

ORDINANCE NO. 6373

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF KINGSPORT, BY AMENDING SECTIONS 98-215 THROUGH 98-234 PERTAINING TO THE STOPPING, STANDING OR PARKING OF A VEHICLE; ADDING A NEW SECTION 98-235 PERTAINING TO EXTENDED CONTRACTOR/CONSTRUCTION PARKING PASSES; ADDING A NEW SECTION 98-236 PERTAINING TO BUSINESS OVERNIGHT PARKING PASSES; ADDING A NEW SECTION 98-237 PERTAINING TO RESIDENT OVERNIGHT PARKING PASSES; AMENDING SECTION 98-264 PERTAINING TO STANDING OR PARKING IN LOADING ZONES; FIXING A PENALTY FOR THE VIOLATION OF SOME OF THESE SECTIONS OF THE CODE OF ORDINANCES; AND FIXING THE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, AS FOLLOWS:

SECTION I. That Sections 98-215 through 98- 234 of the Code of Ordinances, City of Kingsport, Tennessee are hereby amended to read as follows:

Sec. 98-215. Applicability.

(a) The sections of this article prohibiting the stopping, standing or parking of a vehicle shall apply at all times or at those times specified in this article or as indicated on official signs 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 official traffic control device.

(b) The sections of this article imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

Sec. 98-216. General restrictions and prohibitions.

(a) No person shall:

(1) Stop, stand or park a vehicle:

- a. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- b. On a sidewalk.
- c. Within an intersection.
- d. On a crosswalk.
- e. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings.
- f. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.
- g. Upon any bridge or other elevated structure, upon a highway or within a highway tunnel unless signs or meters have been installed by the department of planning and engineering to indicate that parking is permitted.
- h. On any railroad tracks.
- i. On any controlled-access highway.
- j. In the area between roadways of a divided highway, including crossovers.
- k. On any part of the highway, as defined in section 98-1, where official signs prohibit stopping or parking.

- I. At any curb of a street that is painted yellow, sometimes referred to in this code as yellow curb markings.

(2) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

- a. In front of or within five feet of a public or private driveway.
- b. Within 15 feet of a fire hydrant.
- c. Within 20 feet of a crosswalk at an intersection.
- d. Within 30 feet upon the approach to any flashing signal, stop sign, yield sign or traffic control signal located at the side of a roadway.
- e. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of the entrance, when properly signposted.
- f. Upon any paved shoulder which has been separated from a paved roadway by a solid white line marked on the pavement.
- g. At any place where official signs prohibit standing or parking.

(3) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:

- a. Within 50 feet of the nearest rail of a railroad crossing.
- b. At any place where official signs prohibit standing or parking.

(b) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such a distance as is unlawful.

(c) The restrictions imposed by division 2 of this article shall not apply to the driver of any vehicle which is disabled in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving the vehicle in such position.

(d) Except as provided elsewhere in this article whenever parking is prohibited as authorized in this chapter, it shall be the duty of the department of planning and engineering to erect appropriate signs giving notice thereof, and no such regulations shall be effective unless a minimum of two such signs are erected in each block and in place at the time of any alleged offense.

(e) At any location where parking is prohibited as provided elsewhere in this article, the department of public works may use yellow curb markings in lieu of signs which will permit enforcement of such prohibitions, and based on engineering and traffic investigation may use such markings to effect reasonable extensions of the distances over which the specified prohibitions are effective.

Sec. 98-217. Passage and view around stopped, standing or parked vehicles.

Upon any street or highway no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the roadway, but in every event an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles, and a clear view of such stopped vehicle shall be available from a distance of 200 feet in each direction upon such highway.

Sec. 98-218. Parking not to obstruct traffic.

No person shall park any vehicle upon a street in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic.

Sec. 98-219. Parking trucks and trailers.

(a) No person shall park any truck or motor vehicle of more than 18,000 pounds gross weight or any trailer or semitrailer, whether or not attached to a tractor, on any street from 6:00 p.m. to 6:00 a.m. This subsection shall not apply to trucks, trailers or semitrailers so parked while actually engaged in loading or unloading or when the driver is in attendance with the truck.

