

CHAPTER XIV: TRAFFIC

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§ 14-101 INCORPORATING STANDARD TRAFFIC ORDINANCE.

There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Silver Lake, Kansas, that certain Standard Traffic Ordinance known as the “Standard Traffic Ordinance for Kansas Cities”, 50th Edition of 2023, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. Not less than three copies of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Adopted by Ord. 2575”, with all sections or portions thereof omitted or changed by this or any other ordinance clearly marked to show any such omission or change and to which shall be attached a copy of Ord. 2575, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge and all administrative departments of the city charged with enforcement of this article shall be supplied, at cost of the city, such number of official copies of such Standard Traffic Ordinance similarly marked, as may be deemed expedient.

(Ord. 2504, passed 9-20-2021; Ord. 2535, passed 8-15-2022; Ord. 2575, passed 8-7-2023)

§ 14-102 SAME; TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.

(a) An ordinance traffic infraction is a violation of any section of this article that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118.

(b) All traffic violations which are included within this article, and which are not ordinance traffic infractions, as defined in division (a) above, shall be considered traffic offenses.
(Ord. 2146, passed 8-16-2010)

§ 14-103 PENALTY FOR SCHEDULED FINES.

(a) The fine for violation of an ordinance traffic infraction or any other traffic offense for which the Municipal Judge establishes a fine in a fine schedule shall not be less than \$10 nor more than \$500, except for speeding which shall not be less than \$10 nor more than \$500.

(b) A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.
(Ord. 2146, passed 8-16-2010)

§ 14-104 SPEED LIMITS IN SCHOOL ZONES.

Article 7 relating to and headed "Speed Regulations" of the Standard Traffic Ordinance, 2023 Edition, is hereby amended and enlarged to include a new subsection (a)(6) and (a)(7) to Section 33, as follows:

(a) **33(a)(6)**. Twenty miles per hour in the following designated school zones during the school crossing hours of 7:30 a.m. to 8:30 a.m., 10:45 a.m. to 12:15 p.m. and 2:45 p.m. to 3:45 p.m., on school days:

(i) On Rice Road beginning 190 feet North of Lake Street and extending northerly to 100 feet South of East Railroad Street.

(ii) On Pottawatomie Street beginning at Walnut Street and extending easterly to the intersection with Rice Road.

(iii) On Lake Street beginning 120 feet East of U.S. Highway 24/Chestnut Street continuing easterly to Apollo Street.

(iv) On Chestnut Street, which carries U.S. Highway 24 in Silver Lake, Kansas, from approximately 150 feet north of Pottawatomie Street to approximately 270 feet south of Lake Street.

(b) **33(a)(7)**. Twenty miles per hour in the following designated school zones during the school crossing hours of 7:30 a.m. to 8:30 a.m. and 2:45 p.m. to 3:45 p.m., on school days:

(i) On Rice Road beginning 150 feet North of Lake Street and extending northerly to 50 feet South of Railroad Street.

(ii) On Pottawatomie Street beginning 75 feet West of Pine Street and extending easterly to the intersection with Rice Road.

(iii) On Lake Street beginning 400 feet East of U.S. Highway 24 easterly to 150 feet East of Rice Road.

(iv) On Chestnut Street, which carries U.S. Highway 24 in Silver Lake, Kansas, from approximately 250 feet north of, to approximately 250 feet south of Pottawatomie Street.

(v) On Chestnut Street, which carries U.S. Highway 24 in Silver Lake, Kansas, from approximately 250 feet north of, to approximately 250 feet south of Lake Street.
(Ord. 2146, passed 8-16-2010; Ord. 2542, passed 11-7-2022)

§ 14-105 UNATTENDED MOTOR VEHICLE.

Article 13 relating to and headed “Stopping, Standing and Parking” of the Standard Traffic Ordinance, 2023 Edition, is hereby amended and enlarged to include Section 93a as follows:

Sec. 93a.

