

ORDINANCE No. 2018-07

TO BE ENTITLED: "AN ORDINANCE TO AMEND THE CITY OF FRANKLIN MUNICIPAL CODE, TITLE 15; CHAPTER 6, TITLE 15; CHAPTER 7; SECTION 14-703 AND APPENDIX A; CHAPTER 15 TO REVISE AND UPDATE PARKING REGULATIONS."

WHEREAS, the Board of Mayor and Aldermen acknowledges that managing and enforcing parking regulations are necessary for the public safety of its citizens; and

WHEREAS, in an effort to maintain current and clear regulations regarding parking, the City desires to revise and update regulations associated with parking and parking enforcement; and

WHEREAS, the Board of Mayor and Aldermen hereby finds and determines that the regulations and amendments set forth herein are in the best interest of the public health, safety and general welfare.

NOW THEREFORE:

SECTION I: BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that Title 15; Chapter 6 of the Franklin Municipal Code is hereby deleted in its entirety and replaced with the following:

CHAPTER 6. - PARKING

Sec. 15-601. – 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.

Sec. 15-602 – Obstructing traffic prohibited.

- (1) It is unlawful to leave any vehicle standing 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. 15-603. 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 25 thereof, except to 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.
- (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 eighteen inches (18") 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 § 7-201 of the Franklin Municipal Code.

Sec. 15-604. - Angle parking.

On those streets which have been signed or marked by the city 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.

Sec. 15-605. – Parking within bicycle lanes.

Motor vehicles shall not be parked, stopped or left standing in a bicycle lane except that parking shall be allowed in bicycle lanes in McKay's Mill Subdivision along the bicycle lanes on the following roads: on Liberty Pike from its intersection with Turning Wheel Lane to its intersection with Waverly Place, on Market Street from its intersection with Liberty Pike to its intersection with Clovercroft Road, and on Oxford Glen Drive from its intersection with Liberty Pike to its intersection with Clovercroft Road.

Sec. 15-606. – Time restrictions on parking in certain areas.

On-street parking and parking within a City-owned garage shall be limited as signed. The City Administrator shall have the authority to oversee the placement of signs denoting the proper time limitations as set forth by policy of the Board. It is prohibited for any person to remove, tamper with or in

any way alter a chalk mark place on a vehicle by a parking enforcement officer to enforce the time limits in the limited parking time zones.

Sec. 15-607. – 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.

Sec. 15-608. - 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. 15-609. – 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. 15-610. – 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 A. 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.

Sec. 15-611. – 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 street when such stopping and parking has been authorized by the City and when properly signed and marked.

Sec. 15-612. - Loading and unloading zones.

- (1) The Board of Mayor and Aldermen may establish passenger and freight loading zones and maintains 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 thirty minutes.

Sec. 15-613. - Overtime Non-Meter Zone

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 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. It is prohibited for any person to remove, tamper with or in any way alter a chalk mark placed on a vehicle by a parking enforcement officer to enforce the time limits in the limited parking time zones.

Sec. 15-614. - 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. 15-615. - Public parking lots/garages.

- (1) *Prohibitions.*
 - (a) On any public parking lot or garage which is owned, leased, or maintained by the City of Franklin 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 garage for more than 24 hours or the vehicle may be impounded pursuant to chapter 7 of this title. Failure to follow posted rules in a public parking lot/garage owned, leased, or maintained by the City of Franklin shall also be unlawful.
 - (b) All vehicles shall be parked head-in only.
- (2) *Exceptions.* City-owned vehicles shall not be subject to the timed parking requirements above.

Sec. 15-616. - 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.

Sec. 15-617. - 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, as defined in the Franklin Zoning

Ordinance, and is effectively screened from any adjoining roadway or adjoining property by a wall, enclosure, fence, greenery or shrubbery.

- (3) No school buses or trailers attached or attachable to any commercial vehicle shall be parked in any residential zone at any time.
- (4) 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 II: BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee that Title 15; Chapter 7, Section 15-703 of the Franklin Municipal Code is hereby amended to delete the following text noted with a ~~striketrough~~; to add the following text noted in **bold**, and is approved to read as follows:

Sec. 15-703. - Illegal parking.

Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by this Code, the officer finding such vehicle shall take its license number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a citation for the driver and/or owner to answer for the violation within ten days during the hours and at a place specified in the citation. ~~The officer, may, however, issue a courtesy warning and affix such to the vehicle, when he determines, through reasonable investigations, that (1) the driver of the vehicle is not a resident of Williamson County, and (2) neither the driver nor the owner of the vehicle has received a previous citation. Such a courtesy warning shall advise the offender of his violation, but shall not require any payment or appearance by him.~~

SECTION III: BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee that Appendix A, Chapter 15 of the Franklin Municipal Code is hereby amended to delete the following text noted with a ~~strike through~~; to add the following text noted in **bold**, and is approved to read as follows:

Violations for: Cruising Overweight vehicles Operating a vehicle without proper safety restraints Parking in a handicap space without placard Traffic citations Transporting hazardous materials or substances	Up to \$50.00 per violation/offense
Impoundment fee	\$25.00 plus \$6.00 per day each day
Parking citations	\$10.00 \$20.00 for the first offense, \$25.00 \$30.00 for the second offense and \$50.00 for the third and successive offenses within a calendar year 12-month period . Note: \$1.00 shall be added to each citation for the state litigation tax.

SECTION IV: BE IT FINALLY ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee that this Ordinance shall take effect from and after its passage on second and final reading, the health, safety, and welfare of the citizens requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

BY: _____

ERIC S. STUCKEY
City Administrator/Recorder

BY: _____

DR. KEN MOORE
Mayor

Approved as to Form:

Shauna R. Billingsley, City Attorney

PASSED FIRST READING:

PUBLIC HEARING:

PASSED SECOND READING: