

ORDINANCE NO. 4849-23

AN ORDINANCE TO REVISE AND UPDATE SECTIONS TO THE CODE OF THE CITY OF JOHNSON CITY REGARDING VEHICLES BY AMENDING TITLE 15, CHAPTERS 1, 7, 11, 12, 14, 15 and 16 OF THE CODE OF THE CITY OF JOHNSON CITY, OR ANY OTHER ORDINANCES OR PARTS OF ORDINANCES HERETOFORE PASSED AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, for the purpose of promoting the public health, safety, comfort, convenience and general welfare of the people of Johnson City, Tennessee, the Board of Commissioners is authorized to regulate the operation and storage of vehicles within the corporate limits of the City of Johnson City except in accordance with the provisions of the Tennessee Code Annotated, Title 55, Chapters 8 and 10, and rules and regulations promulgated thereunder.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF JOHNSON CITY as follows:

SECTION I. That Title 15, Chapter 1, Section 124 of the City of Johnson City Code is hereby amended as follows:

The original Section 15-124 read as follows:

15-124. Automobile races.¹ It shall be unlawful for any person to promote, sponsor or participate in any motorcycle, "hot rod" or automobile race of any kind or character within the city. This section shall not apply to what is known as "stock car" races conducted between the hours of 10:00 A.M. and 10:30 P.M., Sundays excluded, and which are conducted on a track which affords proper protection for spectators.

The new Section 15-124, as amended, is substituted as follows:

15-124. Automobile races.¹ It shall be unlawful for any person to operate a motor vehicle upon any public roadway of the city, or while on the premises of any shopping center, trailer park, any apartment house complex, or any other premises generally frequented by the public at large, or who is a participant therein, for the purpose of drag racing unless the premises are properly licensed for this purpose.

SECTION II. That Title 15, Chapter 7, Section 708(4) of the City of Johnson City Code is hereby amended as follows:

The original Section 15-708(4) read as follows:

(4) Every such prohibited sign, signal or marking is hereby declared to be a public nuisance and the city traffic engineer is hereby empowered to remove the same or cause it to be removed without notice.

The new Section 15-708(4), as amended, is substituted as follows:

(4) Every prohibited sign, signal or marking is declared to be a public nuisance and city may remove any remove sign, signal or marking, or cause it to be removed, without notice.

SECTION III. That Title 15, Chapter 7, Section 710(2) of the City of Johnson City Code is hereby amended to read as follows:

The original Section 15-710(2) read as follows:

(2) Where such traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicles within the boundaries of any such lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

The new Section 15-710(2), as amended, is substituted as follows:

(2) Where the city traffic engineer has marked traffic lanes, a vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from that lane until the driver has first ascertained that the movement can be made with safety.

SECTION IV. That Title 15, Chapter 11, Section 1111 of the City of Johnson City Code is hereby amended as follows:

The original Section 15-1111 read as follows:

15-1111. One-way roadways. In the event a highway includes two (2) or more separate roadways and traffic is restricted to one (1) direction upon any such roadway, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless signs are erected to permit such standing or parking. The city traffic engineer is authorized to determine when standing or parking may be permitted upon the left-hand side of any such one-way roadway and to erect signs giving notice thereof.

The new Section 15-1111(1)-(3), as amended, is substituted as follows:

15-1111. One-way roadways. (1) In the event the city traffic engineer designates and signposts a traffic lane for one-way traffic, a vehicle shall be driven only in the direction designated.

(2) If a roadway is so designated, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless signs are erected to permit such standing or parking.

(3) The city traffic engineer is authorized to determine when standing or parking may be permitted upon the left-hand side of any such one-way roadway and to erect signs giving notice thereof.

SECTION V. That Title 15, Chapter 11, Section 1122 of the City of Johnson City Code is hereby amended as follows:

The original Section 15-1122 read as follows:

15-1122. Impoundment of vehicles. Any vehicle of any kind which shall be parked in any zone designated as a no-parking zone, and marked as required by this chapter, shall be towed to the city garage and there held until the owner thereof shall present satisfactory evidence that he has paid the required fine and the cost of towing such vehicle from the no-parking zone to the city garage.

The new Section 15-1122(1) and (2), as amended, is substituted as follows:

15-1122. Impoundment of vehicles. (1) A police officer shall cause the driver or other person in charge of a vehicle of any kind parked in a marked traffic lane on a roadway within the city to move the vehicle to a position off the paved or main-traveled part of the roadway.

(2) If a police officer finds a vehicle unattended upon any bridge or causeway or in any tunnel, or on any roadway within the city, where the vehicle constitutes an obstruction to traffic, the officer is authorized to provide for the removal of that vehicle to the city garage, at the expense of the owner.

SECTION VI. That Title 15, Chapter 14, Section 1401(4) of the City of Johnson City Code is hereby amended as follows:

The original Section 15-1401(4) read as follows:

(4) "Vehicle." A machine propelled by power other than human power designed to travel along the ground by use of wheels, treads or slides and transports persons or property or pulls machinery and shall include, without limitation, automobiles, trucks, trailers, motorcycles, tractors, buggies and wagons.