(a) No person driving or in charge of a motor vehicle shall permit it to stand or be parked unattended upon any street or alley, or upon private property within the city, without stopping the engine, locking the ignition, removing the ignition key from the vehicle, effectively setting the brake thereon, and when such vehicle is upon a perceptible grade, turning the front wheels to the curb or side of the street or highway. This section shall not apply to law enforcement or other public vehicles.

(b) The registered owner of a vehicle found in violation of this section shall be held prima facie responsible for any such violation.
(Ord. 2146, passed 8-16-2010)

§ 14-106 96-HOUR PARKING PROHIBITED.

Article 13 relating to and headed “Stopping, Standing and Parking” of the Standard Traffic Ordinance, 2023 Edition, is hereby amended and enlarged to include Sec. 97a, as follows:

Sec. 97a. 96-Hour Parking Prohibited.

No person shall park or cause to be parked, any vehicle of any kind on any street in the corporate limits of the City of Silver Lake, Kansas for any continuous period of time greater than 96 hours; and any vehicle so parked for a continuous period of 96 hours may be removed and impounded by the city.
(Ord. 2146, passed 8-16-2010)

§ 14-107 ALL NIGHT PARKING PROHIBITED.

Article 13 relating to and headed “Stopping, Standing and Parking” of the Standard Traffic Ordinance, 2023 Edition, is hereby amended and enlarged to include Section 98a as follows:

Sec. 98a. All-Night Parking Prohibited.

No person shall park or cause to be parked any truck or truck tractor of a gross weight of 12,000 pounds or more, or any farm tractor, trailer or semi-trailer owned or under the physical control of such person, on any highway or street for a period of time longer than 30 minutes between the hours of 10:00 p.m. and 6:00 a.m. of any day, provided that this section shall not apply to vehicles owned by the United States of America, the State of Kansas and the City of Silver Lake, Kansas.
(Ord. 2146, passed 8-16-2010)

§ 14-108 CITATION ON ILLEGALLY PARKED VEHICLES.

Article 13, Section 100 of the Standard Traffic Ordinance, 2023 Edition, is hereby amended to read as follows:

Sec. 100. Citation on Illegally Parked Vehicles.

Whenever any vehicle or motor vehicle without driver is found parked, standing or stopped in violation of this section, the officer finding such vehicle may take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation.
(Ord. 2146, passed 8-16-2010)

§ 14-109 FAILURE TO COMPLY WITH TRAFFIC CITATION ATTACHED TO VEHICLE.

Article 13, Section 101 of the Standard Traffic Ordinance, 2023 Edition, is hereby amended to read as follows:

Sec. 101. Failure to Comply With Traffic Citation Attached to Parked Vehicle.

If a violator of restrictions on stopping, standing or parking does not appear in response to a traffic citation affixed to such vehicle or motor vehicle within a period of five days, the Clerk of the Court shall send to the owner of the vehicle or motor vehicle to which the traffic citation was affixed a letter informing him or her of the violation and warning him or her that in the event such letter is disregarded for a period of five days a warrant for arrest will be issued.
(Ord. 2146, passed 8-16-2010)

§ 14-110 INATTENTIVE, NEGLIGENT OR UNSAFE DRIVING.

Article 14 relating to and headed “Miscellaneous Rules” of the Standard Traffic Ordinance, 2023 Edition, is hereby amended and enlarged to include Sections 104a and 104b, as follows:

Section 104a. Inattentive Driving - Negligent.

Every driver shall remain alert and give full attention to the safe operation of his vehicle while it is in motion, and any person violating the provisions of this section shall be deemed guilty of negligent driving in violation of this section.

Section 104b. Inattentive Driving - Careless/Unsafe.

No person shall operate or hold any vehicle in such manner as to indicate a careless or heedless disregard for the rights or the safety of others, or in such manner as to endanger, or be likely to endanger, any person or property. Further, no driver shall engage in any activity or do any act which interferes with the safe control of his vehicle. Any person violating the provisions of this section shall be deemed guilty of careless or unsafe driving in violation of this section.

(Ord. 2146, passed 8-16-2010)

§ 14-111 AUTHORITY OF GOVERNING BODY; SIGNS.