(b) No person shall park a truck or motor vehicle used for the purpose of transporting any explosive or more than 50 gallons of gasoline, kerosene, benzol, naphtha or other volatile liquids on any street or alley from 6:00 p.m. to 6:00 a.m., regardless of whether such vehicle is loaded or empty.

Sec. 98-220. All-night parking on streets.

(a) It shall be unlawful for any person to park any vehicle overnight within any area where timed parking is established, except as provided in this section, or to park any vehicle on Broad Street and Main Street between the hours of 10:00 p.m. and 8:00 a.m. without an overnight parking pass.

(b) This section shall not apply to any physician while on emergency call or to any authorized emergency vehicle on emergency call or to any public utility vehicle when such vehicle is in use on official business.

Sec. 98-221. Parking for certain purposes prohibited.

No person shall park a vehicle upon any part of the entire width between boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel, for the principal purpose of:

- (1) Displaying such vehicle for sale;
- (2) Washing, greasing or repairing such vehicle, except repairs necessitated by an emergency;
- (3) Displaying advertising or commercial messages;
- (4) Selling farm produce and other agricultural products; or
- (5) Storing such vehicle for a continuous period of time longer than 24 hours without a valid city issued overnight parking pass.

Sec. 98-222. Parking adjacent to schools.

(a) The department of public works is authorized to erect signs indicating no parking or yellow curb markings upon either or both sides of any street adjacent to any school property when such parking would, in its opinion, interfere with traffic or create a hazardous situation.

(b) When official signs are indicating no parking upon either side of a street adjacent to any school property as authorized in this section, no person shall park a vehicle in any such designated place. Yellow curb markings may be used in lieu of signs.

Sec. 98-223. Parking on narrow streets.

(a) The department of public works is authorized to erect signs indicating no parking upon any street when the width of the roadway does not exceed 20 feet or upon one side of a street when the width of the roadway does not exceed 30 feet.

(b) When official signs prohibiting parking are erected, or yellow curb markings are used, upon narrow streets as authorized in this section, no person shall park a vehicle upon any such street in violation of any such sign.

Sec. 98-224. Standing or parking on one-way roadways.

If a highway includes two or more separate roadways and traffic is restricted to one 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 department of public works 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.

Sec. 98-225. Stopping, standing or parking near hazardous or congested places.

(a) The department of public works authorized to determine and designate by proper signs places not exceeding 150 feet in length in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.

(b) When official signs are erected at hazardous or congested places as authorized in this section, no person shall stop, stand or park a vehicle in any such designated place.

Sec. 98-226. Manner of parking.

(a) Except when angle parking is permitted and designated as authorized in this chapter, every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked with the right-hand wheels parallel to and within 12 inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder.

(b) Except when angle parking is permitted and designated as authorized in this chapter, every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within 12 inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder, or with its left-hand wheels within 12 inches of the left-hand curb or as close as practicable to the left edge of the left-hand shoulder.

Sec. 98-227. Parking at an angle to the curb or edge of the roadway.

(a) The department of public works shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets, but such angle parking shall not be indicated upon any federal aid or state highway within the city unless the state department of transportation has determined and confirmed in writing that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

(b) Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street.

(c) On those streets which have been signed or marked by the department of planning and traffic engineering for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

Sec. 98-228. Reserved parking for disabled person.

(a) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Disabled driver means a driver who is disabled by paraplegia; amputation of leg, foot or both hands; or is disabled by loss of use of a leg, foot or both hands; or other condition, certified to by a physician duly licensed to practice medicine, resulting in an equal degree of disability (specifying the particular condition) so as not to be able to get about without great difficulty, including impairments that, regardless of cause or manifestation, confine such person to a wheelchair or cause such person to walk with difficulty or insecurity. The term "disabled driver" includes but is not limited to those persons using braces or crutches, arthritics, spastics and those with pulmonary or cardiac ills who may be semi-ambulatory. For the purposes of this section, the term "disabled driver" also includes the owner of a motor vehicle, which owner has vision of not more than 20/200 with correcting glasses. The term "disabled driver" also includes the owner of a motor vehicle who is experiencing difficulty or insecurity in walking and who is seeking treatment or healing solely by prayer through spiritual means in the practice of religion in accordance with the creeds or tenets of the First Church of Christ, Scientist in Boston, Massachusetts. Such condition shall be certified by a Christian Science practitioner listed in The Christian Science Journal as resulting in a degree of disability so that such person is not able to get about without great difficulty.

