under Tennessee Code Annotated, § 16-18-302, and Tennessee Code Annotated § 55-10-307, the City of Covington adopts by reference as if fully set forth in this section, the "Rules of the Road," as codified in Tennessee Code Annotated, §§ 55-8-101 through 55-8-131, §§ 55-8-133 through 55-8-150, and §§ 55-8-152 through 55-8-180. Additionally, the City of Covington adopts Tennessee Code Annotated, §§ 55-8-181 through 55-8-193, §§ 55-9-601 through 55-9-606, § 55-12-139, and § 55-21-108 by reference as if fully set forth in this section.

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. (1971 Code, § 9-102)

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

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

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

(4) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others. (1971 Code, § 9-103)

15-203. Following emergency vehicles. No driver of any vehicle shall follow any authorized emergency vehicle apparently travelling in response to an emergency call closer than five hundred feet (500') or drive or park such vehicle

within the block where fire apparatus has stopped in answer to a fire alarm. (1971 Code, § 9-104)

15-204. Running over fire hoses, etc. It shall be unlawful for any person to drive over any hose lines or other equipment of the fire department except in obedience to the direction of a fireman or policeman. (1971 Code, § 9-105)

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

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

15-301. In general. It shall be unlawful for any person to operate or drive a motor vehicle upon any highway or street at a rate of speed in excess of thirty (30) miles per hour except where official signs have been posted indicating other speed limits, in which cases the posted speed limit shall apply. (1971 Code, § 9-201)

15-302. At intersections. It shall be unlawful for any person to operate or drive a motor vehicle through any intersection at a rate of speed in excess of fifteen (15) miles per hour unless such person is driving on a street regulated by traffic-control signals or signs which require traffic to stop or yield on the intersecting streets. (1971 Code, § 9-202)

15-303. In school zones. It shall be unlawful for any person to operate or drive a motor vehicle through any school zone or near any playground at a rate of speed in excess of fifteen (15) miles per hour when official signs indicating such speed limit have been posted by authority of the municipality. This section shall not apply at times when children are not in the vicinity of a school and such posted signs have been covered by direction of the chief of police. (1971 Code, § 9-203)

15-304. In congested areas. It shall be unlawful for any person to operate or drive a motor vehicle through any congested area at a rate of speed in excess of any posted speed limit when such speed limit has been posted by authority of the municipality. (1971 Code, § 9-204)

CHAPTER 4

TURNING MOVEMENTS

SECTION

15-401. Generally.

15-402. Right turns.

15-403. Left turns on two-way roadways.

15-404. Left turns on other than two-way roadways.

15-405. U-turns.

15-401. Generally. No person operating a motor vehicle shall make any turning movement which might affect any pedestrian or the operation of any other vehicle without first ascertaining that such movement can be made in safety and signaling his intention in accordance with the requirements of the state law.¹ (1971 Code, § 9-301)

15-402. Right turns. Both the approach for a right turn and a right turn shall be made as close as practicable to the right hand curb or edge of the roadway. (1971 Code, § 9-302)

15-403. Left turns on two-way roadways. At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of the intersection of the center line of the two (2) roadways. (1971 Code, § 9-303)

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. (1971 Code, § 9-304)

15-405. U-turns. U-turns are prohibited. (1971 Code, § 9-305)

¹State law reference

Tennessee Code Annotated, § 55-8-143.

CHAPTER 5

STOPPING AND YIELDING

SECTION

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

15-501. 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. (1971 Code, § 9-402)

15-502. 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. (1971 Code, § 9-403)

15-503. At railroad crossings. Any driver of a vehicle approaching a railroad grade crossing shall stop within not less than fifteen feet (15') from the nearest rail of such railroad and shall not proceed further while any of the following conditions exist:

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

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

(3) A railroad train is approaching within approximately fifteen hundred feet (1,500') of the highway crossing and is emitting an audible signal indicating its approach.

(4) An approaching railroad train is plainly visible and is in hazardous proximity to the crossing. (1971 Code, § 9-404)

15-504. 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. (1971 Code, § 9-405)

15-505. 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. (1971 Code, § 9-406)

15-506. At traffic-control signals generally. Traffic-control signals exhibiting the words "Go," "Caution," or "Stop," or exhibiting different colored lights successively one (1) at a time, or with arrows, shall show the following colors only and shall apply to drivers of vehicles and pedestrians as follows:

(1) Green alone, or "Go":

(a) Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

(b) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

(2) Steady yellow alone, or "Caution":

(a) Vehicular traffic facing the signal is thereby warned that the red or "Stop" signal will be exhibited immediately thereafter, and such vehicular traffic shall not enter or be crossing the intersection when the red or "Stop" signal is exhibited.