Article 14 relating to and headed “Miscellaneous Rules” of the Standard Traffic Ordinance, 2023 Edition, is hereby amended and enlarged to include subsection 118a as follows:

Sec. 118a. Authority of Governing Body; Signs.

The governing body is authorized, by resolution, to establish routes for the movement of trucks and commercial vehicles or prohibit the operation of vehicles upon certain streets or highways in the city or impose restrictions as to the weight of vehicles to be operated thereon. All such regulations shall be effective when appropriate and sufficient signs have been erected indicating such routes or limitations with respect to designated streets or highways.

(Ord. 2146, passed 8-16-2010)

§ 14-112 ENGINE EXHAUST BRAKING PROHIBITED.

Article 17 relating to and headed “Lights, Brakes, Horns and Other Equipment” of the Standard Traffic Ordinance, 2023 Edition, is hereby amended and enlarged to include subsection 175a as follows:

Sec. 175a. Engine Exhaust Braking Prohibited.

(a) It is unlawful for the driver to use or cause to be used or operated within the city, any mechanical exhaust device from the vehicle, resulting in the excessive, loud or unusual or explosive noise, except in case of emergency.

(b) Penalty for violation. Every person convicted of a violation of this section shall be punished as follows:

- (1) First conviction, a fine of not more than \$100, or imprisonment for not more than ten days.

(2) For a second conviction within one year after the first conviction, a fine of not more than \$200, or imprisonment for not more than 20 days, or by both such fine and imprisonment.

(3) For the third conviction within one year of the first conviction, a fine of not more than \$500, or imprisonment for not more than 6 months, or by both such fine and imprisonment.
(Ord. 2146, passed 8-16-2010)

§ 14-113 VEHICLE LICENSE; ILLEGAL TAGS.

Article 19, Section 198, subsection (a)(1) of the Standard Traffic Ordinance, 2023 Edition, is hereby amended to read as follows:

(1) Operate, park or stop, or for the owner thereof knowingly to permit the operation, parking or stopping, upon a highway, street or parking area, of any vehicle which is not registered, or for which a certificate of title has not been issued or which does not have attached thereto and displayed thereon the license plate or plates assigned thereto by the division for the current registration year, including any registration decal required to be affixed to any such license plate pursuant to K.S.A. 8-134, and amendments thereto, subject to the exemptions allowed in K.S.A. 8-135 and 8-198, and amendments thereto. A violation of this section by a person unlawfully claiming that a motor vehicle is exempt from registration as a self-propelled crane under K.S.A. 8-128(b) and amendments thereto, shall constitute a violation punishable by a fine of not less than \$500.
(Ord. 2146, passed 8-16-2010)

§ 14-114 MAXIMUM SPEED LIMITS.

Section 33 of the Standard Traffic Ordinance is amended as follows:

Sec. 33. Maximum Speed Limits.

(a) Except as provided in subsection (b) and except when a special hazard exists that requires lower speed for compliance with K.S.A. 8-1557, and amendments thereto, the limits specified in this subsection or established as authorized by law shall be maximum lawful speeds, and no person shall operate a vehicle at a speed in excess of such maximum limits:

- (1) In any business district, 20 miles per hour;
- (2) In any urban district, 30 miles per hour;
- (3) On any separated multilane highway, as designated and posted by the Secretary of Transportation, 75 miles per hour;
- (4) On any county or township highway, 55 miles per hour;
- (5) On all other highways, 65 miles per hour; and

(6) On any roads designated as such by the City, 40 miles per hour.

(b) No person shall drive a school bus to or from school, or interschool or intraschool functions or activities, at a speed in excess of the maximum speed limits provided in subsection (a), except that the board of education of any school district may establish by board policy lower maximum speed limits for the operation of such district's school buses. The provisions of this subsection relating to school buses shall apply to buses used for the transportation of students enrolled in community colleges or area vocational schools, when such buses are transporting students to or from school, or functions or activities.

