

**ORDINANCE NO. 02309-51**

**ORDINANCE AMENDING GALLATIN MUNICIPAL CODE CHAPTER 16, ARTICLE II AND ARTICLE VI RELATED TO PARKING**

**WHEREAS**, it is deemed in the public interest to amend the Gallatin Municipal Code from time to time; and

**WHEREAS**, The Mayor and City Council have recommended that the City of Gallatin Municipal Code be amended regarding parking.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE**, that the Gallatin Municipal Code, Chapter 16, Article II, Section 16-33 is hereby deleted in its entirety and replaced with the following:

**Sec. 16-33. Impoundment of vehicles with outstanding traffic ticket violations.**

(a) Any unattended motor vehicle found parked at any time upon any public thoroughfare, public or private parking lot, street, alleyway or other public property in the city against which there are two (2) moving violations or three (3) parking violations, or two (2) parking violations and one (1) moving violation five (5) days overdue; or against which there has been issued an outstanding warrant for a traffic violation may, by or under the direction of an officer or member of the police department, either by towing or otherwise, be removed or conveyed to and impounded in any place designated by the chief of police, or immobilized in such manner as to prevent its operation, except that no such vehicle shall be immobilized by any means other than by the use of a device or other mechanism which will cause no damage to such vehicle unless it is moved while such device or mechanism is in place.

(b) It shall be the duty of the officer or member of the police department removing or immobilizing such motor vehicle, or under whose directions such vehicle is removed or immobilized, to inform as soon as practicable the owner of an impounded or immobilized vehicle of the nature and circumstances of the prior unsettled traffic violation citations, summonses, or warrants for which, or on account of which, such vehicle was impounded or immobilized. In any case involving immobilization of a vehicle pursuant to this section, such member or officer shall cause to be placed on such vehicle, in a conspicuous manner, notice sufficient to warn any individual to the effect that such vehicle has been immobilized and that any attempt to move such vehicle might result in damage to such vehicle.

(c) The owner of such impounded or immobilized motor vehicle, or other duly authorized person, shall be permitted to repossess or to secure the release of the vehicle upon the depositing of the collateral required for his or her appearance in the city court which shall be a cash deposit equal to all fines, costs and fees of impoundment, to answer for each violation for which there is an outstanding or otherwise unsettled traffic violation citation, summons, or warrant and payment of tow-in and storage fees imposed by the impounder. If a warrant has not been issued, payment of tow-in and storage fees and payment of the forfeiture amount required by the city ordinance shall secure the release. Payments are to be made at the office of the city recorder between 8:00 a.m. and 4:00 p.m. Monday through Friday; or at the police station at all other times.

**BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE,** that the Gallatin Municipal Code, Chapter 16, Sec. 16-35 is deleted in its entirety.

**BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE,** that the Gallatin Municipal Code, Chapter 16, Article VI, Parking, is deleted in its entirety and replaced with the following:

**Article 16.     Parking.**

**Sec. 16-161.   Application of article provisions.**

The provisions of this article 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.

**Sec. 16-162. - Obstructing traffic prohibited.**

(1)     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.

(2)     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.

**Sec. 16-163. - Stopping, standing or parking—Prohibited locations.**

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

- (a)     On a sidewalk;
- (b)     Upon any median, buffer strip, planting strip or landscape strip located between a sidewalk and roadway;
- (c)     Within an intersection or within 20 feet thereof, except this shall have no application to:
  - (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, underpass or within a street tunnel;
- (h)     On a path or crosswalk within any park;

(i) Within thirty (30) feet upon the approach to any flashing beacon, stop sign or traffic-control signal at the side of a roadway;

(j) 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 said entrance when properly posted;

(k) In a parking space clearly identified by an official sign as being reserved for the physically disabled unless the person operating the vehicle is physically disabled or parking such vehicle is for the benefit of a physically disabled person. A vehicle parking in such a space shall display a disabled license plate or placard;

(l) Alongside any curb painted yellow or red by the city;

(m) In any space designated as a fire lane or for use of emergency vehicles only;

(n) On any public property not clearly marked for parking. Any vehicle so parked shall be subject to immediate impoundment.

(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 any fire code adopted by the city;

(i) Within 15 feet of a mailbox.

#### **Sec. 16-164. 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.

#### **Sec. 16-165. Public parking lots.**

##### **(a) Prohibitions**

(1) On any public parking lot which is owned, leased or maintained by the City of Gallatin, 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 any city lot for more than twenty-four (24) hours or the vehicle may be impounded

pursuant to this chapter. Failure to follow posted rules in a public parking lot owned, leased or maintained by the City of Gallatin shall also be unlawful.

(2) To the fullest extent possible, all other regulations and prohibitions found in Chapter 16 shall apply in any public parking lot owned, leased or maintained by the City of Gallatin.

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

#### **Sec. 16-166. Time restrictions on parking in certain areas.**

(a) Parking at defined spaces within the following specified area shall be restricted to two (2) hours only and any violation of this period by parking more than two (2) hours at any space in the specified area shall result in the imposition of the fines, costs and impoundment of vehicles as hereinafter described.

(b) Drivers, owners and operators of vehicles shall not park more than two (2) hours in any space within the following area: From the square west on West Main to Foster Street; from the square east on East Main Street to Boyers Street; from the square south on South Water Street to Smith Street; from the square north on North Water Street to Prince Street, and all street parking in and around the square itself.

(c) The restrictions on parking in these areas shall be from 8:00 a.m. until 5:00 p.m., Monday through Saturday, Central Standard Time (or Central Daylight Time when applicable).

#### **Sec. 16-167. 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.

#### **Sec. 16-168. Parking for sale or repair purposes.**

No person shall stand or park a vehicle upon any public roadway, public parking lot/garage or leased parking lot/garage 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.

#### **Sec. 16-169. 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.

(3) Notwithstanding anything in this code to the contrary, no vehicle shall be parked on any public street or alley for more than twenty-four (24) consecutive hours.

**Sec. 16-170. 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 one-way streets when such stopping and parking has been authorized by the city and when properly signed and marked.

**Sec. 16-171. 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.

**Sec. 16-172. Parking in violation of signage.**

At any place within the city 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 momentarily for the purpose of loading or unloading passengers when such parking does not obstruct, impede or endanger any traffic. It is prohibited for any person to remove, tamper with or in any way alter any signage placed by the city.

**Sec. 16-173. 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.

**Sec. 16-174. Presumption with respect to illegal parking.**

When any unoccupied vehicle is found parked in violation of any provision of this article, there shall be a prima facie presumption that the registered owner of the vehicle is responsible for such illegal parking.

**Sec. 16-175. Penalty for violation of article.**

The penalty for violating any provision of this article shall be a fine of not more than fifty dollars (\$50.00), in addition to any court costs imposed, and possible impoundment of the vehicle as set out in this chapter. Any violation of this article shall also be deemed a misdemeanor.

**BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE,** that this Ordinance shall take effect upon passage, the public welfare requiring such.

PASSED FIRST READING: September 19, 2023.

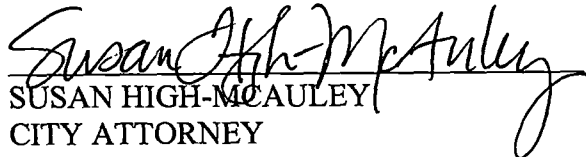
PASSED SECOND READING: October 3, 2023.

  
MAYOR PAIGE BROWN

ATTEST:

  
CONNIE KITTRELL  
CITY RECORDER

APPROVED AS TO FORM:

  
SUSAN HIGH-McAULEY  
CITY ATTORNEY