The new Section 15-1401(4), as amended, is substituted as follows:

(4) "Vehicle." A machine propelled by power other than human power designed to travel along the ground by use of wheels, treads or slides and transports persons or property or pulls machinery and shall include, without limitation, automobiles, trucks, trailers, water crafts, motorcycles, tractors, buggies and wagons.

SECTION VII. That Title 15, Chapter 14, Section 1402 of the City of Johnson City Code is hereby amended as follows:

The original Section 15-1402 read as follows:

15-1402. Nuisance. The accumulation and storage of abandoned, wrecked,

junked, partially dismantled or inoperable motor vehicles on public and private property is hereby found to create an unsightly condition upon such property tending to reduce the value thereof, to invite plundering, to create fire hazards and to constitute an attractive nuisance creating a hazard to the health and safety of minors. Such accumulation and storage of vehicles is further found to promote urban blight and deterioration in the community; to violate the zoning regulations of the city in many instances, particularly where such vehicles are maintained in the required yard areas of residential property; and that such wrecked, junked, abandoned or partially dismantled or inoperable motor vehicles are in the nature of rubbish, litter and unsightly debris in violation of health and sanitation laws. Therefore, the accumulation and storage of such vehicles on public and private property, except as expressly permitted in this chapter, is hereby declared to constitute a public nuisance which may be abated as such, which remedy shall be in addition to any other remedy provided in this code.

The new Section 15-1402, as amended, is substituted as follows:

15-1402. Nuisance. The accumulation and storage of abandoned, wrecked, junked, partially dismantled or inoperable vehicles on public and private property is hereby found to create an unsightly condition upon such property tending to reduce the value thereof, to invite plundering, to create fire hazards and to constitute an attractive nuisance creating a hazard to the health and safety of minors. Such accumulation and storage of vehicles is further found to promote urban blight and deterioration in the community; to violate the zoning regulations of the city in many instances, particularly where such vehicles are maintained in the required yard areas of residential property; and that such wrecked, junked, abandoned or partially dismantled or inoperable vehicles are in the nature of rubbish, litter and unsightly debris in violation of health and sanitation laws. Therefore, the accumulation and storage of such vehicles on public and private property, except as expressly permitted in this chapter, is hereby declared to constitute a public nuisance which may be abated as such, which remedy shall be in addition to any other remedy provided in this code.

SECTION VIII. That Title 15, Chapter 15, Section 1514 of the City of Johnson City Code is hereby amended as follows:

The original Section 15-1514 read as follows:

15-1514. Lights and reflectors. No person shall operate a bicycle at nighttime unless the bicycle or operator is equipped with a white light visible from a distance of at least five hundred (500) feet to the front of the bicycle and red or amber light, flashing light, or reflector, visible from a distance of at least five hundred (500) feet to the rear of the bicycle.

The new Section 1514, as amended, is substituted as follows:

15-1514. Lights and reflectors. Bicycles operated at nighttime shall be equipped with a white-light emitting lamp on the front that is visible from a distance of at least five hundred (500) feet and a red reflector or a red-light emitting lamp on the rear that is visible

from a distance of at least five hundred (500) feet.

SECTION IX. That Title 15, Chapter 16, Section 1603(1)-4) of the City of Johnson City Code is hereby amended as follows:

The original Section 15-1603(1)-(4) read as follows:

15-1603. Right-of-way in crosswalks. (1) When traffic-control signals are not in place or not in operation the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(2) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(3) Subsection (1) shall not apply under the conditions stated in paragraph (2) of § 15-1606.

(4) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

The new Section 15-1603(1)-(5), as amended, is substituted as follows:

15-1603. Right-of-way in crosswalks.

(1) Unless in a marked school zone when a warning flasher or flashers are in operation, when traffic-control signals are not in place or not in operation the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(2) When in a marked school zone when a warning flasher or flashers are in operation, the driver of a vehicle shall stop to yield the right-of-way to a pedestrian crossing the roadway within a marked crosswalk or at an intersection with no marked crosswalk. The driver shall remain stopped until the pedestrian has crossed the roadway on which the vehicle is stopped.

(3) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(4) Subsection (1) shall not apply under the conditions stated in paragraph (2) of § 15-1606.

(5) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

SECTION X. BE IT FURTHER ORDAINED that all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.


SECTION XI. BE IT FURTHER ORDAINED that this ordinance shall take effect from and after its passage on third and final reading and publication as required by law, the public welfare requiring it.

PASSED IN OPEN, PUBLIC MEETING
ON THE FIRST READING June 29, 2023

PASSED IN OPEN, PUBLIC MEETING
ON THE SECOND READING July 20, 2023

PASSED IN OPEN, PUBLIC MEETING
ON THE THIRD READING August 3, 2023

APPROVED AND SIGNED IN OPEN
MEETING ON THE 4TH DAY OF
August, 2023.

FOLLOWING PASSAGE ON THIRD
READING.

MAYOR

ATTEST:


CITY RECORDER

APPROVED AS TO FORM:


CITY ATTORNEY