(K.S.A. 8-1558)

(c) The maximum speed limits in this section may be altered as authorized in K.S.A. 8-1559 and K.S.A. 8-1560, and amendments thereto.

(Ord. 2504, passed 9-20-2021)

Statutory reference:

Power to change speed limits generally and regulate speed in parks and school zones, see K.S.A. 8-1560 and K.S.A. 8-2002

§ 14-115 PLACEMENT OF GLASS AND SUCH ON HIGHWAY.

Section 112 of the Standard Traffic Ordinance is amended as follows:

Sec. 112. Putting Glass, Etc. on Highway Prohibited.

(a) No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans, grass clippings, yard waste/debris or any other substance likely to injure any person, animal or vehicle upon such highway.

(b) Any person who drops, or permits to be dropped or thrown, upon any highway any destructive, dangerous or injurious material shall immediately remove the same or cause it to be removed. Any person who drops, or permits to be dropped or placed, upon any highway any grass clippings, yard waste/debris, or any other substance that may cause a vehicle to lose traction, shall immediately remove the same or cause it to be removed.

(c) Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.

(K.S.A. 8-1583)

(Ord. 2504, passed 9-20-2021)

§ 14-116 OPERATION OF WORK-SITE UTILITY VEHICLES AND UTILITY TASK VEHICLES; PENALTY.

(a) *Operation.* Work-site utility vehicles and utility task vehicles, as defined below, may be operated upon the streets, roads and alleys within the corporate limits of the city, subject to the provisions of this section.

(1) ***WORK-SITE UTILITY VEHICLE*** means any motor vehicle which is not less than 48 inches in width, has an unladen weight, including fuel and fluids, of more than 800 pounds and is equipped with four or more non-highway tires, a steering wheel and bench or bucket-type seating allowing at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials. ***WORK-SITE UTILITY VEHICLE*** does not include a micro utility truck.

(2) (a) No work-site utility vehicle or utility task vehicle shall be operated on any public street, road or alley unless such vehicle shall comply with the equipment requirements under the provisions of K.S.A. Chapter 8, Article 17.

(b) Such requirements include, but are not limited to, requirements for headlights, brake lights, turn signals, horns, mufflers, mirrors, reflectors and seat belts. No work-site utility vehicle shall be operated on any public street or road between sunset and sunrise unless equipped with lights as required by law. Per state and federal law, seat belts must be equipped and properly used by all passengers.

(3) Every person operating a work-site utility vehicle or utility task vehicle on the public streets, roads and alleys of the city shall be subject to all of the duties applicable to a driver of a vehicle imposed by law.

(4) No person shall operate a work-site utility vehicle or utility task vehicle on any public street, road or alley within the corporate limits of the city unless such vehicle is equipped with a factory exhaust system or an exhaust system meeting all manufacturer's specifications.

(5) A violation of this section shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Section 201, 2021 Standard Traffic Ordinance, or amendments thereto, or such other similar provision as the city may then have in effect. In addition, the city may revoke any registration of the vehicle as established in division (e) below.

(b) *Valid driver's license required, penalty.* No person shall operate a work-site utility vehicle or utility task vehicle on any public highway, street, road or alley within the corporate limits of the city unless such person has a valid driver's license. Violation of this section is punishable by a fine of not more than \$1,000 or by imprisonment for not more than six months or by both such fine and imprisonment.

(c) *Effect.*

(1) Nothing in this section shall serve as authorization for any person to operate any of the above-noted vehicles upon any interstate highway, federal highway or state highway, if the same are prohibited by state or federal law. If state or federal law allows the vehicle to cross state highways, the driver may do so within the city.

(2) The operator of any of the above-noted vehicles shall not overtake and pass in the same lane occupied by the vehicle being overtaken.

(3) No person shall operate any of the above-noted vehicles between lanes of traffic or between adjacent lines or rows of vehicles.

(d) *Insurance required, penalty.*

(1) Every owner of any vehicle subject to this section shall provide liability coverage in accordance with Section 200 of the 2021 Standard Traffic Ordinance, and amendments thereto, and the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101 et seq., and amendments thereto.

