

## TITLE 15

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

#### CHAPTER

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3. SPEED LIMITS.
4. TURNING MOVEMENTS.
5. STOPPING AND YIELDING.
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#### CHAPTER 1

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

#### SECTION

- 15-101. Motor vehicle requirements.
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- 15-105. Unlaned streets.
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<sup>1</sup>Municipal code reference

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

<sup>2</sup>State law references

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

- 15-113. Driving through funerals or other processions.
- 15-114. Clinging to vehicles in motion.
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- 15-116. Backing vehicles.
- 15-117. Projections from the rear of vehicles.
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- 15-119. Vehicles and operators to be licensed.
- 15-120. Passing.
- 15-121. Damaging pavements.
- 15-122. Accidents.
- 15-123. Non-standard colored motor vehicle lights prohibited.

**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. (1978 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. (1978 Code, § 9-106)

**15-103. Reckless driving.** Irrespective of the posted speed limit, no person, including operators of emergency vehicles, shall drive any vehicle in willful or wanton disregard for the safety of persons or property. (1978 Code, § 9-107)

**15-104. 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. (1978 Code, § 9-109)

**15-105. Unlaned streets.** (1) Upon all unlaned streets of sufficient width, a vehicle shall be driven upon the right half of the street except:

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

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

(c) Upon a roadway designated and signposted by the municipality for one-way traffic.

(2) All vehicles proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven as close as practicable to the right hand curb or edge of the roadway, except when

overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn. (1978 Code, § 9-110)

**15-106. 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. (1978 Code, § 9-111)

**15-107. 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. (1978 Code, § 9-112)

**15-108. Miscellaneous traffic-control signs, etc.**<sup>1</sup> It shall be unlawful for any pedestrian or the operator of any vehicle to violate or fail to comply with any traffic-control sign, signal, marking, or device placed or erected by the state or the municipality. (1978 Code, § 9-113)

**15-109. General requirements for traffic-control signs, etc.** All traffic-control signs, signals, markings, and devices shall conform to the latest revision of the Manual on Uniform Traffic Control Devices for Streets and Highways,<sup>2</sup> published by the U. S. Department of Transportation, Federal Highway Administration, and shall, so far as practicable, be uniform as to type and location throughout the municipality. This section shall not be construed as being mandatory but is merely directive. (1978 Code, § 9-114)

**15-110. Unauthorized traffic-control signs, etc.** No person shall place, maintain, or display upon or in view of any street, any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles

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<sup>1</sup>Municipal code references

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

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

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. (1978 Code, § 9-115)

**15-111. 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. The chief of police shall have the authority to post and maintain all such additional traffic-control signs, signals, markings and devices as are deemed necessary. (1978 Code, § 9-116, modified)

**15-112. 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. (1978 Code, § 9-117)

**15-113. 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. (1978 Code, § 9-118)

**15-114. 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. (1978 Code, § 9-120)

**15-115. 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. (1978 Code, § 9-121)

**15-116. 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. (1978 Code, § 9-122)

**15-117. 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 ( $\frac{1}{2}$ ) hour after sunset and one-half ( $\frac{1}{2}$ ) 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 (200) feet from the rear of such vehicle. (1978 Code, § 9-123)

**15-118. 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. (1978 Code, § 9-124)

**15-119. 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." (1978 Code, § 9-125)

**15-120. 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. (1978 Code, § 9-126)

**15-121. Damaging pavements.** No person shall operate upon any street of the municipality any vehicle, motor propelled or otherwise, which by reason of its weight or the character of its wheels or track is likely to damage the surface or foundation of the street. (1978 Code, § 9-119)

**15-122. Accidents.** The owner and/or operator of any motor vehicle involved in an accident resulting in any property damage or in death or injury to any person shall immediately report such accident to the city police department and shall not move his vehicle, nor permit it to be moved from the scene of the accident until authorized by the investigating police officer. (1978 Code, § 9-127)

**15-123. Non-standard colored motor vehicle lights prohibited.**

(1) It shall be unlawful for any motor vehicle to be operated within the City of Dyersburg utilizing non-standard colored lights. For the purposes of this section, non-standard colored motor-vehicle lights are defined as:

(a) Any light facing to the front of a motor vehicle or that can be seen from the front of the motor vehicle that is not a shade of white or amber; and

(b) Any light facing to the rear of a motor vehicle or that can be seen from the rear of a vehicle that is not a shade of white, red or amber.

