

## **ORDINANCE NO. 2023-10**

**AN ORDINANCE TO AMEND THE TOWN OF JONESBOROUGH MUNICIPAL CODE, TITLE 9, ENTITLED "MOTOR VEHICLES AND TRAFFIC" BY DELETING CHAPTER 5 PARKING IN ITS ENTIRETY AND REPLACING IT WITH A NEW CHAPTER 5.**

**SECTION 1.** BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF JONESBOROUGH, TENNESSEE, that Title 9 of the Jonesborough Municipal Code, entitled "Motor Vehicles and Traffic" is amended by deleting Chapter 5, Parking, in its entirety and replacing it with a new Chapter 5 as follows:

### **CHAPTER 5**

#### **PARKING**

##### **9-501. - Application of chapter provisions.**

The provisions of this chapter prohibiting the standing or parking of a vehicle shall apply at all times, or at the times herein specified, or as indicated on official signs or pavement markings except when it is necessary to stop a vehicle to avoid conflict with other traffic, or in compliance with the directions of a police officer or traffic-control device.

##### **9-502. - Obstructing traffic prohibited.**

It is unlawful to leave any vehicle standing or parked in any public street when such vehicle constitutes a hazard to public safety or an obstruction to the normal flow of traffic.

Whenever any vehicle is standing or parked upon or beside a roadway, no person shall open any door of such vehicle on that side of the vehicle nearest the flow of traffic on such street, whenever the opening of such door shall constitute a hazard or obstruction to vehicles moving on the street in a lawful manner.

##### **9-503. - Stopping, standing or parking—Prohibited locations.**

(1) No person shall stop, stand or park a vehicle:

(a) On a sidewalk, walking trail, or bicycle lane;

(b) Upon any median, buffer strip, planting strip or landscape strip located between a sidewalk and roadway;

(c) Within an intersection or within 25 feet thereof, except:

(i) Intersections at which the flow of traffic is controlled by either a traffic light (providing the customary red, yellow and green signals) or a four-way stop sign;

(ii) Designated parking spaces when properly signed and marked;

(d) On a crosswalk or between sidewalk pedestrian ramps;

(e) On any controlled-access highway;

(f) Alongside or opposite any street excavation or obstruction when other traffic would be obstructed.

(g) Upon any bridge or other elevated structure, or underpass.

(h) On a path or crosswalk.

(2) No person shall stop, stand or park a vehicle, except momentarily to pick up or discharge a passenger or passengers:

(a) At any place where official signs or pavement markings prohibit stopping, standing or parking;

(b) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

(c) Within an alley except during the necessary and expeditious loading and unloading of merchandise or freight, and no person shall stop, stand or park a vehicle within an alley in such a position as to block the normal flow of traffic.

(d) Without its right-hand wheels of the vehicle parallel to and within 18 inches of the right-hand curb;

(e) In front of a public or private driveway.

(f) Within 15 feet of a fire hydrant

(g) Within 50 feet of a railroad crossing.

(h) In any area designated as a fire lane pursuant to the terms of the Standard Fire Prevention Code adopted and codified by section 7-201 of the Jonesborough Municipal Code.

(i) Within 15 feet of a mailbox.

#### **9-504. - Angle parking.**

On those streets which have been signed or marked by the town for angle parking, no person shall park or stand a vehicle other than at the angle indicated by such signs or markings. No person shall angle park any vehicle or vehicle with a trailer attached thereto that blocks the normal flow of traffic.

#### **9-505. - Time restrictions on parking in certain areas.**

On-street parking shall be limited as signed. The town administrator shall have the authority to oversee the placement of signs denoting the proper time limitations as set forth by policy of the board.

#### **9-506. - Electric vehicle charging.**

No vehicle shall be parked, in a public parking space, if designated for charging any electric vehicle by any sign or pavement marking using the term "electric vehicle charging," or otherwise reasonably indicating designation for electric vehicle charging, unless the vehicle is actively charging when parked in the electric vehicle charging parking space.

#### **9-507. - 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.

#### **9-508. - Parking for sale or repair purposes.**

No person shall stand or park a vehicle upon any public roadway, public parking lot or leased parking lot for the principal purpose of:

(1) Displaying it for sale or rent;

(2) Washing, greasing or repairing such vehicle, except repairs necessitated by an emergency.

### **9-509. - Unattended vehicles.**

(1) No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key and effectively setting the brake thereon and, when standing upon any grade, turning the front wheels to the curb or side of the street.

(2) Notwithstanding the provisions of subsection (1) of this section to the contrary, it shall be lawful to start a vehicle and leave it running if the doors of the vehicle remain locked, the vehicle cannot be driven without a key in the ignition switch, and there is no key in the ignition switch while the vehicle is unattended.

### **9-510. - Stopping and parking with left side to curb.**

No vehicle shall stop or park with its left side to the curb; provided, however that this prohibition shall not apply to a one-way street when such stopping and parking has been authorized by the town and when properly signed and marked.

### **9-511. - Loading and unloading zones.**

(1) The board of mayor and aldermen may establish passenger and freight loading zones and maintain signs indicating the same and stating the hours during which the provisions of this section are applicable at whatever location it may determine to be appropriate. Loading zones will be established only where:

(a) The property owner has no available off-street loading and unloading facilities or such facilities as are available are grossly inadequate;

(b) Such loading is necessary to the conduct of the business of the property owner;

(c) Such loading zone is in the interest of the public convenience, welfare and safety;

(d) The type of loading and unloading involves freight or merchandise too heavy or bulky to be conveniently carried by hand;

(e) Existing street loading space is too inconvenient or far away for practical and efficient loading or unloading.

(2) No person shall stop, stand or park a vehicle for any purpose or length of time other than for expeditious unloading and delivery or pickup and loading of freight and merchandise marked as a freight loading zone during the hours when the provisions applicable to freight loading zones are in effect. In no case shall a stop for loading and unloading exceed 30 minutes.

### **9-512. - Overtime parking in time-limited spaces**

At any place within the town where authorized signs are posted pursuant to the provisions of this chapter giving notice of parking limitations, regulations, restrictions or prohibitions, it shall be unlawful for any person to park a vehicle in any manner in violation of, or contrary to, the provisions contained on such signs except when necessary to avoid conflict with other traffic, or in compliance with the directions of a police officer, or traffic-control signal, sign or device, or except momentarily for the purpose of loading or unloading passengers when such parking does not obstruct, impede or endanger any traffic.

### **9-513. - Disabled or unlicensed vehicles.**

It shall be unlawful to leave any vehicle parked on any public way or place for more than 24 consecutive hours when such vehicle is not in running condition or does not have a current state license plate. Any vehicles parked in violation of this section shall be impounded and stored at the expense of the owner.

Vehicles shall not be parked overnight at town parks.

### **9-514. - Public parking lots.**

#### *(1) Prohibitions.*

(a) On any public parking lot which is owned, leased, or maintained by the Town of Jonesborough, or public roadway, it shall be unlawful to leave any vehicle parked for longer than the times posted, to create a traffic hazard, or to obstruct the safe passage of vehicles or pedestrians. No vehicle shall remain parked in a city parking lot for more than 24 hours, unless there are prevailing provisions within the lease contract, or the vehicle may be impounded pursuant to chapter 7 of this title. Failure to follow posted rules in a public parking lot owned, leased, or maintained by the Town of Jonesborough shall also be unlawful.

(b) All vehicles shall be parked head-in only.

(c) To the fullest extent possible, all other regulations and prohibitions found in title 9 shall apply in any public parking lot owned, leased, or maintained by the Town of Jonesborough.

(d) On any public parking lot which is owned, leased, or maintained by the Town of Jonesborough, it shall be unlawful to loiter, congregate, or socialize.

(e) Commercial vehicles, trailers, or construction equipment which would normally take more than one parking space. These vehicles must load and unload in accordance with section 9-516 and shall not be left unattended in any parking space, or town street.

(2) *Exceptions.* Town-owned vehicles shall not be subject to the timed parking requirements above.

### **9-515. - 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.

### **9-516. - Parking of commercial vehicles in residential zones prohibited.**

(1) No person shall park any motor vehicle licensed and/or primarily used for commercial purposes, continuously for more than 15 days within a residential zoning district, either on a public street, or upon any lot smaller than five acres in size; nor shall any person allow any such motor vehicle to be parked on any such property belonging to him or under his control in violation of this section.

(2) The parking of a commercial vehicle otherwise prohibited under subsection (1) shall be permitted so long as the vehicle is located in the rear yard of the lot and is effectively screened from any adjoining roadway or adjoining property by a wall, enclosure, fence, greenery or shrubbery.

(3) No school buses shall be parked in any residential zone at any time.

(4) Parking of trailers shall be prohibited in front yards and on streets of residential areas. Trailers with a maximum length of 18 feet are permitted to be parked and stored behind the front facade of the dwelling on an approved parking pad. Exceptions are made during times of emergencies due to acts of nature, residents moving into or out of the premises, occasional family celebrations, permitted construction activities, and routine maintenance on structures or landscaping.

(5) Excluded from this section entirely are emergency service vehicles and other vehicles actively performing a service on the residential property, including moving vans and vehicles needed for construction purposes.

**SECTION 2.** That this Ordinance shall become effective immediately from and after its passage as provided by law.

Motion was made by Alderman Countermine and seconded Alderman Causey that the preceding ordinance be adopted on first reading. Those voting for the adoption thereof were: Alderman Countermine, Alderman Causey, Alderman Dickson

Those voting against: \_\_\_\_\_

PASSED ON FIRST READING July 10, 2023

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CHUCK VEST, MAYOR

ATTEST:

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ROBERT ANDERSON, RECORDER

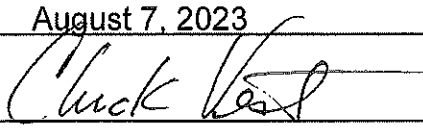
APPROVED AS TO FORM

\_\_\_\_\_  
JAMES R. WHEELER, TOWN ATTORNEY

Motion was made by Alderman Countermine and seconded by Alderman Causey that the preceding ordinance be adopted on first reading. Those voting for the adoption thereof were: Alderman Countermine, Alderman Causey, Alderman Dickson, Alderman Wolfe

Those voting against: \_\_\_\_\_

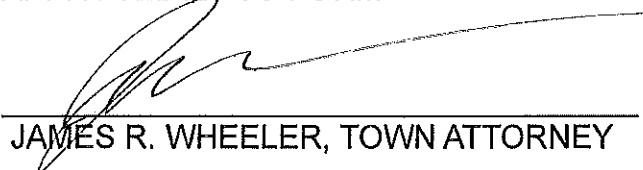
PASSED ON SECOND READING August 7, 2023

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CHUCK VEST, MAYOR

ATTEST:

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ROBERT ANDERSON, RECORDER

APPROVED AS TO FORM

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JAMES R. WHEELER, TOWN ATTORNEY