(2) All provisions of Section 200 of the 2021 Standard Traffic Ordinance, and amendments thereto, including penalty provisions, shall be applicable to all owners and operators of vehicles governed by this section.

(e) *Registration; fee, application, inspection.*

(1) (a) Before operating any vehicle subject to this section on any public highway, street, road or alley within the corporate limits of the city, the vehicle shall be registered with the Police Department. Proof of registration shall be either in the vehicle or on the person of the driver or passenger of the vehicle at all times said vehicle is being operated, and the city may issue decals or stickers that must be visibly placed on the vehicle during operation.

(b) Any application shall be made upon forms provided by the city and each application shall contain the name of the owner, the owner's residence address or bona fide place of business, a brief description of the vehicle to be registered (including make, model and serial number, if applicable). The owner shall also provide an owner's manual or similar booklet showing the specifications of the vehicle. Proof of insurance, as required in division (d) above shall be furnished at the time of application for registration. The annual registration fee for a special purpose vehicle shall be \$40. The full amount of the registration fee shall be required regardless of the time of year that the application is made. The registration issued hereunder is not transferrable.

(2) An entry or a plea of guilty or no contest or a conviction of violation under this section by an individual with a prior entry or plea of guilty or no contest or conviction of violation under this section shall result in a suspension of the registration of any special purpose vehicles owned by said individual for the period of six months.

(3) A violation of this section by operation of a vehicle without a city registration shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Section 201, 2021 Standard Traffic Ordinance, or amendments thereto, or such other similar provision as the city may then have in effect.

(f) *Jurisdiction.* The provisions of this section shall also apply to all land and water either within or outside the boundary of the city over which the city has either exclusive jurisdiction, concurrent jurisdiction, or real property ownership, and the air space above such land or water.
(Ord. 2500, passed 8-16-2021)

§ 14-117 OPERATION OF MICRO UTILITY TRUCKS.

(a) ***MICRO UTILITY TRUCK*** means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 160 inches, has an unladen weight, including fuel and fluids, of more than 1,500 pounds, can exceed 40 miles per hour as originally manufactured and is manufactured with a metal cab. For purposes of this section, this definition will be interpreted in light of the definition under state law, K.S.A. 8-1494 and any amendments thereto.

(b) Micro utility trucks may be operated upon the streets, roads and alleys within the corporate limits of the city, subject to the provisions of this section, and the prior ordinances of the city.

(c) All provisions of § 14-116, regarding work site utility vehicles shall apply to the operation, use and registration of micro utility trucks, and any person operating any micro utility truck shall fully comply with that section.

(Ord. 2516, passed 1-3-2021)

ARTICLE 2: LOCAL TRAFFIC REGULATIONS

Section

- 14-201 Parking in City Hall parking lot
- 14-202 Operation of motor vehicles on city property
- 14-203 Operation of golf carts; penalty

§ 14-201 PARKING IN CITY HALL PARKING LOT.

(a) Parking of motor vehicles in the off-street parking lot adjoining the City Hall and fire station building in the city, shall only be permitted to those persons who have business at the City Hall building and only for those periods of time necessary for them to be at the City Hall building.

(b) Each violation shall be punishable by a fine of not more than \$10.
(Ord.1340, passed 8-18-1986)

§ 14-202 OPERATION OF MOTOR VEHICLES ON CITY PROPERTY.

(a) No person shall operate any motorized vehicle, motorcycle, motor-driven cycle or motorized bicycle on property owned by the city for the use of the general public, unless such operation is limited to designated roads or parking areas. This prohibition shall not apply to city employees or contractors in the course of performing their duties.

(b) No person, except as provided in divisions (c), (d), (e) and (f) below, shall operate lawn mowers, all-terrain vehicles, micro utility vehicles, low speed vehicles, utility vehicles, snowmobiles or golf carts on city streets, roads, alleys or right-of-way.

