

TRAFFIC AND VEHICLES

Part 41.000 Traffic Ordinance

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Part 41

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TRAFFIC ORDINANCE

Ord. No. 55-4

Adopted: July 21, 1955

An ordinance of the City of Oak Hill, Tennessee, to provide traffic regulations for the orderly control of vehicular and pedestrian traffic within the City of Oak Hill, Tennessee, in order to protect the health, safety, welfare and property of the citizens and residents of Oak Hill, Tennessee; and to provide penalties for the violations of the provisions of this ordinance.

BE IT ORDAINED BY THE CITY OF OAK HILL, TENNESSEE,
AS FOLLOWS:

41.001 Adoption.

Sec. I. In order to provide for the orderly control of vehicular and pedestrian traffic within the corporate limits of the City of Oak Hill, Tennessee, and for the purpose of protecting and promoting the health, safety, welfare and property of the citizens and residents of Oak Hill, Tennessee, the following traffic regulations, hereinafter set forth in this Ordinance, are hereby adopted and promulgated, and shall be observed by all persons operating vehicles, as defined herein, or traveling as pedestrians, as defined herein, within the corporate limits of the City of Oak Hill, Tennessee.

41.002 Definitions.

Sec. II. The following words and phrases, when used in this Ordinance, shall, for the purpose of this Ordinance, have the meanings respectively ascribed to them in this section:

- (a) *Authorized emergency vehicle.* Vehicles of any fire department, whether publicly or privately owned, police vehicles, ambulances and emergency vehicles of any public service corporation.

- (b) *Crosswalk.* Any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.
- (c) *Driver.* Every person who drives or is in actual physical control of a vehicle.
- (d) *Intersection.* The area embraced within the prolongation or connection of the lateral boundary lines of the roadways of two streets which join one another at or approximately right angles or the area within which vehicles traveling upon different streets joining at any other angle may come in conflict.
- (e) *Motor vehicle.* Every vehicle which is self-propelled.
- (f) *Official traffic control devices.* All signs, signals, markings and devices placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.
- (g) *Official traffic signals.* Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.
- (h) *Parking.* The standing of a vehicle, whether occupied or not.
- (i) *Pedestrian.* Any person afoot.
- (j) *Police officer.* Every officer of the State of Tennessee, or any political subdivision thereof, authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.
- (k) *Private road or driveway.* Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the center, but not by other persons.

- (l) *Right-of-way*. The privilege of the immediate use of the roadway.
- (m) *Roadway*. That portion of a street, improved, designed or ordinarily used for vehicular travel.
- (n) *Stop*. When required, means complete cessation of movement.
- (o) *Stopping*. When prohibited, means any stopping of a vehicle except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control sign or signal.
- (p) *Street or highway*. The entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular traffic.
- (q) *Through or arterial street*. Any specially designated street at which all traffic, except authorized emergency vehicles, as provided for in Section IV of this ordinance, is required to stop before entering or crossing.
- (r) *Traffic*. Pedestrians, parades, ridden or herded animals, vehicles or other conveyances, either singly or together, while using any street for purposes of travel.
- (s) *Vehicle*. Every device in, upon or by which any person or property is or may be transported or drawn upon a street, except devices moved by human power or used exclusively on rails or tracks.

41.003 Application to government vehicles.

Sec. III. That the provisions of this Ordinance shall apply to the driver of any vehicle owned by or used in the service of the United States Government, the State of Tennessee, or any county or city of the State of Ten-

nessee, or any other state, and it shall be unlawful for any such driver to violate any of the provisions of this Ordinance, except as otherwise permitted in this Ordinance or by statute of the State of Tennessee.