Vehicle designated for transportation of disabled persons means any vehicle bearing the universal symbol of access (the blue and white wheelchair disabled sign) being used to chauffeur or otherwise transport disabled persons. The disabled persons, for the purposes of this section, are persons who are disabled to the same degree of physical disability or impairment as a disabled driver as defined in this subsection.

(b) The department of transportation is authorized to designate, by the installation of appropriate signs, parking spaces for the exclusive use of disabled persons in those areas where a significant

demand for parking by such disabled persons may exist upon city-owned property or upon public streets, alleys and travel ways within the city. Any business, firm or other person transacting business with the public from a permanent location may provide specially marked parking spaces upon private property for the exclusive use of persons qualifying for the rights and privileges extended to disabled persons by this section. Each such parking space so designated in accordance with this section, either on public or private property, shall be marked and maintained with the stylized wheelchair symbol designated by T.C.A. § 55-21-104. Such marking may be by a sign on a pole. However, nonconforming markings or signs shall be acceptable during the useful life of such markings or signs, which may not be extended by other than normal maintenance as long as such markings or signs provide reasonable notice of the specially marked parking space.

(c) It shall be unlawful for any person to park in any parking space designated with the wheelchair disabled sign, except a disabled driver who meets the requirements for the issuance of a distinguishing placard or license plates, disabled veteran's license plate or distress flag or card as provided in T.C.A. § 55-21-101 et seq., and who displays the distinguishing license plate, placard or card or for any person transporting a disabled person by vehicle designated for the transportation of disabled persons.

(d) It shall be unlawful for any person operating a vehicle bearing the universal access symbol (the blue and white wheelchair disabled sign) to park in any space designated for disabled drivers and for vehicles designated for the transportation of disabled persons except when actually engaged in the transportation of disabled persons as defined in this section.

(e) It is also a violation of this section for any person to park a motor vehicle so that a portion of such vehicle encroaches into a parking space designated for disabled persons in a manner which restricts, or reasonably could restrict, a person confined to a wheelchair from exiting or entering a motor vehicle properly parked within such parking space designated for disabled persons. It is further a violation of this section for any person to park a motor vehicle so that any portion of such vehicle encroaches in any area adjacent to a parking space designated for disabled persons where such area is marked by hatch, cross hatch or diagonal lines or as otherwise designated pursuant to the publications listed in T.C.A. § 55-21-104.

(f) Any person violating this section shall be guilty of an offense and upon conviction shall pay a fine of \$50.00 for each offense. Each occurrence shall constitute a separate offense.

Sec. 98-229. Parking signs required.

Except as provided elsewhere in this article, including but not limited to section 98-216 and section 98-228, when any parking time limit is established or parking is prohibited or special purpose parking spaces designated as provided in this chapter, it shall be the duty of the department of public works to erect appropriate signs giving notice thereof or use yellow curb markings, and no such regulations shall be effective unless the signs were erected in each block, or yellow curb markings were used, and in place at the time of any alleged offense.

Sec. 98-230. Lines, markings designating parking spaces.

The city manager or designee may have lines or markings painted or placed upon the curb or upon the street for the purpose of designating the parking spaces to be used, and each vehicle parking adjacent or next to any parking space shall park within the lines or markings so established. It shall be unlawful to park any vehicle across such line or marking or to park the vehicle in such position that the vehicle shall not be entirely within the area designated by such lines or markings.

Sec. 98-231. Overtime parking prohibited.

(a) It shall be unlawful for any person to cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked for a longer period of time than is established for any parking zone.

(b) Any person found to be in violation of this section shall be deemed guilty of an offense. A person having been found guilty of such offense shall pay a fine of \$24.00.

Sec. 98-232. Parking control marks on tires; evading parking time limitation prohibited.

(a) Any person who operates any vehicle upon the streets, thoroughfares and public travel ways within the corporate limits of the city and who utilizes a time restricted parking space gives their consent to the placement of nonpermanent parking control marks upon the tires of any vehicle parked in such time restricted parking spaces.