(2) This prohibition shall not apply to any light approved for general use by state or federal law, nor any light used in a show or in a parade not operated from the driver's compartment of the vehicle. (as added by Ord. #BB-539, Feb. 2003)

## 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. (1978 Code, § 9-102)

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

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

(3) The exemptions herein granted for an authorized emergency vehicle shall apply only when the driver of any such vehicle while in motion sounds an audible signal by bell, siren, or exhaust whistle and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.

(4) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others. (1978 Code, § 9-103)

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<sup>1</sup>Municipal code reference

Operation of other vehicle upon the approach of emergency vehicles:  
§ 15-501.

**15-203. Following emergency vehicles.** No driver of any vehicle shall follow any authorized emergency vehicle apparently travelling in response to an emergency call closer than five hundred (500) feet or drive or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm. (1978 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. (1978 Code, § 9-105)

## CHAPTER 3

### SPEED LIMITS

#### SECTION

15-301. In general.

15-302. At intersections.

15-303. In school zones and near playgrounds.

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. (1978 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. (1978 Code, § 9-202)

**15-303. In school zones and near playgrounds.** 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. (1978 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. (1978 Code, § 9-204)

## CHAPTER 4

TURNING MOVEMENTS

## SECTION

15-401. Generally.

15-402. Right turns.

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

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

15-405. U-turns.

**15-401. Generally.** No person operating a motor vehicle shall make any turning movement which might affect any pedestrian or the operation of any other vehicle without first ascertaining that such movement can be made in safety and signaling his intention in accordance with the requirements of the state law.<sup>1</sup> (1978 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. (1978 Code, § 9-302)

**15-403. Left turns on two-way roadways.** At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of the intersection of the center line of the two roadways. (1978 Code, § 9-303)

**15-404. Left turns on other than two-way roadways.** At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left hand lane lawfully available to traffic moving in the direction of travel of such vehicle and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left hand lane lawfully available to traffic moving in such direction upon the roadway being entered. (1978 Code, § 9-304)

**15-405. U-turns.** U-turns are prohibited. (1978 Code, § 9-305)

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<sup>1</sup>State law reference

Tennessee Code Annotated, § 55-8-143.

**CHAPTER 5****STOPPING AND YIELDING****SECTION**

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

**15-501. Upon approach of authorized emergency vehicles.**<sup>1</sup> Upon the immediate approach of an authorized emergency vehicle making use of audible and/or visual signals meeting the requirements of the laws of this state, or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall immediately drive to a position parallel to, and as close as possible to, the right hand edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer. (1978 Code, § 9-401)

**15-502. When emerging from alleys, etc.** The drivers of all vehicles emerging from alleys, parking lots, driveways, or buildings shall stop such vehicles immediately prior to driving onto any sidewalk or street. They shall not proceed to drive onto the sidewalk or street until they can safely do so without colliding or interfering with approaching pedestrians or vehicles. (1978 Code, § 9-402)

**15-503. To prevent obstructing an intersection.** No driver shall enter any intersection or marked crosswalk unless there is sufficient space on the other side of such intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of traffic in or on the intersecting street or crosswalk. This provision shall be effective notwithstanding any traffic-control signal indication to proceed. (1978 Code, § 9-403)

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<sup>1</sup>Municipal code reference

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

**15-504. At railroad crossings.** Any driver of a vehicle approaching a railroad grade crossing shall stop within not less than fifteen (15) feet from the nearest rail of such railroad and shall not proceed further while any of the following conditions exist:

- (1) A clearly visible electrical or mechanical signal device gives warning of the approach of a railroad train.
- (2) A crossing gate is lowered or a human flagman signals the approach of a railroad train.
- (3) A railroad train is approaching within approximately fifteen hundred (1500) feet of the highway crossing and is emitting an audible signal indicating its approach.
- (4) An approaching railroad train is plainly visible and is in hazardous proximity to the crossing. (1978 Code, § 9-404)

**15-505. At "stop" signs.** The driver of a vehicle facing a "stop" sign shall bring his vehicle to a complete stop immediately before entering the crosswalk on the near side of the intersection or, if there is no crosswalk, then immediately before entering the intersection, and shall remain standing until he can proceed through the intersection in safety. (1978 Code, § 9-405)

**15-506. At "yield" signs.** The drivers of all vehicles shall yield the right of way to approaching vehicles before proceeding at all places where "yield" signs have been posted. (1978 Code, § 9-406)