41.004 Application to authorized emergency vehicles.

Sec. IV. That the provisions of this Ordinance regulating the operation, parking and standing of vehicles shall apply to authorized emergency vehicles as defined in Section II hereof, except that a driver when operating any such vehicle in an emergency, except when otherwise directed by a police officer, may:

- (1) Park or stand notwithstanding the provisions of this Ordinance;
- (2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
- (3) Exceed the speed limits so long as he does not endanger life or property;
- (4) Disregard regulations governing direction of movement in specified directions so long as he does not endanger life or property.

Provided, however, that the foregoing exemptions shall not protect the driver of any such vehicle from the consequence of his reckless disregard of the safety of others.

41.005 Application to animals, pushcarts and animal-drawn vehicles.

Sec. V. Every person propelling any pushcart or riding an animal upon a roadway and every person driving any animal-drawn vehicle shall be subject to the provisions of this Ordinance applicable to the driver of any vehicle except those provisions of this Ordinance which by their very nature can have no application.

41.006 Obedience to traffic control signals; ordinance effective without posted signals.

Sec. VI. The driver of any vehicle shall obey the instructions of any official traffic control device or signal, unless otherwise directed by a police officer.

Whenever a particular provision or section of this Ordinance does not state that signs, devices or signals are required, such provision or section shall be effective without signs or signals being erected to give notice thereof.

41.007 Unofficial signs, signals or devices prohibited; deemed public nuisance.

Sec. VII. It shall be unlawful for any person to place or maintain, or to display upon or in view of any street, any unofficial sign, signal or device which purports to be or is an imitation of or resembles an official traffic control device or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic control device or signal.

Every such prohibited signs, signal or device is hereby declared to be a public nuisance and may be removed without notice.

41.008 Destruction, alteration or removal of devices or signals prohibited.

Sec. VIII. No person, without lawful authority, shall attempt to or in fact alter, deface, injure, knock down or remove any official traffic control device or signal, or any part thereof.

41.009 Continuance of devices or markings.

Sec. IX. All official traffic control signals, signs, devices and markings which have heretofore been placed and are now in place on the streets and roadways in the City of Oak Hill, unless in conflict with the provisions

of this Ordinance, are hereby continued in full force and effect until removed, changed or otherwise replaced.

41.010 Parking on roads, streets or highways.

Sec. X. No person shall park or leave standing any vehicle, whether attended or unattended, upon the paved or improved or main traveled portion of any road, street or highway when it is practicable to park or leave such vehicle standing off of the paved or improved or main traveled portion of such road, street, or highway; provided, in no event shall any person park or leave standing any vehicle, whether attended or unattended, upon any road, street, or highway unless a clear and unobstructed width of not less than fifteen feet upon the main traveled portion of said road, street or highway opposite such standing vehicle shall be left for free passage of other vehicles thereon, nor unless a clear view of such vehicle shall be obtained from a distance of two hundred (200) feet in each direction upon such road, street or highway.

41.011 Blocking public or private driveways.

Sec. XI. No person shall stand or park any vehicle in such a manner as to block ingress or egress from any public or private driveway.

41.012 Stopping at marked intersections.

Sec. XII.

- (a) When official stop signs are erected upon streets, highways and roadways intersecting a through street or stop street at the entrances thereto or at the entrances to any intersection, every driver of a vehicle shall stop at every such sign or at a clearly marked stop line before entering the intersection, except when directed to proceed by a police officer or traffic control signal.

- (b) Those streets, parts of streets, and intersections described in Schedule 1 of this Ordinance are hereby declared to be through streets and stop streets for the purpose of this section.

41.013 Stopping or yielding from driveways or buildings.

Sec. XIII. The driver of a vehicle emerging from a public or private driveway or building shall stop such vehicle immediately prior to driving into any street or roadway, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

41.014 Driving upon officially closed streets.

Sec. XIV. No driver of any vehicle, except an authorized emergency vehicle while engaged in emergency duty, shall drive such vehicle upon any street or highway which is officially closed to traffic and which is plainly indicated as such by officially erected signs, barricades or other traffic control devices.