(b) It shall be unlawful for any person to cause, allow or permit the movement of any vehicle within the same parking space as to cover up or otherwise conceal the nonpermanent parking control marks placed upon vehicle tires by law enforcement officers to compute overtime parking or to in any manner erase, wash, remove, obscure, obliterate or otherwise wipe off the parking control marks placed upon the vehicle's tires while parked in the same parking space.

(c) It shall be unlawful for any person to cause, allow or permit the movement of a vehicle, with the purpose of evading parking time limitation, to another parking space located within 500 feet from the closest point of the parking space at which such vehicle shall have been first parked. The movement of a vehicle less than 30 minutes before or after the expiration of the parking time limitation from one parking space to such other parking space shall be presumed to have been moved with the purpose of evading the parking time limitation.

(d) Any person found in violation of this section shall be deemed guilty of an offense and upon conviction shall pay a fine of not less than \$25.00 or more than \$50.00 for each offense. Each occurrence shall constitute a separate offense.

Sec. 98-233. Restrictions on parking in city-owned parking facilities.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Abandoned vehicle means any vehicle not having current state license plates affixed thereto or in such a state of disrepair or damage as to render the vehicle unfit or unsafe, or inoperable under its own power for the use for which it was intended.

Automobile means a motor vehicle, excluding motorcycles and motor-driven cycles, designed for carrying 12 passengers or less, and designed for the purpose of transporting people.

Automobile parking facility means a designated parking facility or portion thereof marked by signs or symbols restricting parking to automobiles or light trucks.

Equipment means an article or set of articles or physical resources serving to equip a person or thing, including but not limited to implements used in an operation or activity such as farm or garden tractors and accessories, motors, air compressors, bucket trucks, boats, boat trailers, campers, motor homes, vehicle components or parts, etc.

Light truck means a vehicle, primarily designed for the hauling of cargo, but having in addition an enclosed passenger area for six or less people, and being less than 24 feet in length and having not more than two axles.

Material means things relating to the production and distribution of economic goods.

Parking facility means any area or structure, owned or controlled by the city, including its department of education, and dedicated to public parking, with or without a fee.

Semitrailer means a vehicle with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

Trailer means a transport vehicle designed to be pulled by another vehicle which does not depend upon the other vehicle for support.

Truck means any vehicle primarily designed for the hauling of cargo or as the moving device for permanently mounted equipment and exceeding 24 feet in overall length or having more than two axles.

(b) *Automobile and light truck restricted parking.*

- (1) The department of public works shall designate those parking facilities or portions thereof that shall be restricted to parking of automobiles and light trucks and shall cause signs or symbols to be installed advising of such restrictions.
- (2) It shall be unlawful for any person to cause or allow any vehicle other than automobiles or light trucks to be parked in or upon any automobile parking facility.

(c) *General parking restrictions.* It shall be unlawful:

- (1) For any person to cause or allow any:
 - a. Abandoned vehicle;
 - b. Vehicle exceeding 24 feet in length, or weighing in excess of three tons; or
 - c. Truck, semitrailer, trailer or any combination thereof to be parked in or upon any parking facility except with display of a valid city issued parking pass. Note that trailer and towing vehicle must display separate passes.
- (2) For any person to cause, allow or permit the accumulation and storage of equipment or material in or upon any parking facility.
- (3) For any person to park or cause to be parked any vehicle in or upon any parking facility for a period exceeding 24 hours without a valid city issued overnight parking pass;
- (4) To park or cause to be parked any vehicle in any parking facility in such manner that any portion of the vehicle extends over or beyond the pavement markings defining the limits of the parking space or in such manner as to impede the flow of traffic.

Sec. 98-234. Extended customer parking passes.

(a) In those areas where timed parking is established, the city manager or designee, may upon receipt of a written application, in a form established by the city manager, from any business operator located in such areas, holding, or exempt from holding, a valid city business license, and subject to the other requirements contained herein, issue up to five parking permits, known as extended customer parking passes to such business operator, who may make the permits available solely to said business operator's customers. Such permits displayed in a vehicle shall permit such vehicle to remain parked on such streets without regard to the time limit established by any sign posted by the city, but such permit will not allow overnight parking or violation of any other parking restrictions within this Code.