(c) The prohibitions of this section shall not apply to the city, U.S.D. 372, or any other municipal or quasi-municipal entity owning real property within the city, and the employees or contractors of these entities, as long as the same are operating the vehicles in the course of performing their duties upon real property owned within the city. Any operation of these vehicles by these parties shall be limited to travel between different real properties owned or controlled by these parties, via the most direct route possible, so as to minimize the time of operation upon city streets.

(d) The prohibition of this section shall not apply when the city, or any portion thereof, is under a winter weather advisory or where the Chief of Police designates that the city is under conditions of extreme and substantial winter snows such that use of the motor vehicles listed in division (b) above are

necessary to assist the public in clearing snow or short distance travel for goods and services within the city, if operated by persons otherwise licensed to drive. However, if, in the discretion of the Chief of Police, a vehicle listed in division (b) above is being used for purely recreational activities, the vehicle may be impounded for the period of 48 hours to ensure public safety.

(e) The prohibition of this section shall not apply to parades or other public functions where the Chief of Police has closed city roads for the purpose of the parade or other public function. This allowance shall not provide for the ability of the operator of the vehicle to drive it to the location of the parade or function, and instead the operator must properly and safely transport the vehicle to the closed street or a nearby assembly area. The Chief of Police may bar any person from operating vehicles in any closed street if it is believed that the vehicle or the operator may endanger other participants or bystanders, or cause damage to property.

(f) (1) Residents of the city may operate a lawn mower or lawn tractor on city streets only in the following manner, and subject to the following restrictions:

(A) The resident shall comply with all ordinances and laws of the city and the state in operating the mower or tractor upon city streets, taking into account limitations on speed and equipment coincident with the nature of the vehicle;

(B) The operation of the mower shall only be allowed if the same is to be used for mowing or other, similar lawn care activities upon a destination property. The resident may not, in any manner, operate or use the mower or tractor on a state highway, nor to obtain any commercial services, including, but not limited to, purchase of gas, liquids or foodstuffs at any business;

(C) Operation of mowers or tractors on city streets is a privilege, not a right, and nothing in this section or this code of ordinances shall be interpreted to provide otherwise; and

(D) Any resident otherwise found operating a mower or tractor in violation of these requirements may, upon conviction of the same in municipal court, be ordered to discontinue use of the mower on public streets for up to six months, in addition to any other fines or penalties assessed.

(2) A resident granted a permit shall remain subject to all ordinances and laws of the city and the state in operating the mower or tractor upon city streets, taking into account limitations on speed and equipment coincident with the nature of the vehicle. The permit is provided to an applicant with the understanding that it does not waive the prohibitions of state law, nor does it bind other law enforcement agencies from enforcing those laws. As such the applicant is not free from prosecution or penalty from these other agencies either within or without the city limits when operating a vehicle allowed by the section.

(3) A resident granted a permit shall not operate said vehicle outside of the route designated in the permit. The permit and operation shall only be allowed if the same is to be used for mowing or other, similar lawn care activities upon the destination property. The resident may not designate more than three destination properties in a permit, and only one permit may be granted per resident. The

resident may not, in any manner, operate or use the mower or tractor on a state highway, nor to obtain any commercial services, including, but not limited to, purchase of gas, liquids or foodstuffs at any business, regardless of whether said businesses adjoin or are otherwise within the route designated in the permit.

(4) The Chief of Police or any city law enforcement officer may summarily and immediately revoke any permit herein granted, for any reason, in their sole discretion. Operation of mowers or tractors on city streets is a privilege, not a right, and nothing in this section or the city code shall be interpreted to provide otherwise.

(5) Any resident otherwise found operating a mower or tractor in violation of these requirements is subject to prosecution in Municipal Court, to be fined in an amount not to exceed \$250 per violation, along with termination of the permit.

(Ord. 2332, passed 6-6-2016; Ord. 2347, passed 11-7-2016; Ord. 2374, passed 9-6-2017; Ord. 2556, passed 2-6-2023)

§ 14-203 OPERATION OF GOLF CARTS; PENALTY.

(a) *Operation generally.*

(1) Golf carts, as defined below, may be operated upon the streets, roads and alleys within the corporate limits of the city, subject to the provisions of this section.