41.015 Reckless driving; penalty.

Sec. XV. Any person who drives any vehicle in such a manner as to indicate either a willful or wanton disregard for the safety of persons or property or who, while driving or operating any vehicle, violates any of the provisions in the second Section of Chapter 245 of the Public Acts of Tennessee of 1937 shall be guilty of reckless driving; provided, that where the statutes of the State of Tennessee conflict with this Ordinance, the former shall prevail.

Every person convicted of reckless driving shall be punished by a fine of not less than \$10.00 nor more than \$50.00.

41.016 Speed on city streets; duty of driver regarding speed.

Sec. XVI. No person shall drive or operate a vehicle on a highway or roadway at a speed greater than is reasonable and prudent under the conditions then existing.

Where no special hazard exists, the speed limit shall be thirty-five (35) miles per hour on all streets and roadways within the City of Oak Hill, Tennessee, with the exception of Franklin Road, and upon Franklin Road the speed limit shall be fifty (50) miles per hour.

The fact that the speed of a vehicle is lower than the foregoing limit shall not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hillcrest, when traveling upon any narrow or winding roadway, or when a special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions, and speed shall be decreased as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the highway in compliance with the legal requirements and the duty of all persons to use due care.

(Amended: Ord. No. 59-1, 2-19-59)

41.017 Speed in school zones; response to school crossing guards and pedestrians.

Sec. XVII. No driver of a vehicle shall, upon approaching any school zone or passing any school while children are going to or leaving school during its opening and closing hours, or during recess, drive through said school zone or pass said school at a speed in excess of fifteen (15) miles per hour. Those areas described and set forth in Schedule 2 of this Ordinance are hereby declared to be and established as school zones to which this section applies.

When a school patrol is on duty at any crosswalk approach to the school for the purpose of protecting school pedestrians, and shall give a clearly recognizable signal to approaching traffic, all such approaching traffic shall come to a full stop before entering the crosswalk and shall proceed only when all school pedestrians in the street have safely reached their destination beyond the roadway.

41.018 Stopping at through streets and stop streets.

Sec. XVIII. The driver of the vehicle shall stop as required by this Ordinance at the entrance of a through street and shall yield the right-of-way to other vehicles which have entered the intersection from said through street or which are approaching so closely on said through street as to constitute an immediate hazard.

The driver of the vehicle shall likewise stop in obedience to a stop sign as required herein at an intersection where a stop sign is erected at one or more entrances thereto, although not a part of a through street, and shall proceed cautiously, yielding to vehicles not so obliged to stop which are within the intersection or approaching so closely as to constitute an immediate hazard, but may then proceed.

41.019 Penalty for violation.

Sec. XIX. It shall be a misdemeanor for any person to do any act forbidden or fail to perform any act required in this Ordinance, or to violate any provisions of this Ordinance.

Except as otherwise provided herein, any person convicted of a violation of any provision of this Ordinance shall be punished by a fine of not less than \$2.00 nor more than \$50.00.

41.020 Traffic schedules.**Sec. XX.****Schedule 1. Through Streets and Stop Streets****(a) Through Streets**

<i>Item</i>	<i>Street</i>	<i>From</i>	<i>To</i>
1	Franklin Road	City Limits	City Limits
2	Lealand Lane	Tyne Boulevard	City Limits
3	Granny White Pike	City Limits	North side of Tyne Boulevard
		South side of Tyne Bou- levard	City Limits
4	Tyne Boulevard	Franklin Road	Granny White Pike
5	Robertson Academy Road	Franklin Road	Lealand Lane
6	Battery Lane	Franklin Road	Western City Limits
7	Caldwell Lane	Franklin Road	Western City Limits
8	Curtiswood Lane	Franklin Road	Glen Leven Drive
9	Glen Leven Drive	Franklin Road	Curtiswood Lane