(b) A condition for issuance of such permits is that the business operator applying for extended customer parking passes shall provide in the written application, the name, address, telephone number, contact person of the business along with a list of the names of all employees of said business.

(c) As a further condition to issuance of such permits, the business operator shall sign an agreement, in a form established by the city manager, that the permits will be used only for customers of that business, and that if employees of the business or business operator, or persons owning or leasing property on these portions of such streets. Use of the permits for the personal vehicle of such business operator or any other person, other than as set out in this section shall constitute a violation of this section. In addition to any fine that may be imposed the permit holder agrees upon a violation of this section the permit shall be revoked.

(d) If in the sole discretion of the city manager the extended customer parking passes become difficult to enforce due to abuse, then the city manager shall have the authority to discontinue the program and shall notify the board of mayor and aldermen of such discontinuance no later than at the next regularly scheduled meeting.

(e) Any person violating this section shall be guilty of an offense and upon conviction shall pay a fine of \$50.00 for each offense. Each occurrence shall constitute a separate offense.

SECTION II. That the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended by adding a section, to be numbered 98-235, which said section, reads as follows:

Sec. 98-235. Extended contractor/construction parking passes.

(a) In those areas where timed parking is established, the city manager or designee, may upon receipt of a written application, in a form established by the city manager, for any business operator, property owner or resident located in such areas, holding, or exempt from holding, a valid city business license, valid lease, or paid tax receipt and subject to the other requirements contained herein, issue up to three parking permits, known as extended contractor/construction parking passes to such business operator or property owner, who may make the permits available solely to contractors, utility maintenance workers or other similar construction workers. Such passes, when valid, displayed in a commercial vehicle shall permit such vehicle to remain parked on such streets without regard to the time limit established by any sign posted by the city, but such permit will not allow overnight parking or violation of any other parking restrictions within this Code.

(b) A condition for issuance of such permits is that the business operator, property owner or resident applying for extended contractor/construction parking passes shall provide in the written application, the name, address, telephone number, contact person of the business, resident, or property owner along with the dates in which the construction or maintenance is to be taking place. Passes will be valid only on the dates anticipated for construction as listed on the application.

(c) As a further condition to issuance of such permits, the business operator, resident or property owner shall sign an agreement, in a form established by the city manager, that the permits will be used only for workers participating in construction or maintenance of that property. Use of the permits for the personal vehicle of such business operator, resident or property owner or any other person, other than as set out in this section shall constitute a violation of this section. In addition to any fine that may be imposed the permit holder agrees upon a violation of this section the permit shall be revoked.

(d) If in the sole discretion of the city manager the extended contractor/construction parking passes become difficult to enforce due to abuse, then the city manager shall have the authority to discontinue the program and shall notify the board of mayor and aldermen of such discontinuance no later than at the next regularly scheduled meeting.

(e) Any person violating this section shall be guilty of an offense and upon conviction shall pay a fine of \$50.00 for each offense. Each occurrence shall constitute a separate offense.

SECTION III. That the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended by adding a section, to be numbered 98-236, which said section, reads as follows:

Sec. 98-236. Business overnight parking passes.

(a) In those areas where timed parking is established, the city manager or designee, may upon receipt of a written application, in a form established by the city manager, from any business operator located in such areas, holding, or exempt from holding, a valid city business license, and subject to the other requirements contained herein, issue up to two business overnight parking permits, known as business overnight parking passes to such business operator. Such permits shall be displayed in a vehicle or trailer used by the business for commercial purposes, when valid, and shall permit such to remain parked overnight in the following public parking lots or facilities as space is available: 425 Shelby Street Lot, 420 Cherokee Street Lot, 175 Cherokee Street Lot, 201 E. Market Street Lot, 102 Shelby Street Lot, 215 Shelby Street Parking Garage, 101 Clinchfield Street Lot, 201 Clinchfield Street Lot, 218 Clay Street Lot; and along Broad Street from Sullivan to Main Street, and along Main Street from Clay Street to Sullivan Street. Such permit does not allow violation of any other parking restrictions within this code.