(2) **GOLF CART** shall mean any motor vehicle which has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be and is operated at not more than 25 mph and is designed to carry not more than four persons including the driver. For purposes of this article, this definition will be interpreted in light of the definition under state law, being K.S.A. 8-1494 and any amendments thereto.

(3) No golf cart shall be operated on any public street, road or alley unless such vehicle shall comply with the equipment requirements under the provisions of K.S.A. Article 18, Chapter 8. Such requirements include, but are not limited to, requirements for headlight and taillights if operating between sunset and sunrise, brake lights, a working horn, a muffler and reflectors.

(4) No golf cart shall be operated on any public street or road between sunset and sunrise unless equipped with lights. A properly mounted slow-moving vehicle emblem as required by K.S.A. 8-1717, and amendments thereto (K.S.A. 8-15, 108), is required at all times of operation.

(5) Golf carts may be operated upon the streets, roads and alleys within the corporate limits of the city; provided, however, that no golf cart may be operated upon any public highway, street, road and alley with a posted speed limit in excess of 30 mph. No golf cart shall be operated on any interstate highway, federal highway or state highway; provided, however, that the provisions of this section shall not prohibit a golf cart from crossing a federal or state highway or a street or highway with a posted speed limit greater than 30 mph.

(6) Every person operating a golf cart on the public highways, streets, roads and alleys of the city shall be subject to all of the duties applicable to a driver of a vehicle imposed by law. In addition, every person operating a golf cart shall have safety belts/seat belts installed on said vehicle and used by all persons in said vehicle. A violation of this requirement shall result in penalties as outlined in K.S.A. 8-2504, and amendments thereto. Golf carts may be operated upon the streets, roads and alleys within the corporate limits of the city, subject to the provisions of this section, and the prior ordinances of the city.

(7) A violation of this section shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with § 201 of the 2022 Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect. In addition, the city may revoke any registration of the vehicle as established in division (d) below.

(b) *Valid driver's license require; penalty.* No person shall operate a golf cart on any public highway, street, road or alley within the corporate limits of the city unless such person has a valid driver's license. Violation of this section is punishable by a fine of not more than \$1,000 or by imprisonment for not more than six months or by both such fine and imprisonment.

(c) *Effect.*

(1) Nothing in this section shall serve as authorization for any person to operate a golf cart upon any interstate highway, federal highway or state highway, if the same are prohibited by state or federal law. If state or federal law allows the vehicle to cross state highways, the driver may do so within the city.

(2) The operator of a golf cart shall not overtake and pass in the same lane occupied by the vehicle being overtaken.

(3) No person shall operate a golf cart between lanes of traffic or between adjacent lines or rows of vehicles.

(d) *Insurance required; penalty.* Every owner of any vehicle subject to this article shall provide liability coverage in accordance with § 200 of the 2021 Standard Traffic Ordinance, and amendments thereto, and the Kansas Automobile Injury Reparations Act, being K.S.A. 40-3101 et seq., and amendments thereto. All provisions of § 200 of the 2021 Standard Traffic Ordinance, and amendments thereto, including penalty provisions, shall be applicable to all owners and operators of vehicles governed by this article.

(e) *Registration; fee, application, inspection.*

(1) Before operating any vehicle subject to this article on any public highway, street, road or alley within the corporate limits of the city, the vehicle shall be registered with the city. Proof of registration shall be either in the vehicle or on the person of the driver or passenger of the vehicle at all

times said vehicle is being operated, and the city may issue decals or stickers that must be visibly placed on the vehicle during operation. Any application shall be made upon forms provided by the city and each application shall contain the name of the owner, the owner's residence address or bona fide place of business and a brief description of the vehicle to be registered (including make, model and serial number, if applicable). The owner shall also provide an owner's manual or similar booklet showing the specifications of the vehicle. Proof of insurance, as required in division (d) above, shall be furnished at the time of application for registration. The annual registration fee for a special purpose vehicle shall be \$40. The full amount of the registration fee shall be required regardless of the time of year that the application is made. The registration issued hereunder is not transferrable.