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

(3) Steady red alone, or "Stop":

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

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

(4) Steady red with green arrow:

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

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

(5) In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made a vehicle length short of the signal. (1971 Code, § 9-407)

15-507. 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 city 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. (1971 Code, § 9-408)

15-508. 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. (1971 Code, § 9-409)

15-509. Stops to be signaled. No person operating a motor vehicle shall stop such vehicle, whether in obedience to a traffic sign or signal or otherwise, without first signaling his intention in accordance with the requirements of the state law,¹ except in an emergency. (1971 Code, § 9-410)

¹State law reference

Tennessee Code Annotated, § 55-8-143.

CHAPTER 6

PARKING

SECTION

- 15-601. Generally.
- 15-602. Angle parking.
- 15-603. Occupancy of more than one space.
- 15-604. Where prohibited.
- 15-605. Loading and unloading zones.
- 15-606. Presumption with respect to illegal parking.

15-601. 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 encourage turning the front wheels of such vehicle toward the nearest curb or gutter of the street.

Except as hereinafter provided, every vehicle parked upon a street within this municipality shall be so parked that its right wheels are approximately parallel to and within eighteen inches (18") of the right edge or curb of the street. On one-way streets where the municipality has not placed signs prohibiting the same, vehicles may be permitted to park on the left side of the street and in such cases the left wheels shall be required to be within eighteen 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 within the ire limits between the hours of 1:00 A.M. and 5:00 A.M. or on any other public street or alley for more than seventy-two (72) consecutive hours without the prior approval of the chief of police.

Furthermore, no person shall wash, grease, or work on any vehicle, except to make repairs necessitated by an emergency, while such vehicle is parked on a public street. (Ord. #1550, Feb. 2006)

15-602. Angle parking. On those streets which have been signed or marked by the municipality for angle parking no person shall park or stand a vehicle other than at the angle indicated by such signs or markings. No person shall angle park any vehicle which has a trailer attached thereto or which has a length in excess of twenty-four feet (24'). (Ord. #1550, Feb. 2006)

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. (Ord. #1550, Feb. 2006)

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

- (1) On a sidewalk;
- (2) In front of a public or private driveway;
- (3) Within an intersection or within fifteen feet (15') thereof;
- (4) Within fifteen feet (15') of a fire hydrant;
- (5) Within a pedestrian crosswalk;
- (6) Within fifty feet (50') of a railroad crossing;
- (7) Within twenty feet (20') of the driveway entrance to any fire station, and on the side of the street opposite the entrance to any fire station, and on the side of the street opposite the entrance to any fire station within seventy-five feet (75') of the entrance;
- (8) Alongside or opposite any street excavation or obstruction when other traffic would be obstructed;
- (9) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- (10) Upon any bridge;
- (11) Alongside any curb painted yellow or red by the municipality;
- (12) At any place on the public square except in those spaces designated for parking and in conformance with time restrictions as indicated by signs erected by the city;
- (13) In any area designated as a fire lane pursuant to the terms of the fire code adopted by § 7-201. (Ord. #1550, Feb. 2006)

15-605. Loading and unloading zones. No person shall park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers or merchandise in any place marked by the municipality as a loading and unloading zone. (Ord. #1550, Feb. 2006)

15-606. Presumption with respect to illegal parking. When any unoccupied vehicle is found parked in violation of any provision of this chapter there shall be a prima facie presumption that the registered owner of the vehicle is responsible for such illegal parking. (Ord. #1550, Feb. 2006)

CHAPTER 7

ENFORCEMENT

SECTION

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

15-701. 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. (1971 Code, § 9-601)

15-702. Failure to obey citation. It shall be unlawful for any person to violate his written promise to appear in court after giving said promise to an officer upon the issuance of a traffic citation, regardless of the disposition of the charge for which the citation was originally issued. (1971 Code, § 9-602)

