

SECOND SUBSTITUTE ORDINANCE NO. BL2025-956

An ordinance to amend Chapter 12.40 of the Metropolitan Code of Laws regarding ~~abandoned vehicles and restrictions on~~ for street and alley parking.

WHEREAS, trucks and motor vehicles exceeding ten thousand pounds, box trucks, food trucks, trailers, tank trucks, and dump trucks repeatedly park on the right-of-way of the Metropolitan Government and obstruct other vehicles and pedestrians on local roads; and

WHEREAS, Metropolitan Code of Laws section 12.40.080 states that no vehicle shall be parked in a manner as to leave less than twelve feet of roadway available for the free movement of vehicular traffic; and

WHEREAS, notwithstanding current code provisions, additional measures are needed to ensure the free flow of traffic and to address obstructions on the roads and alleys of the Metropolitan Government.

WHEREAS, it is deemed to be in the best interest of the Metropolitan Government to amend the Code to prohibit trucks and similar vehicles from parking in the right of way.

NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 12.40.180 of Metropolitan Code of Laws is hereby amended by deleting the section in its entirety and replacing it with the following:

12.40.180 - Large Vehicle Parking in the Public Right-of-Way Prohibited.

~~A. For purposes of this section:~~

- ~~1. "Box truck" means a commercial truck with an enclosed, box-shaped cargo area that is separate from the cab.~~
- ~~2. "Food truck" means vehicle capable of movement and equipped to serve food.~~
- ~~3. "Food trailer" means a non-motorized unit equipped to serve food that is designed to be towed by a separate vehicle.~~
- ~~4. "Streets" means all streets, roads, highways, avenues, boulevards, publicly owned rights of way, bridges, tunnels, or other public ways dedicated to public use and maintained for general public travel within the area of the metropolitan government.~~

~~B. Except as otherwise permitted by law, the parking of trucks, or motor vehicles exceeding 8,800 ten thousand pounds gross vehicle weight rating, box trucks, food trucks, food trailers, trailers, or semi-trailers, whether or not attached to a tractor, is prohibited on any street within the jurisdiction of the Metropolitan Government at any time of day or night.~~

~~C. This section shall not apply to vehicles:~~

- ~~1. Actively engaged in loading or unloading activities;~~
- ~~2. With Where a driver is in attendance with the vehicle; or~~
- ~~3. Permitted by the Nashville Department of Transportation and Multimodal Infrastructure to operate in the right-of-way, including truck vendors, under Chapter 13.08.~~

~~D. In addition to all other remedies, whenever any police officer finds a vehicle in violation of this section, the officer is authorized to move such vehicle, or require the driver or person in charge of the vehicle, if present, to immediately relocate the same to a position off the roadway.~~

#### A. Definitions.

For purposes of this section, “large vehicle” means any commercial, oversized, or heavy-duty vehicle classified by the United States Department of Transportation (USDOT) vehicle classification system as Class 4 or higher. The term also includes, but is not limited to: box trucks, semi-trailers, tractors, dump trucks, tank trucks, mobile vending units, and any attached or detached trailer that is classified as a USDOT Class 3 trailer or higher.

For purposes of this section, “public right-of-way” means all streets, roads, highways, avenues, boulevards, alleys, bridges, tunnels, or other public ways dedicated to public use and maintained for general public travel within the area of the metropolitan government.

#### B. Parking Large Vehicles in the Public Right-of-Way Prohibited.

1. The parking, stopping, or standing of any large vehicle in the public right-of-way is strictly prohibited unless otherwise authorized by a valid permit issued by the Nashville Department of Transportation and Multimodal Infrastructure (NDOT).
2. Overnight parking by large vehicles in the public right-of-way is prohibited.
3. Large vehicles may stand temporarily in the public right-of-way during daylight hours only while actively providing a service to a neighboring business or residence. A minimum 12-foot-wide travel lane must remain open for vehicular traffic in each direction if pavement markings are present (e.g., double yellow line, center line), which requires a 24-foot total clear width; or, a minimum 12-foot total clear width must remain open on the roadway if no pavement markings are present. All vehicles must be removed within 30 minutes of service completion. Regulatory signs shall take precedence over pavement markings.

#### C. Loading and Unloading Restrictions for Large Vehicles.

Loading and unloading operations by large vehicles shall primarily take place only in designated loading zones, alleys, or loading docks. Stopping a large vehicle in an active vehicular traffic lane in the public right-of-way is strictly prohibited unless absolutely necessary to complete the service, and is subject to the following safety and operational limitations:

1. The stop must not exceed 30 minutes and must be conducted expeditiously.

2. A minimum 12-foot-wide travel lane must remain open for vehicular traffic in each direction if pavement markings are present (e.g., double yellow line, center line), which requires a 24-foot total clear width; or, a minimum 12-foot total clear width must remain open on the roadway if no pavement markings are present. Regulatory signs shall take precedence over pavement markings.
3. The large vehicle must be visibly engaged in the immediate loading or unloading process (e.g., lift gate open, doors open, and staff must be visibly handling cargo); and
4. The operator of the large vehicle must activate warning flashers and immediately deploy visibly placed traffic cones or warning triangles behind the vehicle to alert approaching traffic.

#### D. Enforcement and Penalties.

Both the Nashville Department of Transportation and Multimodal Infrastructure (NDOT) and the Metropolitan Nashville Police Department (MNPD) are fully authorized to enforce this section. Violators are subject to penalties including immediate orders to move the large vehicle, fines, and towing at the owner's expense. Any violation that constitutes an immediate public safety hazard or impedes emergency access will result in immediate ticketing and towing.

Section 2. That Section 12.40.190 of Metropolitan Code of Laws is hereby amended by deleting it in its entirety.

~~12.40.190 — Parking restrictions — Tank trucks, school buses, and certain other vehicles.~~

~~A. It is unlawful for any person owning or operating a tank truck or any other self-propelled vehicle used for transporting more than fifty (50) gallons of gasoline, kerosene, benzol, naphtha or other volatile liquids, to park such vehicle parked on any public street or alley within the jurisdiction of the metropolitan government for more than two (2) hours, whether loaded or empty.~~

~~B. It is unlawful for any person owning or operating a truck or motor vehicle of more than 8,800 ~~ten thousand~~ pounds gross vehicle weight rating, or a dump truck of more than fifty four thousand pounds of gross weight, including the load therein, to park such vehicle on any public street or alley within the jurisdiction of the metropolitan government for more than two (2) hours, whether loaded or empty.~~

Section 43. This ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

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Tasha Ellis  
Member of Council