**15-507. At traffic-control signals generally.** Traffic-control signals exhibiting the words "Go," "Caution," or "Stop," or exhibiting different colored lights successively one at a time, or with arrows, shall show the following colors only and shall apply to drivers of vehicles and pedestrians as follows:

- (1) Green alone, or "Go":
  - (a) Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.
  - (b) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.
- (2) Steady yellow alone, or "Caution":
  - (a) Vehicular traffic facing the signal is thereby warned that the red or "Stop" signal will be exhibited immediately thereafter, and such vehicular traffic shall not enter or be crossing the intersection when the red or "Stop" signal is exhibited.
  - (b) Pedestrians facing such signal shall not enter the roadway unless authorized so to do by a pedestrian "Walk" signal.

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

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

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

(4) Steady red with green arrow:

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

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

(5) In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made a vehicle length short of the signal. (1978 Code, § 9-407)

**15-508. At flashing traffic-control signals.** (1) Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal placed or erected in the municipality it shall require obedience by vehicular traffic as follows:

(a) Flashing red (stop signal). When a red lens is illuminated with intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

(b) Flashing yellow (caution signal). When a yellow lens is illuminated with intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

(2) This section shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules set forth in § 15-504 of this code. (1978 Code, § 9-408)

**15-509. At pedestrian control signals.** Wherever special pedestrian control signals exhibiting the words "Walk" or "Wait" or "Don't Walk" have been placed or erected by the municipality, 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. (1978 Code, § 9-409)

**15-510. Stops to be signaled.** No person operating a motor vehicle shall stop such vehicle, whether in obedience to a traffic sign or signal or otherwise, without first signaling his intention in accordance with the requirements of the state law,<sup>1</sup> except in an emergency. (1978 Code, § 9-410)

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<sup>1</sup>State law reference  
Tennessee Code Annotated, § 55-8-143.

## CHAPTER 6

### PARKING

#### SECTION

- 15-601. Generally.
- 15-602. Angle parking.
- 15-603. Occupancy of more than one space.
- 15-604. Where prohibited.
- 15-605. Loading and unloading zones.
- 15-606. Regulation by marking tires.
- 15-607. Lawful parking in required spaces.
- 15-608. Unlawful parking in parking spaces.
- 15-609. Unlawful to occupy more than one parking space.
- 15-610. Unlawful to remove markings.
- 15-611. Handicap and other parking.
- 15-612. Presumption with respect to illegal parking.
- 15-613. Unlawful parking in fire lane.

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

Except as hereinafter provided, every vehicle parked upon a street within this municipality shall be so parked that its right wheels are approximately parallel to and within eighteen (18) inches of the right edge or curb of the street. On one-way streets where the municipality has not placed signs prohibiting the same, vehicles may be permitted to park on the left side of the street, and in such cases the left wheels shall be required to be within eighteen (18) inches of the left edge or curb of the street.

Notwithstanding anything else in this code to the contrary, no person shall park or leave a vehicle parked on any public street or alley within the fire limits between the hours of 1:00 A.M. and 5:00 A.M. or on any other public street or alley for more than seventy-two (72) consecutive hours without the prior approval of the chief of police.

Furthermore, no person shall wash, grease, or work on any vehicle, except to make repairs necessitated by an emergency, while such vehicle is parked on a public street. (1978 Code, § 9-501)

**15-602. Angle parking.** On those streets which have been signed or marked by the municipality for angle parking, no person shall park or stand a vehicle other than at the angle indicated by such signs or markings. No person shall angle park any vehicle which has a trailer attached thereto or which has a length in excess of twenty-four (24) feet. (1978 Code, § 9-502)

**15-603. Occupancy of more than one space.** No person shall park a vehicle in any designated parking space so that any part of such vehicle occupies more than one such space or protrudes beyond the official markings on the street or curb designating such space unless the vehicle is too large to be parked within a single designated space. (1978 Code, § 9-503)

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

- (1) On a sidewalk.
  - (2) In front of a public or private driveway.
  - (3) Within an intersection or within fifteen (15) feet thereof.
  - (4) Within fifteen (15) feet of a fire hydrant.
  - (5) Within a pedestrian crosswalk.
  - (6) Within fifty (50) feet of a railroad crossing.
  - (7) Within twenty (20) feet of the driveway entrance to any fire station, and on the side of the street opposite the entrance to any fire station within seventy-five (75) feet of the entrance.
  - (8) Alongside or opposite any street excavation or obstruction when other traffic would be obstructed.
  - (9) On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
  - (10) Upon any bridge.
  - (11) Alongside any curb painted yellow or red by the municipality.
- (1978 Code, § 9-504)

**15-605. Loading and unloading zones.** No person shall park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers or merchandise in any place marked by the municipality as a loading and unloading zone. (1978 Code, § 9-505)

**15-606. Regulation by marking tires.** In the absence of an official sign to the contrary which has been installed by the municipality, between the hours of 8:00 A.M. and 6:00 P.M., on all days except Sundays and holidays declared by the governing body, parking shall be regulated by the Dyersburg Police Department by marking the tire or tires of any such vehicle parked in any parking space. (1978 Code, § 9-506)

**15-607. Lawful parking in required spaces.** Any parking space regulated by the police department may be lawfully occupied by a vehicle on the basis of two hours free parking. (1978 Code, § 9-507)

**15-608. Unlawful parking in parking 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 the Dyersburg Police Department for more than

the maximum period of two hours. Violations of this section shall be assessed a penalty in accordance with the usual and customary penalties as promulgated and amended from time to time by the board of mayor and aldermen for the City of Dyersburg. For the current penalties consult the schedule of fees on file with the city recorder. Each two hours after the maximum shall constitute a new violation. (1978 Code, § 9-508, modified)

**15-609. Unlawful to occupy more than one parking space.** It shall be unlawful for the owner or operator of any vehicle to park or allow his vehicle to be parked across any line or marking designating a parking space or otherwise so that such vehicle is not entirely within the designated parking space. (1978 Code, § 9-509)

**15-610. Unlawful to remove markings.** It shall be unlawful for any unauthorized person to remove, remark or in any way tamper with the official markings of the police department on any vehicle tire or tires. (1978 Code, § 9-510)

**15-611. Handicap and other parking.** It shall be unlawful for any owner or operator of any vehicle to park or allow his vehicle to be parked in any space reserved for the handicap or any other such designated space. (1978 Code, § 9-511)

**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. (1978 Code, § 9-512)

**15-613. Unlawful parking in fire lane.** It shall be unlawful for any owner or operator of any vehicle to park or allow their vehicle to be parked in any space designated as a fire lane. (1978 Code, § 9-513)

## CHAPTER 7

### SUPPLEMENTAL TRUCK REGULATIONS

#### SECTION

- 15-701. Definitions.
- 15-702. Application of regulations.
- 15-703. Truck routes established.
- 15-704. Designated streets for truck use.
- 15-705. Truck traffic in the city.
- 15-706. Enforcement.
- 15-707. Violations.

**15-701. Definitions.** For the purposes of this chapter the following terms, phrases, words, and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future; words in the plural number include the singular number; and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- (1) "City" is the City of Dyersburg, Tennessee.
- (2) "Deviating truck" is a truck which leaves and departs from a truck route while traveling inside the city.
- (3) "Person" is any person, firm, partnership, association, corporation, company, or organization of any kind.
- (4) "Truck" is any vehicle designated or operated for the transportation of property, and whose rated capacity exceeds one ton.
- (5) "Truck route" is a way over certain streets, as designated herein, over and along which trucks coming into and going out of the city must operate. (Ord. #BB-433, Oct. 1995)

**15-702. Application of regulations.** All trucks within the city shall be operated only over and along the truck routes herein established and on the other designated streets over which truck travel is permitted. However, this chapter shall not prohibit:

- (1) Operation on street of destination. The operation of trucks upon any street where necessary to the conduct of business at a destination point, provided streets upon which such traffic is permitted are used until reaching the intersection nearest the destination point.
- (2) Emergency vehicles. The operation of emergency vehicles upon any street in the city.
- (3) Public utilities. The operation of trucks owned or operated by the city, public utilities, or any contractor or materialman, while engaged in the repair, maintenance, or construction of streets, street improvements, or street utilities within the city.

(4) Detoured trucks. The operation of trucks upon any officially established detour in any case where such truck could lawfully be operated upon the street for which such detour is established. (Ord. #BB-433, Oct. 1995)

**15-703. Truck routes established.** There is hereby established within the city the following "truck routes." All trucks entering the city for destination points outside the city shall operate only over the following designated routes:

(1) North to south entering on U. S. Highway 51. Beginning at the north city limits proceeding south on U. S. Highway 51 to U. S. Highway 51 By-Pass; thence in a westerly and then southerly direction over U. S. Highway 51 By-Pass to U. S. Highway 51 leading to the south city limits and on to Halls, Tennessee.