15-703. Illegal parking.² Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by this code, the officer finding such vehicle shall take its license number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a citation for the driver and/or owner to answer for the violation within ten (10) days during the hours and at a place specified in the citation. (1971 Code, § 9-603, modified)

15-704. Impoundment and disposition of motor vehicles. The police department, and all members thereof assigned to traffic duty, are hereby

¹State law reference

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

²Municipal code reference

Parking: § 15-601.

authorized to remove and tow away, or have removed and towed away, from any public or private way or place, any car or other vehicle under any of the circumstances hereinafter enumerated, the board of mayor and aldermen hereby finding and determining such vehicle under such circumstances to be an obstruction to traffic or public nuisance. Such vehicle is authorized to be removed under any of the following circumstances:

(1) When any vehicle is left unattended upon any bridge, viaduct or tunnel, or where such vehicle constitutes an obstruction to traffic;

(2) When a vehicle upon a public way is so disabled as to constitute an obstruction to traffic and the person in charge of the vehicle is by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal;

(3) When any vehicle is left unattended upon a street or parked illegally so as to constitute a definite hazard or obstruction to the normal movement of traffic, or left unattended on any public street with engine running or with keys in the ignition switch or lock;

(4) When any vehicle is parked or left standing upon any area or portion of a public street in violation of or contrary to a parking limitation or prohibition established by the city, provided such area or portion of such public street has been posted with an official sign giving notice both of such limitation or prohibition and of the fact that such area or portion of such street is a "tow away" area;

(5) When a vehicle is parked in violation of any traffic ordinance and is an obstruction or hazard or potential obstruction or hazard to any lawful function or limits the normal access to a use of any public or private property;

(6) When a vehicle is left on a public way or place and appears to be abandoned within the meaning of Tennessee Code Annotated, § 55-16-103;

(7) When the driver of such vehicle is taken into custody by the police department and the vehicle would thereby be left unattended upon a street, highway or restricted parking area, or other public way;

(8) When a vehicle is found being driven upon the streets or other public way of the city and the same is not equipped with all of the necessary parts and equipment as required by law, or does not meet the standards for the parts or equipment required therein;

(9) When the driver of a vehicle is reasonably suspected of using a license plate or a license permit unlawfully, misusing the license plate or license permit issued to the driver, or a vehicle is driven or parked without proper license plates or license permit, or with no license plates or license permit, or driven or parked with an invalid or expired license permit;

(10) When the driver of a vehicle is driving without an operator's license or chauffeur's license which is current and valid, or who does not have such license in the driver's immediate possession, or who drives a vehicle contrary to restrictions imposed upon the license, or who drives a vehicle while their

operator's or chauffeur's license has been denied, suspended, canceled or revoked by the state;

(11) When a vehicle is found parked on or near to any railroad track as to block the same in any manner;

(12) When the driver of any vehicle, or the vehicle which the driver is driving, is reasonably suspected of having been involved in any hit and run accident;

(13) When any vehicle is reasonably suspected of being a stolen vehicle, or parts thereof to be stolen parts;

(14) When the driver of any vehicle is taken into custody for a suspected felony or misdemeanor, or when the vehicle is suspected of containing stolen goods, or other contraband;

(15) When a driver, owner or person in charge of a vehicle has failed to respond to a notice of illegal parking issued pursuant to the municipal code, and has also failed to respond to the additional notice sent to the registered owner as provided for under the municipal code; provided, that under the circumstances in the subsection set forth employees of the city, acting in their official capacity, and officers of the police department may, and they are hereby authorized to temporarily and for a period of seventy-two (72) hours, immobilize such vehicle by installing on, or attaching to such vehicle, a device designed to restrict the normal movement of such vehicle, and if such vehicle is so immobilized, the employee of the city or police officer so installing or attaching such device shall conspicuously affix to such vehicle a notice, in writing, on a form provided by the chief of police, advising the owner, driver or person in charge of such vehicle, that such vehicle has been immobilized by the city for violation of one (1) or more of the provisions of this chapter, and that release from such immobilization may be obtained at a designated place; that unless arrangements are made for the release of such vehicle within seventy-two (72) hours the vehicle will be removed from the streets at the direction of the employees of the city, acting in their official capacity, or by a police officer, and that removing or attempting to remove the device before a release is obtained is unlawful, and containing such information as the chief of police shall deem necessary. It shall be unlawful for any person to remove or attempt to remove any such device before a release is obtained as herein provided, or to move any such vehicle before the same is released by the police department, clerk of the city court or any city or county judge; and where such vehicle has been properly immobilized in such manner, a fee of fifty dollars (\$50.00) shall be charged by the police department or clerk of the city court before releasing such vehicle, and the parking restrictions, if any, otherwise applicable shall not apply while such vehicle is so immobilized. If the vehicle has remained immobilized for a period of seventy-two (72) hours and release has not been obtained, the police officer or employee of the city causing such immobilization shall have the vehicle impounded.

