ORDINANCE NO. 13

AN ORDINANCE TO ESTABLISH A TRAFFIC CODE FOR THE CITY OF DUPONTONIA; TO REGULATE REGISTRATION AND LICENSING OF MOTOR VEHICLES; TO PROVIDE FOR OPERATORS' AND CHAFFEURS' LICENSES; TO REGULATE THE OPERATION OF MOTOR VEHICLES WITHIN THE CORPORATE LIMITS OF THE CITY OF DUPONTONIA.

BE IT ORDAINED BY THE CITY OF DUPONTONIA AS FOLLOWS:

SECTION 1. SHORT TITLE - Sections 1 through 10 of this ordinance may be cited as the Dupontonia Traffic Code.

SECTION 2. CERTIFICATE OF TITLE - It shall be unlawful for any person or persons to operate any motor vehicle upon the streets, roads, highways, alleys, by-passes, or by-ways of the City of Dupontonia, without first having complied with the provisions of Chapter 3, Title 59, Tennessee Code Annotated, 1955, with reference to Certificates of Titles.

SECTION 3. REGISTRATION AND LICENSING - It shall be unlawful for any person or persons to operate any motor vehicle upon the streets, roads, highways, alleys, by-ways, or by-passes of the City of Dupontonia, without first having complied with the provisions of Chapter 4, Title 59, Tennessee Code Annotated, 1955, with reference to Registration and Licensing.

SECTION 4. OPERATORS' AND CHAFFEURS' LICENSES - It shall be unlawful for any person or persons to operate any motor vehicle upon the streets, roads, highways, alleys, by-ways, or by-passes of the City of Dupontonia, without first having complied with the provisions of Chapter 7, Title 59, Tennessee Code Annotated, 1955, with reference to Operators' and Chaffeurs' Licenses.

SECTION 5. OBEDIENCE TO POLICE OFFICERS - No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer invested by the law with authority to direct, control or regulate traffic.

SECTION 6. FOLLOWING TOO CLOSELY - (a) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic and the condition of the highway.

SECTION 7. VEHICLE ENTERING HIGHWAY FROM A PRIVATE ROAD OR DRIVEWAY. - The driver of a vehicle about to enter or cross a street, highway, road, alley, by-way, or by-pass of the City of Dupontonia shall come to a complete stop prior to entering or crossing such street, highway, road, alley, by-way, or by-pass.

SECTION 8. OPERATION OF VEHICLES ON APPROACH OF AUTHORIZED EMERGENCY VEHICLES - (a) Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals, or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

(b) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highways.

SECTION 9. RECKLESS DRIVING - (a) Any person who drives any vehicle in willful or wanton disregard for the safety of persons or property is guilty of reckless driving.

(b) Every person convicted of reckless driving shall be fined upon a first conviction not less than Twenty-Five ($25.00) Dollars nor more than Fifty ($50.00) Dollars, and on a second or subsequent conviction shall be fined not less than nor more than Fifty ($50.00) Dollars.

After the expiration of the two (2) days, there may be a final judgment imposing a forfeiture.

SECTION 4. The Judge of the Recorder's Court shall establish a schedule of voluntary fines to cover the first and second violations of traffic ordinances, said schedule shall be posted with the police desk sergeant and any person who is arrested for the violation of any such traffic ordinance may deposit the amount fixed in said schedule with the police desk sergeant and authorize said police sergeant to enter a plea of guilty to the charge, tender the sum of money provided in the schedule, and deliver his operator's or chauffeur's license for notation of such offense thereon. Such voluntary fine shall be tendered into Court, where same may be either accepted or rejected. In the event same is rejected, the person accused of the violation shall be cited to appear in Court, provided, however, that no such voluntary fine shall be accepted from a person whose violation involves personal injury or property damage; neither shall such voluntary fine be accepted from a person accused of a third violation within a twelve-month period, "third violation" being defined to mean a violation preceeded by two convictions, voluntary fines or forfeitures of bond within the twelve-month period.

The Judge of the Recorder's Court shall establish a schedule of cash bail for all violations of traffic ordinances or regulations of the City of Dupontonia.

SECTION 5. The Chief of Police of the City of Dupontonia shall be responsible for the attendance of a police officer, or members of the police department of the City, upon the Court at all times when it shall be in session, and said Chief of Police shall also designate an officer or officers, to serve as "police desk sergeant" as provided in Section 3 hereinabove.

SECTION 6. The Court shall make rules for the conduct of its business, and shall prescribe and adopt forms for its use in issuing process, entering judgments and keeping records of its transactions; it shall further, with the concurrence of the Board of Commissioners by resolution, adopt a schedule of days and hours at which hearings will be held. The Court shall be authorized to compel the attendance of witnesses by the issuance of subpoena or by attachment.

The recorder in all cases heard or determined by him for offenses against the corporate laws and ordinances shall tax in the bill of costs the same

amounts and for the same items allowed in courts of justices of the peace for similar work in state cases, and in addition shall add thereto One ($1.00) Dollar, as a tax on the same. He shall certify to the Chief of Police for collection, all fines, costs, and forfeitures imposed by him for offenses against the laws and ordinances of the city. It shall be the duty of the recorder to collect and receipt for all fines imposed by him and he shall render a monthly report to the Board of Commissioners of all fines, costs and forfeitures imposed or collected by him. It shall be unlawful for any other person or officer to collect or receipt for said fines, costs, and recoveries, but the said recorder may authorize the Chief of Police to collect and receipt for fines and costs.

All fines imposed by the recorder for violations of city ordinances shall belong to and be paid into the treasury of the city; and any labor performed in the execution of a workhouse or prison sentence for such violation or violations shall be performed for the city under the direction of the city manager.

SECTION 7. Any person dissatisfied with the judgment of the recorder in any case or cases heard and determined by the recorder, may, within two (2) entire days thereafter, Sundays excluded, appeal to the next circuit court of the county, upon giving bond with good and sufficient security as approved by the recorder by his appearance or the faithful prosecution of the appeal, provided, however, that that in prosecutions for violations of the city ordinances the bond shall not exceed Two Hundred and Fifty ($250.00) Dollars, provided, however, that such appeal shall not act as a stay or supersedas of any imprisionment which may be imposed unless the defendant shall execute an appeal bond with surety and approved by the recorder and in treble the amount of the fine imposed, conditioned to pay the fine and costs adjudged upon such appeal.

SECTION 8. The Mayor and the City Manager are expressly authorized to negotiate with the Sheriff of Davidson County, and with such other officials as may be necessary, for the imprisonment of such persons as may be convicted of offenses by the Recorder's Court of the City of Dupontonia and who shall refuse or otherwise fail to pay the fine and costs imposed by said Court. Any such agreement as shall be so

negotiated shall be subject to approval by resolution of the Board of Commissioners of the City of Dupontonia, which resolution shall also authorize execution of such contractual agreement by the Mayor and the City Manager.

Passed First Reading
September 3, 1959.

Passed Second Reading
September 17, 1959.

Passed Third Reading and Adopted
October 1, 1959.