(2) North to east entering on U. S. Highway 51. Beginning at the north city limits proceeding south on U. S. Highway 51 to Harrell Avenue; thence south on Harrell Avenue to Phillips Street; thence west on Phillips Street to Reynolds Avenue; thence south on Reynolds Avenue to East Court Street or State Highway 104; thence east on East Court Street or State Highway 104 to the east city limits and on to Trenton, Tennessee.

(3) North to west entering on U. S. Highway 51. Beginning at the north city limits proceeding south on U. S. Highway 51 to U. S. Highway 51 By-Pass; thence in a westerly and then southerly direction over U. S. Highway 51 By-Pass to Forrest Street or State Highway 104; thence west on Forrest Street or State Highway 104 to the west city limits and on to Finley, Tennessee.

(4) North to south entering on State Highway 78. Beginning at the north city limits proceeding south on State Highway 78 to U. S. Highway 51 By-Pass; thence in a westerly and then southerly direction over U. S. Highway 51 By-Pass to U. S. Highway 51 leading to the south city limits and on to Halls, Tennessee.

(5) North to east entering on State Highway 78. Beginning at the north city limits proceeding south on State Highway 78 to U. S. Highway 51 By-Pass; thence east on U. S. Highway 51 By-Pass to St. John Avenue or U. S. Highway 51; thence south on St. John Avenue or U. S. Highway 51 to the Harrell Avenue; thence south on Harrell Avenue to Phillips Street; thence west on Phillips Street to Reynolds Avenue; thence south on Reynolds Avenue to East Court Street or State Highway 104; thence east on East Court Street or State Highway 104 to the east city limits and on to Trenton, Tennessee.

(6) North to west entering on State Highway 78. Beginning at the north city limits proceeding south on State Highway 78 to U. S. Highway 51 By-Pass; thence in a westerly and then southerly direction over U. S. Highway 51 By-Pass to Forrest Street or State Highway 104; thence west on Forrest Street or State Highway 104 to the west city limits and on to Finley, Tennessee.

(7) West to east entering on State Highway 104 or Forrest Street. Beginning at the west city limits proceeding east on State Highway 104 or Forrest Street to Fowlkes Avenue; thence south on Fowlkes Avenue to East

Cedar Street; thence east on East Cedar Street to Sampson Avenue; thence north on Sampson Avenue to East Court Street or State Highway 104; thence east on East Court Street or State Highway 104 to the east city limits and on to Trenton, Tennessee.

(8) West to south entering on State Highway 104 or Forrest Street. Beginning at the west city limits proceeding east on State Highway 104 or Forrest Street to U. S. Highway 51 By-Pass; thence south on U. S. Highway 51 By-Pass to U. S. Highway 51 leading to the south city limits and on to Halls, Tennessee.

(9) West to north entering on State Highway 104 or Forrest Street and leaving on State Highway 78. Beginning at the west city limits proceeding east on State Highway 104 to U. S. Highway 51 By-Pass; thence in a northerly and then easterly direction over U. S. Highway 51 By-Pass to State Highway 78; thence north on State Highway 78 to the north city limits and on to Ridgely, Tennessee.

(10) West to north entering on State Highway 104 or Forrest Street and leaving on U. S. Highway 51. Beginning at the west city limits proceeding east on State Highway 104 or Forrest Street to U. S. Highway 51 By-Pass; thence in a northerly and then easterly direction over U. S. Highway 51 By-Pass to U. S. Highway 51; thence north on U. S. Highway 51 to the north city limits and on to Newbern, Tennessee.

(11) South to north entering on U. S. Highway 51 and leaving on State Highway 78. Beginning at the south city limits proceeding north on U. S. Highway 51 to U. S. Highway 51 By-Pass; thence in a northerly and then easterly direction over U. S. Highway 51 By-Pass to State Highway 78; thence north on State Highway 78 to the north city limits and on to Ridgely, Tennessee.

(12) South to north entering U. S. Highway 51 and leaving on U. S. Highway 51. Beginning at the south city limits proceeding north on U. S. Highway 51 to U. S. Highway 51 By-Pass; thence in a northerly and then easterly direction over U. S. Highway 51 By-Pass to U. S. Highway 51; thence north on U. S. Highway 51 to the north city limits and on to Newbern, Tennessee.

(13) South to east entering on U. S. Highway 51. Beginning at the south city limits proceeding north on U. S. Highway 51 and continuing on U. S. Highway 51 to East Cedar Street; thence east on East Cedar Street to Sampson Avenue; thence north on Sampson Avenue to East Court Street or State Highway 104; thence east on East Court Street or State Highway 104 to the east city limits and on to Trenton, Tennessee.

(14) South to west entering on U. S. Highway 51. Beginning at the south city limits proceeding north on U. S. Highway 51 to U. S. Highway 51 By-Pass; thence north on U. S. Highway 51 By-Pass to State Highway 104 or Forrest Street; thence west on State Highway 104 or Forrest Street to the west city limits and on to Finley, Tennessee.

(15) East to west entering on State Highway 104. Beginning at the east city limits proceeding west on State Highway 104 or East Court Street to Sampson Avenue; thence south on Sampson Avenue to East Cedar Street; thence west on East Cedar Street to Fowlkes Avenue; thence north on Fowlkes Avenue to Forrest Street or State Highway 104; thence west on Forrest Street or State Highway 104 to the west city limits and on to Finley, Tennessee.

(16) East to south entering on State Highway 104. Beginning at the east city limits proceeding west on State Highway 104 or East Court Street to Sampson Avenue; thence south on Sampson Avenue to East Cedar Street; thence west on East Cedar Street to U. S. Highway 51 or South Main Avenue; thence south on U. S. Highway 51 or South Main Avenue to the south city limits and on to Halls, Tennessee.

(17) East to north entering on State Highway 104 and leaving on U. S. Highway 51. Beginning at the east city limits proceeding west on State Highway 104 or East Court Street to Reynolds Avenue; thence north on Reynolds Avenue to Phillips Street; thence east on Phillips Street to Harrell Avenue; thence north on Harrell Avenue to St. John Avenue or U. S. Highway 51; thence north on St. John Avenue or U. S. Highway 51 to the north city limits and on to Newbern, Tennessee.

(18) East to north entering on State Highway 104 and leaving on State Highway 78. Beginning at the east city limits and proceeding west on State Highway 104 or East Court Street to Reynolds Avenue; thence north on Reynolds Avenue to Phillips Street; thence east on Phillips Street to Harrell Avenue; north on Harrell Avenue to St. John Avenue or U. S. Highway 51; thence north on St. John Avenue or U. S. Highway 51 to U. S. Highway 51 By-Pass; thence west on U. S. Highway 51 By-Pass to State Highway 78; thence north on State Highway 78 to the north city limits and on to Ridgely, Tennessee. (Ord. #BB-433, Oct. 1995)

**15-704. Designated streets for truck use.** In addition to those streets in the city constituting a part of a truck route as established herein, the following streets, and no others, shall be used for truck traffic:

Connell Avenue from Forrest Street south to its termination.

Jackson Street from Connell Avenue to Fowlkes Avenue.

Fowlkes Avenue from East Cedar Street south to its termination.

Phillips Street from Harrell Avenue to Hogwalla Road.

Hogwalla Road from Phillips Street to Sylvania Road.

Sylvania Road from Hogwalla Road to U. S. Highway 51.

Shelby Drive from St. John Avenue or U. S. Highway 51 to Harrell Avenue.

St. John Avenue or U. S. Highway 51 from Harrell Avenue to Shelby Drive. (Ord. #BB-433, Oct. 1995)

**15-705. Truck traffic in the city.** (1) Outside origin. (a) One side destination point. All trucks entering the city for a destination point in the city shall proceed only over an established truck route and shall deviate only at the intersection, with the street, upon which such traffic is permitted nearest to the destination point. Upon leaving the destination point, a deviating truck shall return to the truck route by the shortest permissible route.

(b) Multiple inside destination points. All trucks entering the city for multiple destination points shall proceed only over established truck routes and shall deviate only at the intersection with the street, upon which such traffic is permitted nearest to the first destination point. Upon leaving the first destination point a deviating truck shall proceed to other destination points by the shortest direction and only over streets upon which such traffic is permitted. Upon leaving the last destination point, a deviating truck shall return to the truck route by the shortest permissible route.

(2) Inside origin. (a) Outside destination point. All trucks, on a trip originating in the city, and traveling in the city for a destination point outside the city shall proceed by the shortest direction over streets on which such traffic is permitted to a truck route as herein established.

(b) Inside destination points. All trucks, on a trip originating in the city, and traveling in the city for destination points in the city shall proceed only over streets upon which such traffic is permitted. (Ord. #BB-433, Oct. 1995)

**15-706. Enforcement.** (1) Recorder maintains maps. The city recorder shall keep and maintain accurate maps setting out truck routes and streets upon which truck traffic is permitted; the maps shall be kept on file in the office of the city recorder and shall be available to the public.

(2) Chief of police maintains signs. The chief of police of the city shall cause all truck routes to be clearly sign-posted to give notice that this chapter is in effect.

(3) Weigh-in. The chief of police shall have the authority to require any person driving or in control of any commercial vehicle not proceeding over a truck route or street over which truck traffic is permitted to proceed to any public or private scale available for the purpose of weighing and determining whether this chapter has been complied with. (Ord. #BB-433, Oct. 1995)

**15-707. Violations.** Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined under the general penalty clause for this municipal code. (Ord. #BB-433, Oct. 1995)

## CHAPTER 8

### ENFORCEMENT

#### SECTION

- 15-801. Issuance of traffic citations; use of driver's license in lieu of bail.
- 15-802. Failure to obey citation.
- 15-803. Illegal parking.
- 15-804. Impoundment of vehicles.
- 15-805. Violation and penalty.

**15-801. Issuance of traffic citations;<sup>1</sup> use of driver's license in lieu of bail.** 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 may, in his sole discretion upon receiving the written promise of the alleged violator to answer as specified in the citation, 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.

Provided further that whenever any person lawfully possessed of a chauffeur's or operator's license theretofore issued to him by the department of safety is issued a citation or arrested and charged with the violation of any municipal ordinance regulating traffic, except driving under the influence of an intoxicant or narcotic drug or leaving the scene of an accident, and such person is taken into custody under arrest by the arresting officer, and pending the hearing on such charges the city court demands the execution of an appearance bond with good security prior to the release of such person, then and in that event such person shall have the option of depositing his chauffeur's or operator's license so issued by the department of safety with the arresting officer or clerk of the city court in lieu of any other security required for his appearance. (1978 Code, § 9-702)

**15-802. Failure to obey citation.** It shall be unlawful for any person to violate his written promise to appear in court after giving said promise to an officer upon the issuance of a traffic citation, regardless of the disposition of the charge for which the citation was originally issued. (1978 Code, § 9-703)

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<sup>1</sup>State law reference

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

**15-803. Illegal parking.** Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by this code, the officer finding such vehicle shall take its license number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a citation for the driver and/or owner to answer for the violation. (1978 Code, § 9-704, modified)

**15-804. Impoundment of vehicles.** Members of the police department are hereby authorized, when reasonably necessary to prevent obstruction of traffic, to remove from the streets and impound any vehicle whose operator is arrested or any vehicle which is illegally parked, abandoned, or otherwise parked so as to constitute an obstruction or hazard to normal traffic. Any vehicle left parked on any street or alley for more than seventy-two (72) consecutive hours without permission from the chief of police shall be presumed to have been abandoned if the owner cannot be located after a reasonable investigation. Such an impounded vehicle shall be stored until the owner claims it, gives satisfactory evidence of ownership, and pays all applicable fines and costs. The fine for impoundment shall be in accordance with the usual and customary fees as promulgated and amended from time to time by the board of mayor and aldermen for the City of Dyersburg. For the current fines consult the schedule of fees on file with the city recorder. (1978 Code, § 9-701, modified)

**15-805. Violation and penalty.** Any violation of this title shall be a civil offense punishable as follows:

(1) **Traffic citations.** Traffic citations shall be punishable by a civil penalty up to five hundred dollars (\$500.00) for each separate offense.

(2) **Parking citations.** For any parking violation, the offender may, within forty-eight (48) hours, have the charge against him disposed of by paying to the city recorder a fine in accordance with a schedule prescribed by the city judge, provided he waives his right to a judicial hearing. If he appears and waives his right to a judicial hearing after forty-eight (48) hours but before a warrant for his arrest is issued, his fine shall be greater in accordance with a schedule prescribed by the city judge. (1978 Code, § 9-704, modified)