(b) Business overnight parking passes shall be valid for up to one calendar year and all such passes shall expire on December 31 of each year. Renewals may be made as early as one month prior to expiration and a grace period of one week may be allowed following expiration.

(c) Business overnight parking passes will be displayed in a manner as set forth by the city manager's office.

(d) Business overnight parking passes may be transferable from one vehicle to another based on the commercial use of the vehicle. Use of the permits for the personal vehicle of such business operator or any other person, other than as set out in this section shall constitute a violation of this section. In addition to any fine that may be imposed the permit holder agrees upon a violation of this section the permit shall be revoked.

(e) If in the sole discretion of the city manager the business overnight parking passes become difficult to enforce due to abuse, then the city manager shall have the authority to discontinue the program and shall notify the board of mayor and aldermen of such discontinuance no later than at the next regularly scheduled meeting.

(f) Any person violating this section shall be guilty of an offense and upon conviction shall pay a fine of \$50.00 for each offense. Each occurrence shall constitute a separate offense.

SECTION IV. That the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended by adding a section, to be numbered 98-237, which said section, reads as follows:

Sec. 98-237. Resident overnight parking passes.

(a) In those areas where timed parking is established, the city manager or designee, may upon receipt of a written application, in a form established by the city manager, from any resident located in such areas, holding, registration of a vehicle in the name of the resident living at an address within the timed parking area, and subject to the other requirements contained herein, issue a single overnight parking permit per registration, known as resident overnight parking passes. Such permits, when valid, shall be displayed in a vehicle or trailer used by the resident and shall permit such to remain parked overnight in the following public parking lots or facilities as space is available: 425 Shelby Street Lot, 420 Cherokee Street Lot, 175 Cherokee Street Lot, 201 E. Market Street Lot, 102 Shelby Street Lot, 215 Shelby Street Parking Garage, 101 Clinchfield Street Lot, 201 Clinchfield Street Lot, 218 Clay Street Lot; and along Broad Street from Sullivan to Main Street, and along Main Street from Clay Street to Sullivan Street. Such permit does not allow violation of any other parking restrictions within this code.

(b) Resident overnight parking passes shall be valid for up to one calendar year and all passes shall expire on December 31 of each year. Renewals may be made as early as one month prior to expiration and a grace period of one week may be allowed following expiration.

(c) Resident overnight parking passes will be displayed in a manner as set forth by the city manager's office and are non-transferable between owners or vehicles.

(d) Visitor passes for overnight parking will be available to residents who currently hold a resident overnight parking pass. Only two visitor passes will be issued per address or residential unit. Visitor parking passes will be held to the same standards of applicability as the resident overnight parking pass, with the exception that the intended use is temporary and may be transferred to different vehicles during the course of the year. A fee of twenty-five dollars (\$25) per pass will be assessed annually.

(e) Abuse of any parking passes for the vehicle of a resident shall constitute a violation of this section and all parking passes issued to such resident shall be immediately revoked.

(f) If in the sole discretion of the city manager the Resident overnight parking passes and Visitor parking passes become difficult to enforce due to abuse, then the city manager shall have the authority to discontinue the program and shall notify the board of mayor and aldermen of such discontinuance no later than at the next regularly scheduled meeting.

(g) Any person violating this section shall be guilty of an offense and upon conviction shall pay a fine of \$50.00 for each offense. Each occurrence shall constitute a separate offense.

SECTION V. That Section 98-264 of the Code of Ordinances, City of Kingsport, Tennessee is hereby amended to read as follows:

Sec. 98-264. Standing or parking in loading zone.

(a) No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pick up and loading of property in any place marked as a loading zone during hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading of property exceed 30 minutes nor shall any vehicle be left unattended in such a zone for more than ten minutes.

(b) The driver of a vehicle may stop temporarily at a loading zone for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any vehicle which is waiting to enter or about to enter such zone to load or unload property.

SECTION VI. That this ordinance shall take effect from and after the date of its passage, as the law directs, the public welfare of the citizens of Kingsport, Tennessee requiring it.

DENNIS R. PHILLIPS, Mayor

ATTEST:

ANGELA MARSHALL
Deputy City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: December 17, 2013

PASSED ON 2ND READING: January 7, 2014