(b) Stop Streets

	<i>On</i>	<i>Street</i>
10	Evans Road	Crestridge Drive
11	Russellwood Drive	Evans Road
12	Russellwood Drive	Greerland Drive
13	Greerland Drive	Outer Drive
14	Greerland Drive	General Bates Drive
15	Greerland Drive	Crestridge Drive
16	Outer Drive	General Bates Drive
17	Evans Road	General Bates Drive
18	Outer Drive	Evans Road
19	Cadillac Avenue	Glendale Lane
20	Cadillac Avenue	Soper Avenue
21	Caldwell Lane	Rainbow Place
22	Caldwell Lane	Robin Road
23	Brookhaven Drive	Crestridge Drive
24	Brookhaven Drive	Overbrook Drive
25	Overbrook Court	Overbrook Drive
26	Crestwood Drive	Glendale Lane
27	Melville Drive	Glendale Lane
28	Overbrook Drive	Thompson Avenue
29	Thompson Avenue	Crestridge Drive
30	Cadillac Avenue	Pasadena Drive
31	Dustin Lane	Oak Valley Lane

	<i>On</i>	<i>Street</i>
32	Dustin Lane	Van Leer Drive
33	Gateway Lane	Sewanee Road
34	Stonewall Drive	Sewanee Road
35	Brookwood Drive	Sewanee Road
36	Sewanee Road	Overton Lea Road
37	Grassland Lane	Gateway Lane
38	Clendenin Road	Gateway Lane
39	Clendenin Road	Stonewall Drive
40	Ridgeview Drive	Overton Lea Road
41	Lakeview Drive	Overton Lea Road
42	Balmorall Drive	Lakeview Drive
43	Clonmel Road	Overton Lea Road
44	Ridgeview Drive	Lakeview Drive
45	Nanearle Place	Forest Acres Drive
46	Redwood Drive	Forest Acres Drive
47	Kenilwood Drive	Morriswood Drive
48	Brookwood Drive	Gateway Lane
49	Prescott Road	Morriswood Drive
50	Omandale Drive	Elysian Fields Road
51	Prescott Road	Omandale Drive
52	Courtland Drive	Omandale Drive
53	Kenilwood Drive	Omandale Drive
54	Prescott Road	Southmeade Parkway
55	Courtland Drive	Southmeade Parkway
56	Granny White Pike and Tyne Boulevard	All four sides of inter- section

Schedule 2. School Zone Areas

(a) Glendale School

<i>Item</i>	<i>On</i>	<i>From</i>	<i>To</i>
1	Melville Drive	Glendale Lane	City Limits
2	Thompson Avenue	Melville Drive	So. side Overbrook Dr.
3	Overbrook Drive	Thompson Avenue	300 ft. east of Thomp- son

(b) Robertson Academy

4	Robertson Academy Road	Franklin Road	West side of Church- wood
5	Franklin Road	300 ft. south of Rob- ertson Academy Road	Academy Road
6	Franklin Road	Point north of Rob- ertson Academy Road	Point south of Rob- ertson Academy Road

(Amended: Ord. No. 59-1, 2-19-59)

41.021 Severability.

Sec. XXI. It is hereby declared to be the intention of the Board of Commissioners of the City of Oak Hill, Tennessee, that the sections, paragraphs, sentences and words of this Ordinance are severable, and if any word or words, clause or clauses, sentence or sentences, paragraph or paragraphs, section or sections of this Ordinance shall be declared unconstitutional, invalid, or in excess of the powers vested in the Board of Commissioners, by the valid judgement or decree of any Court of competent jurisdiction, such unconstitutionality, invalidity, or exercise of excess powers shall not affect any of the remaining words, clauses, sentences, paragraphs, or sections of this Ordinance, as the same would have been enacted by the Board of Commissioners of the City of Oak Hill without the incorporation within this Ordinance of any such unconstitutional or invalid word or words, clause or clauses, sentence or sentences, paragraph or paragraphs, section or sections, or exercise of such excess powers.