(16) When any vehicle is parked or stopped in an emergency access lane in violation of or contrary to a parking limitation or prohibition established by city ordinance, provided that such emergency access lane has been posted with an authorized sign giving notice both of such limitation or prohibition and of the fact that such area or portion of such public roadway or private property is a "tow away" area.

(17) Cars or vehicles so towed for violation of any of the above provisions shall be stored in a safe place and shall be restored to the owner or operator of such car upon payment of such fees as shall be established from time to time by resolution by the board of mayor and aldermen, and shall further pay any additional cost incurred by the towing away by any commercial towing service and any additional storage fees incurred on behalf of such commercial towing service. (Ord. #1373, May 1995, modified)

15-705. 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 or their designee in accordance with the provisions of Tennessee Code Annotated, §§ 55-16-101 through 55-16-110. (Ord. #1373, May 1995)

CHAPTER 8**HEAVY TRUCKS****SECTION**

- 15-801. Definition of vehicles and equipment.
15-802. Heavy truck and/or equipment prohibited on certain streets.
15-803. Signs posted.
15-804. Violations and penalty.

15-801. Definition of vehicles and equipment. "Vehicles and equipment" means any device in, upon, or by which any person or property is or may be transported or drawn upon street, road, highway, or public thoroughfares, excepting devices moved by human power or used exclusively upon stationary rails or tracks. (Ord. #1532, Sept. 2004)

15-802. Heavy truck and/or equipment prohibited on certain streets. (1) Trucks prohibited on certain streets. It shall be unlawful to drive any truck and/or equipment except for the purpose of making a delivery on any street so designated by this chapter and properly sign posted. This provision shall apply to, as designated, streets within either commercial or residential areas.

(2) Designated streets. It is hereby established that the following streets are designated as prohibiting trucks and/or equipment except as in subsection (4)(a) through (d) below:

- (a) South Main Street;
- (b) Pleasant Street;
- (c) Liberty Street;
- (d) North Main Street;
- (e) Church Street;
- (f) Ripley Street;
- (g) Sherrod Street.

(3) Limited load streets. It shall be unlawful to operate any vehicle and/or equipment on any street so posted, including but not necessarily limited to: when the gross weight on the surface of any street through any axle of such vehicle and/or equipment exceeds twelve thousand (12,000) pounds, gross weight, or any street where the weight of the vehicle and/or equipment permitted on such street is limited by ordinance and signs indicating such limitations are posted, except for the operation of heavy trucks and/or equipment upon any street where necessary to the conduct of business at a destination point within the city or the county accessible only by traveling through the city provided streets designated as truck routes are used until reaching the intersection nearest the destination point.

(4) **Exceptions.** The following categories are exempt from prohibition of this section:

(a) The operation of heavy trucks and/or equipment owned or operated by the city, any contractor or material man, while under contract to the city while engaged in the repair, maintenance, or construction of streets, street improvements, or street utilities within the city.

(b) The operation of school buses and buses used to transport persons to and from a place of worship, which run a designated route.

(c) The operation of emergency vehicles and/or equipment upon any street in the city.

(d) The operation of heavy trucks and/or equipment upon any street where necessary to the conduct of business at a destination point within the city or the county accessible only by traveling through the city provided streets designated as truck routes are used until reaching the intersection nearest the destination point. (Ord. #1532, Sept. 2004)

15-803. Signs posted. Signs shall be posted on the entrances to each of the streets listed in § 15-802(2) indicating either by words or by appropriate symbols that heavy trucks and/or equipment are prohibited from traveling upon said streets. (Ord. #1532, Sept. 2004)

15-804. Violations and penalty. Any violation of this chapter shall be punishable by a fine not to exceed fifty dollars (\$50.00). (Ord. #1532, Sept. 2004)