

ORDINANCE NO. 2500

AN ORDINANCE AUTHORIZING THE OPERATION OF WORK-SITE UTILITY VEHICLES AND UTILITY TASK VEHICLES ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF SILVER LAKE; PROVIDING FOR RELATED MATTERS INCLUDING PENALTIES FOR VIOLATION THEREOF; AND, PROVIDING FOR THE REPEAL OF ALL CONFLICTING ORDINANCES AND CODE PROVISIONS

Be it Ordained by the Governing Body of the City of Silver Lake, Kansas:

Section 1. OPERATION OF WORK-SITE UTILITY VEHICLES AND UTILITY TASK VEHICLES; PENALTY.

(a) 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 Ordinance.

(b) "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 nonhighway 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

(c) 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 article 17, chapter 8 of the Kansas Statutes Annotated. 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.

(d) 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.

(e) 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.

(f) 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 Section 5 herein.

Section 2. **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.

Section 3. **EFFECT.**

(a) Nothing in this ordinance 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.

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

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

Section 4. **INSURANCE REQUIRED, PENALTY.**

(a) Every owner of any vehicle subject to this ordinance 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.

(b) 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 ordinance.

Section 5. **REGISTRATION; FEE, APPLICATION, INSPECTION.**

(a) Before operating any vehicle subject to this ordinance 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. 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 Section 4 shall be furnished at the time of application for registration. The annual registration fee for a special purpose vehicle shall be \$40.00. 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.

(b) An entry or a plea of guilty or no contest or a conviction of violation under this ordinance by an individual with a prior entry or plea of guilty or no contest or conviction of

violation under this ordinance shall result in a suspension of the registration of any special purpose vehicles owned by said individual for the period of six months.

(c) 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.

Section 6. JURISDICTION. The provisions of this ordinance 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.

Section 7. REPEAL. All Ordinances and City Code provisions of the City of Silver Lake, Kansas, in conflict herewith are hereby repealed.

Section 8. PUBLICATION; EFFECTIVE DATE. This ordinance shall be published one time in the official city newspaper and shall take effect and be in force from and after said publication.

PASSED BY THE CITY COUNCIL this 16th day of August, 2021.

APPROVED BY THE MAYOR this 16th day of August, 2021.


Mack Smith, Mayor

ATTEST:


Liz Steckel, City Clerk