(2) An entry or a plea of guilty or no contest or a conviction of violation under this section by an individual with a prior entry or plea of guilty or no contest or conviction of violation under this article shall result in a suspension of the registration of any special purpose vehicles owned by said individual for the period of six months.

(3) A violation of this division by operation of a vehicle without a city registration shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with § 201 of the 2022 Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect.

(f) *Jurisdiction.* The provisions of this section shall also apply to all land and water either within or outside the boundary of the city over which the city has either exclusive jurisdiction, concurrent jurisdiction or real property ownership, and the air space above such land or water.
(Ord. 2551, passed 1-18-2023; Ord. 2553, passed 1-18-2023)

ARTICLE 3: (RESERVED)

ARTICLE 4: HAZARDOUS MATERIALS

Section

- 14-401 Hazardous material defined
- 14-402 Same; exceptions
- 14-403 Transportation of hazardous materials
- 14-404 Hazardous materials routes
- 14-405 Parking of vehicles or trailers carrying hazardous materials
- 14-406 Removal of illegally parked trailers

§ 14-401 HAZARDOUS MATERIAL DEFINED.

As used in this article, the term ***HAZARDOUS MATERIAL*** shall mean any material or combination of materials that, because of its quantity, concentration or physical, chemical, biological or infectious characteristics, poses a substantial present or potential hazard to human health or safety or the environment if released into the workplace or environment or when improperly treated, stored, transported or disposed of or otherwise managed.

§ 14-402 SAME; EXCEPTIONS.

The provisions of this article shall not apply to any container that shall have a capacity of 150 gallons or less that shall be used for the purpose of supplying fuel for the vehicle on which it is mounted. These provisions shall also not apply to vehicles, trailers, containers or tanks containing anhydrous ammonia or other material primarily used by farmers for fertilizer purposes when such vehicles, trailers, containers or tanks are parked or housed upon property designated for the placement of such vehicle, trailer, container or tank by any farmers cooperative, elevator company or farm supply store located within the city limits.

§ 14-403 TRANSPORTATION OF HAZARDOUS MATERIALS.

Except as provided in § 14-404, it shall be unlawful for any person, firm, corporation or other entity to transport any hazardous material upon any street, avenue, highway, road, alley or any other public right-of-way in the city.

§ 14-404 HAZARDOUS MATERIALS ROUTES.

The provisions of § 14-403 shall apply to all streets, avenues, highways, roadways, alleys or other public rights-of-way within the city, except those specified within this section where transportation of

hazardous materials shall be allowed. Transportation of hazardous materials shall be allowed upon the streets, avenues, highways or roadways as determined by the city.

§ 14-405 PARKING OF VEHICLES OR TRAILERS CARRYING HAZARDOUS MATERIALS.

(a) Except as provided in divisions (b) and (c) below, it shall be unlawful for any person, firm, corporation or other entity to park any vehicle, trailer or semi-trailer carrying any hazardous material within any city zoning districts as defined in Chapter XVI of this code.

(b) Division (a) above shall not apply to vehicles, trailers or semi-trailers parked for continuous periods of time not to exceed one hour where such vehicles, trailers or semi-trailers are parked along those routes specified in § 14-404 of this code.

(c) Division (a) above shall not apply to any vehicle, trailer or semi-trailer carrying any hazardous material where such vehicle, trailer or semi-trailer is not parked within 500 feet of any structure used for human habitation.

§ 14-406 REMOVAL OF ILLEGALLY PARKED TRAILERS.

If any vehicle, trailer or a semi-trailer is found parked in violation of the provisions of this article, the Fire Chief or Assistant Chief or any law enforcement officer may require the owner, operator or lessee of the trailer to move it within two hours. If such removal is not accomplished on the order of any such officer, it may be accomplished by any such officer, by any reasonable means, if the continued presence of the trailer or semi-trailer at its parked location constitutes, adds to or prevents correction of a situation threatening imminent injury or damage to persons or property.